SENATE FLOOR VERSION
March 26, 2014

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 3211 By: Hickman of the House

and

Halligan and Brecheen of the Senate

[higher education - eligibility requirements for the Oklahoma Higher Learning Access Program - effective date -
emergency]

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

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

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

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

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

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

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

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

grades nine through twelve and have achieved a composite score of 22 or higher on the ACT test, or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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 APPROPRIATIONS
March 26, 2014 - DO PASS AS AMENDED