

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 3211

By: Hickman of the House

and

Halligan of the Senate

4
5
6
7
8 An Act relating to higher education; amending 70 O.S.
9 2011, Section 2603, as amended by Section 24, Chapter
10 11, O.S.L. 2012 (70 O.S. Supp. 2013, Section 2603),
11 which relates to the eligibility requirements for the
12 Oklahoma Higher Learning Access Program; adding
13 requirement to maintain eligibility while pursuing a
14 program of higher learning; providing an effective
15 date; and declaring an emergency.

14 AUTHOR: Add the following Senate Coauthor: Brecheen

15 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
16 entire bill and insert

17 "[higher education - eligibility requirements for
18 the Oklahoma Higher Learning Access Program -
19 effective date -
20 emergency]

20 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

21 SECTION 1. AMENDATORY 70 O.S. 2011, Section 2603, as
22 amended by Section 24, Chapter 11, O.S.L. 2012 (70 O.S. Supp. 2013,
23 Section 2603), is amended to read as follows:
24

1 Section 2603. A. Except as otherwise provided for in
2 subsection B of this section and elsewhere in this section, to be
3 eligible to participate in the Oklahoma Higher Learning Access
4 Program and to qualify for an award which includes payment of an
5 amount equivalent to resident tuition or other tuition pursuant to
6 Section 2604 of this title for the first semester or other academic
7 unit of postsecondary enrollment, a student shall:

8 1. Be a resident of this state or be enrolled in a school
9 district located in this state that serves students who reside in
10 both this state and an adjacent state pursuant to a contract as
11 authorized in Section 5-117.1 of this title;

12 2. Be a United States citizen or lawfully present in the United
13 States. A student who is not a United States citizen or lawfully
14 present in the United States shall not be eligible to participate in
15 the Oklahoma Higher Learning Access Program and to qualify for an
16 award notwithstanding the provisions of Section 3242 of this title.
17 The provisions of this paragraph shall not apply to any student who
18 was enrolled in the Oklahoma Higher Learning Access Program prior to
19 the end of the 2006-2007 school year;

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

22 4. a. have graduated within the previous three (3) years
23 from a high school accredited by the State Board of
24 Education, or the Oklahoma School of Science and

1 Mathematics with a minimum 2.5 cumulative grade point
2 average on a 4.0 scale for all work attempted in
3 grades nine through twelve,

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

10 c. have satisfactorily completed within the previous
11 three (3) years an educational program that was
12 provided through a means other than a public or
13 private school and have achieved a composite score of
14 22 or higher on the ACT test;

15 5. Have completed the curricular requirements for admission to
16 an institution within The Oklahoma State System of Higher Education
17 and one additional unit or set of competencies in a course that
18 meets college admission requirements. The curriculum requirements
19 shall include two units or sets of competencies in foreign or non-
20 English language or technology courses that meet the college
21 admission requirements and one unit or set of competencies of a fine
22 arts course. Students shall also have attained a 2.5 grade point
23 average in the core curriculum courses. Students who attended a
24 high school which did not offer all the core curriculum courses or

1 students who were educated by other means and were not offered all
2 the core curriculum courses shall be allowed to satisfy this
3 curriculum requirement by participating in a program approved by the
4 State Regents for remediation of high school curricular
5 deficiencies;

6 6. Have satisfied admission standards as determined by the
7 Oklahoma State Regents for Higher Education for first-time-entering
8 students for the appropriate type of institution, or, if attending a
9 private institution, have satisfied admission standards as
10 determined by the private institution. No student participating in
11 the Oklahoma Higher Learning Access Program shall be admitted into
12 an institution of higher education by special admission standards;

13 7. Have secured admission to, and enrolled in, an institution
14 which is a member of The Oklahoma State System of Higher Education,
15 a postsecondary vocational-technical program offered pursuant to a
16 duly approved cooperative agreement between a technology center
17 school and an institution of The Oklahoma State System of Higher
18 Education, or a private institution of higher learning located
19 within this state and accredited pursuant to Section 4103 of this
20 title; and

21 8. a. have established financial need according to the
22 provisions of subsection D of Section 2605 of this
23 title and standards and provisions promulgated by the
24 Oklahoma State Regents for Higher Education,

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

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

22 B. 1. A student shall be eligible to participate in the
23 Oklahoma Higher Learning Access Program and to qualify for an award
24 which includes payment of an amount equivalent to resident tuition

1 or other tuition pursuant to Section 2604 of this title for the
2 first semester or other academic unit of postsecondary enrollment if
3 the student meets all of the following criteria:

4 a. is a child of any person killed after January 1, 2000,
5 in the line of duty in any branch of the United States
6 Armed Forces or who died after January 1, 2000, as a
7 result of an injury sustained while in the line of
8 duty in any branch of the United States Armed Forces
9 and the person who was killed or died filed an
10 individual or joint Oklahoma income tax return for the
11 tax year prior to the year during which the person was
12 killed or died,

13 b. is a resident of this state or is enrolled in a school
14 district located in this state that serves students
15 who reside in both this state and an adjacent state
16 pursuant to a contract as authorized in Section 5-
17 117.1 of this title,

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

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

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

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

16 f. executes an agreement pursuant to subsection C of
17 Section 2605 of this title.

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

21 C. To retain eligibility while pursuing the program of higher
22 learning in which enrolled, the student shall:

23 1. Achieve a minimum cumulative grade point average of 2.0 on a
24 4.0 scale or its equivalent for courses taken through the student's

1 sophomore year and achieve a minimum grade point average of 2.5 on a
2 4.0 scale or its equivalent for courses taken during the student's
3 junior year and thereafter. The provisions of this paragraph shall
4 not apply to any student who has received an Oklahoma Higher
5 Learning Access Program benefit award prior to the 2012-2013 school
6 year;

7 2. Maintain good academic standing and satisfactory academic
8 progress according to standards of the Oklahoma State Regents for
9 Higher Education;

10 3. Maintain satisfactory academic progress as required for
11 eligibility for federal Title IV student financial aid programs.
12 The provisions of this paragraph shall become effective for the
13 2012-2013 school year;

14 4. Enroll in a minimum of thirty (30) credit hours each
15 academic year. Each institution of higher education may establish a
16 policy to approve exceptions to this requirement for hardship
17 circumstances as determined by the institution. The institution
18 shall provide a copy of the policy to the Oklahoma State Regents for
19 Higher Education. After the end of each academic year, each
20 institution shall submit a report to the Oklahoma State Regents for
21 Higher Education providing the total number of exceptions approved
22 and a summary of the exceptions by type of hardship;
23
24

1 5. Comply with the standards related to maintenance of
2 eligibility as promulgated by the Oklahoma State Regents for Higher
3 Education; and

4 ~~5.~~ 6. Refrain from conduct that leads to expulsion or
5 suspension of more than one semester from an institution of higher
6 education. A student who violates the provisions of this paragraph
7 shall permanently lose eligibility for program benefits. The
8 provisions of this paragraph shall become effective January 1, 2008.

9 D. The Oklahoma State Regents for Higher Education and the
10 State Board of Career and Technology Education shall promulgate
11 rules relating to maintenance of eligibility under the Oklahoma
12 Higher Learning Access Act by a student.

13 E. It is the intent of the Legislature that students in the
14 ninth grade for the 1992-93 school year who are determined to be
15 eligible Oklahoma Higher Learning Access students pursuant to the
16 Oklahoma Higher Learning Access Act shall be the first students
17 eligible for benefits from the Oklahoma Higher Learning Access Trust
18 Fund.

19 F. The Oklahoma State Regents for Higher Education are
20 authorized to study, develop and propose criteria for determining
21 award eligibility based upon the completion of seven (7) semesters
22 of high school coursework by a student.

23 SECTION 2. This act shall become effective July 1, 2014.

24

1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval."

5 and when the title is restored, amend the title to
6 conform

7 Passed the Senate the 15th day of April, 2014.

8
9 _____
10 Presiding Officer of the Senate

11 Passed the House of Representatives the ____ day of _____,
12 2014.

13
14 _____
15 Presiding Officer of the House
16 of Representatives

17
18
19
20
21
22
23
24

1 ENGROSSED HOUSE
2 BILL NO. 3211

By: Hickman of the House

and

Halligan of the Senate

3
4
5
6
7 An Act relating to higher education; amending 70 O.S.
8 2011, Section 2603, as amended by Section 24, Chapter
9 11, O.S.L. 2012 (70 O.S. Supp. 2013, Section 2603),
10 which relates to the eligibility requirements for the
11 Oklahoma Higher Learning Access Program; adding
12 requirement to maintain eligibility while pursuing a
13 program of higher learning; providing an effective
14 date; and declaring an emergency.

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

16 SECTION 4. AMENDATORY 70 O.S. 2011, Section 2603, as
17 amended by Section 24, Chapter 11, O.S.L. 2012 (70 O.S. Supp. 2013,
18 Section 2603), is amended to read as follows:

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

1 1. Be a resident of this state or be enrolled in a school
2 district located in this state that serves students who reside in
3 both this state and an adjacent state pursuant to a contract as
4 authorized in Section 5-117.1 of this title;

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

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

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

21 b. have graduated within the previous three (3) years
22 from a high school not accredited by the State Board
23 of Education with a minimum 2.5 cumulative grade point
24 average on a 4.0 scale for all work attempted in

1 grades nine through twelve and have achieved a
2 composite score of 22 or higher on the ACT test, or
3 c. have satisfactorily completed within the previous
4 three (3) years an educational program that was
5 provided through a means other than a public or
6 private school and have achieved a composite score of
7 22 or higher on the ACT test;

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

23 6. Have satisfied admission standards as determined by the
24 Oklahoma State Regents for Higher Education for first-time-entering

1 students for the appropriate type of institution, or, if attending a
2 private institution, have satisfied admission standards as
3 determined by the private institution. No student participating in
4 the Oklahoma Higher Learning Access Program shall be admitted into
5 an institution of higher education by special admission standards;

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

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

18 b. if the student was adopted between birth and twelve
19 (12) years of age while in the permanent custody of
20 the Department of Human Services, in the court-ordered
21 custody of a licensed private nonprofit child-placing
22 agency, or federally recognized Indian tribe, as
23 defined by the federal Indian Child Welfare Act, have
24 established financial need according to the provisions

1 of paragraph 1 of subsection E of Section 2605 of this
2 title and standards and provisions promulgated by the
3 Oklahoma State Regents for Higher Education, or

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

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

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

1 duty in any branch of the United States Armed Forces
2 and the person who was killed or died filed an
3 individual or joint Oklahoma income tax return for the
4 tax year prior to the year during which the person was
5 killed or died,

6 b. is a resident of this state or is enrolled in a school
7 district located in this state that serves students
8 who reside in both this state and an adjacent state
9 pursuant to a contract as authorized in Section 5-
10 117.1 of this title,

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

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

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

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

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

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

14 C. To retain eligibility while pursuing the program of higher
15 learning in which enrolled, the student shall:

16 1. Achieve a minimum cumulative grade point average of 2.0 on a
17 4.0 scale or its equivalent for courses taken through the student's
18 sophomore year and achieve a minimum grade point average of 2.5 on a
19 4.0 scale or its equivalent for courses taken during the student's
20 junior year and thereafter. The provisions of this paragraph shall
21 not apply to any student who has received an Oklahoma Higher
22 Learning Access Program benefit award prior to the 2012-2013 school
23 year;

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

4 3. Maintain satisfactory academic progress as required for
5 eligibility for federal Title IV student financial aid programs.
6 The provisions of this paragraph shall become effective for the
7 2012-2013 school year;

8 4. Enroll in a minimum of thirty (30) credit hours each
9 calendar year;

10 5. Comply with the standards related to maintenance of
11 eligibility as promulgated by the Oklahoma State Regents for Higher
12 Education; and

13 ~~5.~~ 6. Refrain from conduct that leads to expulsion or
14 suspension of more than one semester from an institution of higher
15 education. A student who violates the provisions of this paragraph
16 shall permanently lose eligibility for program benefits. The
17 provisions of this paragraph shall become effective January 1, 2008.

18 D. The Oklahoma State Regents for Higher Education and the
19 State Board of Career and Technology Education shall promulgate
20 rules relating to maintenance of eligibility under the Oklahoma
21 Higher Learning Access Act by a student.

22 E. It is the intent of the Legislature that students in the
23 ninth grade for the 1992-93 school year who are determined to be
24 eligible Oklahoma Higher Learning Access students pursuant to the

1 Oklahoma Higher Learning Access Act shall be the first students
2 eligible for benefits from the Oklahoma Higher Learning Access Trust
3 Fund.

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

8 SECTION 5. This act shall become effective July 1, 2014.

9 SECTION 6. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13 Passed the House of Representatives the 11th day of March, 2014.

14

15

Presiding Officer of the House
of Representatives

16

17

18 Passed the Senate the ___ day of _____, 2014.

19

20

Presiding Officer of the Senate

21

22

23

24

25