HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

HOUSE BILL 2778 By: Nollan

AS INTRODUCED

An Act relating to higher education; amending 70 O.S. 2011, Section 2604, which relates to Oklahoma Higher Learning Access Program awards; limiting payment of awards for courses or units dropped by a student; providing for repayment or an adjustment in the award of a certain amount; directing the Oklahoma State Regents for Higher Education to establish a waiver process; specifying application; clarifying language; providing an effective date; and declaring an emergency.

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

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

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

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

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

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

D. <u>An award allowed by this section shall not include an amount equivalent to tuition or fees for courses or units taken by an eligible Oklahoma Higher Learning Access Program student if the student withdraws from the course or unit after the add/drop deadline established by the institution. If funds have been</u>

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allocated to an institution prior to the student dropping a course or unit, the student shall be required to repay to the Program an amount equivalent to tuition or fees paid for the course or unit or the next payment made on behalf of the student shall be adjusted by subtracting an amount equivalent to tuition or fees paid for the course or unit. The Oklahoma State Regents for Higher Education shall establish a process which will allow a student to apply for a waiver from the repayment requirements of this subsection based on certain hardship criteria established by the Regents. The provisions of this subsection shall not apply to any student who has received an Oklahoma Higher Learning Access Program benefit award prior to the 2014-2015 school year.

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

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

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

4. An award for eligible Oklahoma Higher Learning Access Program students enrolled in cooperative programs pursuant to agreements between technology center schools and institutions of The Oklahoma State System of Higher Education shall be ~~satisfied~~ allowed

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for both vocational-technical and college work in which the student is enrolled pursuant to ~~such~~ the cooperative program.

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

~~F.~~ G. The Oklahoma State Regents for Higher Education may, at the time an award is made on behalf of an Oklahoma Higher Learning Access Program student, set aside in the Oklahoma Higher Learning Access Trust Fund funds for the full commitment made to such Higher Learning Access Program student. For all academic years, students who have previously received awards under the provisions of the Oklahoma Higher Learning Access Act, Section 2601 et seq. of this title, and who have continued at all times to fulfill the requirements for eligibility to receive awards provided pursuant to this program shall be given an absolute priority for continued financial support by the Oklahoma Higher Learning Access Program

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superior to any students who are applying for such benefits for the first time.

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

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

COMMITTEE REPORT BY: COMMITTEE ON HIGHER EDUCATION AND CAREERTECH, dated 02/19/2014 - DO PASS.

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