

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2778

By: Nollan

4
5
6 AS INTRODUCED

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 courses or units dropped by a student;
11 providing for repayment or an adjustment in the award
12 of a certain amount; directing the Oklahoma State
13 Regents for Higher Education to establish a waiver
14 process; specifying application; clarifying language;
15 providing an effective date; and declaring an
16 emergency.

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

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

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

B. Subject to the availability of funds, for each eligible
Oklahoma Higher Learning Access Program student enrolled at a

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

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

18 D. An award allowed by this section shall not include an amount
19 equivalent to tuition or fees for courses or units taken by an
20 eligible Oklahoma Higher Learning Access Program student if the
21 student withdraws from the course or unit after the add/drop
22 deadline established by the institution. If funds have been
23 allocated to an institution prior to the student dropping a course
24 or unit, the student shall be required to repay to the Program an

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

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

22 2. The Oklahoma State Regents for Higher Education may award
23 the Oklahoma Higher Learning Access Program benefits for a student's
24 first semester or other academic unit of postsecondary enrollment

1 taken more than three (3) years after the student graduates from
2 high school or completes an educational program equivalent to high
3 school graduation as authorized in subsection A of Section 2603 of
4 this title or after the student turns twenty-one (21) years of age
5 as authorized in subsection B of Section 2603 of this title if the
6 student is a member of the Armed Forces of the United States, the
7 Reserve Corps of the Armed Forces of the United States, or the
8 Oklahoma National Guard, and is ordered to active duty or active
9 duty for special work or training and due to the duty commitment the
10 student is unable to enroll prior to the end of the three-year
11 period or before the student reaches twenty-one (21) years of age.
12 The period shall be extended by the length of the term of duty.

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

17 4. An award for eligible Oklahoma Higher Learning Access
18 Program students enrolled in cooperative programs pursuant to
19 agreements between technology center schools and institutions of The
20 Oklahoma State System of Higher Education shall be ~~satisfied~~ allowed
21 for both vocational-technical and college work in which the student
22 is enrolled pursuant to ~~such~~ the cooperative program.

23 ~~E.~~ F. Benefits awarded under the Oklahoma Higher Learning
24 Access Program shall be awarded to all eligible applicants without

1 any limitation on the number of awards in any year other than the
2 amount of funds available for the program and the number of eligible
3 applicants. Subject to the provisions of subsection ~~F~~ G of this
4 section, if funds are not sufficient to provide awards for all
5 eligible applicants, the Oklahoma State Regents for Higher Education
6 shall make awards on the basis of need. Provided, the Oklahoma
7 State Regents for Higher Education shall take into consideration
8 other grants and scholarships received by an eligible applicant when
9 making awards.

10 ~~F~~ G. The Oklahoma State Regents for Higher Education may, at
11 the time an award is made on behalf of an Oklahoma Higher Learning
12 Access Program student, set aside in the Oklahoma Higher Learning
13 Access Trust Fund funds for the full commitment made to such Higher
14 Learning Access Program student. For all academic years, students
15 who have previously received awards under the provisions of the
16 Oklahoma Higher Learning Access Act, Section 2601 et seq. of this
17 title, and who have continued at all times to fulfill the
18 requirements for eligibility to receive awards provided pursuant to
19 this program shall be given an absolute priority for continued
20 financial support by the Oklahoma Higher Learning Access Program
21 superior to any students who are applying for such benefits for the
22 first time.

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

6 54-2-9143 KB 01/13/14

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24