

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

SENATE BILL 1201

By: Dahm

AS INTRODUCED

An Act relating to the Oklahoma Higher Learning Access Program; amending 62 O.S. 2011, Section 34.87, as amended by Section 404, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2017, Section 34.87), which relates to transfer of funds to the Higher Learning Access Trust Fund; modifying references; amending 70 O.S. 2011, Section 2602, as amended by Section 1, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2017, Section 2602), which relates to creation of the Oklahoma Higher Learning Access Program; modifying references; amending 70 O.S. 2011, Section 2603, as last amended by Section 2, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2017, Section 2603), which relates to eligibility requirements; establishing eligibility requirements for certain forgivable loan beginning with students entering program in certain year; amending 70 O.S. 2011, Section 2604, as amended by Section 3, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2017, Section 2604), which relates to Oklahoma Higher Learning Access Program awards; directing certain benefit to be provided in the form of a forgivable loan beginning in certain year; allowing certain loan to be provided for certain number of years; providing for exceptions due to certain circumstances; allowing certain loan to be provided one year after certain graduation or completion; providing for exceptions due to certain circumstances; providing eligibility for loan forgiveness; requiring loan to be repaid under certain circumstances; providing for loan repayment agreements; providing for deposit of loan repayments; amending 70 O.S. 2011, Section 2605, as last amended by Section 4, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2017, Section 2605), which relates to student agreements; modifying references; providing for effective dates; and declaring an emergency.

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

4 SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.87, as
5 amended by Section 404, Chapter 304, O.S.L. 2012 (62 O.S. Supp.
6 2017, Section 34.87), is amended to read as follows:

7 Section 34.87. In order to ensure that the Oklahoma Higher
8 Learning Access Program will be fully funded and all eligible and
9 qualifying students receive ~~scholarships~~ forgivable loans, the
10 following procedures shall be observed:

11 1. Not later than November 1, 2007, and November 1 of each
12 subsequent year, the Oklahoma State Regents for Higher Education
13 shall estimate the amount of revenue they deem necessary to fund
14 ~~awards~~ forgivable loans allowed pursuant to the Oklahoma Higher
15 Learning Access Act, for the fiscal year which begins the following
16 July 1 and provide such estimate to the State Board of Equalization;

17 2. At its meeting in December 2007, and December of each
18 subsequent year, held pursuant to the provisions of paragraph 1 of
19 Section 23 of Article X of the Oklahoma Constitution, the State
20 Board of Equalization shall determine the total amount of revenue
21 necessary to fund ~~awards~~ forgivable loans allowed pursuant to the
22 Oklahoma Higher Learning Access Act for the fiscal year which begins
23 the following July 1 and subtract such amount from the amount it
24

1 certifies as available for appropriation from the General Revenue
2 Fund by the Legislature for such fiscal year; and

3 3. Notwithstanding any other provisions of law directing the
4 apportionment of revenues, beginning with the fiscal year ending
5 June 30, 2009, and for each subsequent fiscal year, the Director of
6 the Office of Management and Enterprise Services shall transfer on a
7 periodic basis as needed the amount of revenue subtracted pursuant
8 to the provisions of paragraph 2 of this section to be deposited to
9 the Oklahoma Higher Learning Access Trust Fund, in lieu of being
10 deposited to the General Revenue Fund.

11 SECTION 2. AMENDATORY 70 O.S. 2011, Section 2602, as
12 amended by Section 1, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2017,
13 Section 2602), is amended to read as follows:

14 Section 2602. There is hereby created the Oklahoma Higher
15 Learning Access Program. The program shall also be known as
16 "Oklahoma's Promise". The purpose of the program is to provide ~~an~~
17 ~~award~~ a forgivable loan to students who meet the criteria set forth
18 in the Oklahoma Higher Learning Access Act who are pursuing studies
19 in this state leading to an associate or baccalaureate degree or who
20 are pursuing studies in a postsecondary career technology program
21 that would meet the requirements to be eligible for federal student
22 financial aid and is offered by a technology center school
23 supervised by the State Board of Career and Technology Education,
24 and who are in good academic standing in the institution or school

1 in which the student is enrolled, that will relieve the student of
2 the burden of paying nonguaranteed resident tuition at institutions
3 of The Oklahoma State System of Higher Education, paying tuition for
4 enrollment in postsecondary programs of the technology center
5 districts, or paying some portion of such fees or tuition, pursuant
6 to the provisions of the Oklahoma Higher Learning Access Act, as may
7 be required of enrollees at private institutions of higher education
8 which are accredited pursuant to Section 4103 of this title. The
9 further purpose of this program is to establish and maintain a
10 variety of support services whereby a broader range of the general
11 student population of this state will be prepared for success in
12 postsecondary endeavors.

13 SECTION 3. AMENDATORY 70 O.S. 2011, Section 2603, as
14 last amended by Section 2, Chapter 289, O.S.L. 2017 (70 O.S. Supp.
15 2017, Section 2603), is amended to read as follows:

16 Section 2603. A. Except as otherwise provided for in
17 subsection B of this section and elsewhere in this section, to be
18 eligible to ~~participate~~:

19 1. Participate in the Oklahoma Higher Learning Access Program
20 and to qualify for an award which includes payment of an amount
21 equivalent to resident tuition or other tuition pursuant to Section
22 2604 of this title for the first semester or other academic unit of
23 postsecondary enrollment; or
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1 2. Beginning with eighth-, ninth- or tenth-grade students who
2 are enrolled in a public or private school or students between the
3 ages of thirteen (13) and fifteen (15) who are educated by other
4 means who apply for participation in the program in the 2018-2019
5 school year, participate in the Oklahoma Higher Learning Access
6 Program and to qualify for a forgivable loan which includes payment
7 of an amount equivalent to resident tuition or other tuition
8 pursuant to Section 2604 of this title for the first semester or
9 other academic unit of postsecondary enrollment in which a student
10 shall:

11 ~~1-~~ a. ~~Be~~ be a resident of this state or be enrolled in a
12 school district located in this state that serves
13 students who reside in both this state and an adjacent
14 state pursuant to a contract as authorized in Section
15 5-117.1 of this title~~7,~~

16 ~~2-~~ b. ~~Be~~ be a United States citizen or lawfully present in
17 the United States. A student who is not a United
18 States citizen or lawfully present in the United
19 States shall not be eligible to participate in the
20 Oklahoma Higher Learning Access Program and to qualify
21 for ~~an award~~ a benefit notwithstanding the provisions
22 of Section 3242 of this title. The provisions of this
23 paragraph shall not apply to any student who was
24 enrolled in the Oklahoma Higher Learning Access

1 Program prior to the end of the 2006-2007 school
2 year~~+~~1

3 ~~3.~~ c. ~~Have~~ have a record of satisfactory compliance with
4 agreements executed pursuant to Section 2605 of this
5 title~~+~~1

6 ~~4.~~~~a.~~ d. (1) have graduated within the previous three
7 (3) years from a high school accredited by the
8 State Board of Education, or the Oklahoma School
9 of Science and Mathematics with a minimum 2.5
10 cumulative grade point average on a 4.0 scale for
11 all work attempted in grades nine through twelve,
12 ~~b.~~ (2) have graduated within the previous three (3)
13 years from a high school not accredited by the
14 State Board of Education with a minimum 2.5
15 cumulative grade point average on a 4.0 scale for
16 all work attempted in grades nine through twelve
17 and have achieved a composite score of 22 or
18 higher on the ACT test, or

19 ~~e.~~ (3) have satisfactorily completed within the previous
20 three (3) years an educational program that was
21 provided through a means other than a public or
22 private school and have achieved a composite
23 score of 22 or higher on the ACT test~~+~~1
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5. ~~e.~~ e. Have 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- f.~~ Have 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

1 participating in the Oklahoma Higher Learning Access
2 Program shall be admitted into an institution of
3 higher education by special admission standards~~7.~~1

4 ~~7. g.~~ Have have secured admission to, and enrolled in, an
5 institution which is a member of The Oklahoma State
6 System of Higher Education, a postsecondary
7 vocational-technical program offered by a technology
8 center school that meets the requirements to be
9 eligible for federal student financial aid, or a
10 private institution of higher learning located within
11 this state and accredited pursuant to Section 4103 of
12 this title~~7.~~1 and

13 ~~8. a.~~ h. (1) have established financial need according to the
14 provisions of subsection D of Section 2605 of this
15 title and standards and provisions promulgated by the
16 Oklahoma State Regents for Higher Education,

17 ~~b.~~ (2) if the student was adopted between birth
18 and twelve (12) years of age while in the
19 permanent custody of the Department of Human
20 Services, in the court-ordered custody of a
21 licensed private nonprofit child-placing agency,
22 or federally recognized Indian tribe, as defined
23 by the federal Indian Child Welfare Act, have
24 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

~~e.~~ (3) 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.

2. Beginning with eighth-, ninth- or tenth-grade students who
are enrolled in a public or private school or students between the
ages of thirteen (13) and fifteen (15) who are educated by other

1 means who apply for participation in the program in the 2018-2019
2 school year, a student shall be eligible to participate in the
3 Oklahoma Higher Learning Access Program and to qualify for a
4 forgivable loan which includes payment of an amount equivalent to
5 resident tuition or other tuition pursuant to Section 2604 of this
6 title for the first semester or other academic unit of postsecondary
7 enrollment,

8 if the student meets all of the following criteria:

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

18 b. is a resident of this state or is enrolled in a school
19 district located in this state that serves students
20 who reside in both this state and an adjacent state
21 pursuant to a contract as authorized in Section 5-
22 117.1 of this title,

- 1 c. enrolls in an institution within The Oklahoma State
2 System of Higher Education prior to reaching the age
3 of twenty-one (21),
- 4 d. has satisfied admission standards as determined by the
5 Oklahoma State Regents for Higher Education for first-
6 time-entering students for the appropriate type of
7 institution, or, if attending a private institution,
8 has satisfied admission standards as determined by the
9 private institution. No student participating in the
10 Oklahoma Higher Learning Access Program shall be
11 admitted into an institution of higher education by
12 special admission standards,
- 13 e. has secured admission to, and enrolled in, an
14 institution which is a member of The Oklahoma State
15 System of Higher Education, a postsecondary
16 vocational-technical program offered by a technology
17 center school that meets the requirements to be
18 eligible for federal student financial aid, or a
19 private institution of higher learning located within
20 this state and accredited pursuant to Section 4103 of
21 this title, and
- 22 f. executes an agreement pursuant to subsection C of
23 Section 2605 of this title.
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1 ~~2.~~ 3. A student who is eligible to participate in the program
2 pursuant to this subsection shall not be required to meet the
3 eligibility requirements set forth in subsection A of this section.

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

6 1. Meet the requirements for retention and degree completion as
7 established by the institution in which the student is enrolled;

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

11 3. Maintain satisfactory academic progress as required for
12 eligibility for federal Title IV student financial aid programs.
13 The provisions of this paragraph shall become effective for the
14 2012-2013 school year;

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

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

23 D. The Oklahoma State Regents for Higher Education and the
24 State Board of Career and Technology Education shall promulgate

1 rules relating to maintenance of eligibility under the Oklahoma
2 Higher Learning Access Act by a student.

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

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

13 SECTION 4. AMENDATORY 70 O.S. 2011, Section 2604, as
14 amended by Section 3, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2017,
15 Section 2604), is amended to read as follows:

16 Section 2604. A. 1. Subject to the availability of funds, an
17 amount equivalent to the nonguaranteed resident tuition for which an
18 eligible Oklahoma Higher Learning Access Program student is
19 obligated at an institution of The Oklahoma State System of Higher
20 Education shall be awarded by allocation from the Oklahoma Higher
21 Learning Access Trust Fund.

22 2. Beginning with the 2023-2024 academic year, the amount
23 calculated pursuant to paragraph 1 of this subsection shall be in
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1 the form of a forgivable loan and shall be subject to the provisions
2 of subsection H of this section.

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

13 2. Beginning with the 2023-2024 academic year, the amount
14 calculated pursuant to paragraph 1 of this subsection shall be in
15 the form of a forgivable loan and shall be subject to the provisions
16 of subsection H of this section.

17 C. 1. Subject to the availability of funds, an amount
18 equivalent to the tuition for any eligible Oklahoma Higher Learning
19 Access Program student enrolled in a public postsecondary
20 vocational-technical program or course for the purpose set forth in
21 Section 2602 of this title shall be awarded by allocation from the
22 Oklahoma Higher Learning Access Trust Fund. Provided, such
23 allocation shall not exceed the amount a student would have received
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1 for comparable enrollment at a two-year institution within The
2 Oklahoma State System of Higher Education.

3 2. Beginning with the 2023-2024 academic year, the amount
4 calculated pursuant to paragraph 1 of this subsection shall be in
5 the form of a forgivable loan and shall be subject to the provisions
6 of subsection H of this section.

7 D. 1. An award, or beginning with the 2023-2024 academic year
8 a forgivable loan, allowed by this section shall not be allowed for
9 courses or other postsecondary units taken in excess of the
10 requirements for completion of a baccalaureate program or taken more
11 than five (5) years after the student's first semester of
12 postsecondary enrollment. The Oklahoma State Regents for Higher
13 Education may award the Oklahoma Higher Learning Access Program
14 benefits for courses of postsecondary units taken more than five (5)
15 years after the student's first semester of postsecondary enrollment
16 only in hardship circumstances; provided, however, no Oklahoma
17 Higher Learning Access Program participant may receive benefits
18 beyond a cumulative time period of five (5) years.

19 2. Beginning with the 2023-2024 academic year, the Oklahoma
20 State Regents for Higher Education may award an Oklahoma Higher
21 Learning Access Program forgivable loan for courses of postsecondary
22 units taken more than five (5) years after the student's first
23 semester of postsecondary enrollment in hardship circumstances,
24 including but not limited to the death of a relative who is within

1 the first degree of consanguinity or the prolonged illness of the
2 student.

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

22 b. Beginning with the 2023-2024 academic year, the
23 Oklahoma State Regents for Higher Education may award
24 an Oklahoma Higher Learning Access Program forgivable

loan for a student's first semester taken more than
one (1) year after the student graduates from high
school or completes an educational program equivalent
to the high school graduation as authorized in
subsection A of Section 2603 of this title. A
forgivable loan may be awarded more than one (1) year
after the student graduates from high school or
completes an educational program equivalent to high
school graduation 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 one-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.~~ 4. The Oklahoma State Regents for Higher Education shall
establish a maximum limit on the number of courses or other
postsecondary units to which Oklahoma Higher Learning Access Program
benefits will apply.

E. Benefits awarded under the Oklahoma Higher Learning Access
Program shall be awarded to all eligible applicants without any

1 limitation on the number of awards, or beginning with the 2023-2024
2 academic year the number of forgivable loans, in any year other than
3 the amount of funds available for the program and the number of
4 eligible applicants. Subject to the provisions of subsection F of
5 this section, if funds are not sufficient to provide awards, or
6 beginning with the 2023-2024 academic year to provide forgivable
7 loans, for all eligible applicants, the Oklahoma State Regents for
8 Higher Education shall make awards or forgivable loans on the basis
9 of need. Provided, the Oklahoma State Regents for Higher Education
10 shall take into consideration other grants and scholarships received
11 by an eligible applicant when making awards.

12 F. The Oklahoma State Regents for Higher Education may, at the
13 time an award, or beginning with the 2023-2024 academic year at the
14 time a forgivable loan, is made on behalf of an Oklahoma Higher
15 Learning Access Program student, set aside in the Oklahoma Higher
16 Learning Access Trust Fund funds for the full commitment made to
17 such Higher Learning Access Program student. For all academic
18 years, students who have previously received awards or forgivable
19 loans under the provisions of the Oklahoma Higher Learning Access
20 Act, Section 2601 et seq. of this title, and who have continued at
21 all times to fulfill the requirements for eligibility to receive
22 awards or forgivable loans provided pursuant to this program shall
23 be given an absolute priority for continued financial support by the
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Oklahoma Higher Learning Access Program superior to any students who are applying for such benefits for the first time.

G. Beginning with the 2018-2019 academic year, an award allowed by this section shall not include an amount for payment of remedial noncredit-earning courses taken by an eligible Oklahoma Higher Learning Access Program student.

H. Beginning with the 2023-2024 academic year, Oklahoma Higher Learning Access Program benefits shall be provided to eligible students in the form of a forgivable loan.

1. If a student graduates within five (5) years of beginning postsecondary education, subject to the exceptions provided by subsection D of this section, and remains a resident within this state for five (5) years following completion of postsecondary education, the student's Oklahoma Higher Learning Access Program loan shall be forgiven.

2. If a student does not graduate within five (5) years of beginning postsecondary education, subject to the exceptions provided by subsection D of this section, drops out of the postsecondary education program or fails to remain a resident of the state for five (5) years following completion of postsecondary education, the student shall be required to repay the full amount of the loan provided pursuant to the Oklahoma Higher Learning Access Program Act. The Oklahoma State Regents for Higher Education shall enter into a loan repayment agreement with the student. Loan

1 repayments shall be deposited into the Oklahoma Higher Learning
2 Access Trust Fund.

3 SECTION 5. AMENDATORY 70 O.S. 2011, Section 2605, as
4 last amended by Section 4, Chapter 289, O.S.L. 2017 (70 O.S. Supp.
5 2017, Section 2605), is amended to read as follows:

6 Section 2605. A. Each school year, every fifth- through ninth-
7 grade student in the public and private schools of this state and
8 students who are educated by other means and are in the equivalent
9 of the fifth through ninth grade shall be apprised, together with
10 the parent, custodial parent, or guardian of the student, of the
11 opportunity for access to higher learning under the Oklahoma Higher
12 Learning Access Program. The Oklahoma State Regents for Higher
13 Education and the State Board of Education shall develop, promote,
14 and coordinate a public awareness program to be utilized in making
15 students and parents aware of the Oklahoma Higher Learning Access
16 Program.

17 B. On a form provided by the Oklahoma State Regents for Higher
18 Education, every public school district shall designate at least one
19 Oklahoma Higher Learning Access Program contact person, who shall be
20 a counselor or teacher, at each public school site in this state in
21 which eighth-, ninth- or tenth-grade classes are taught. When
22 requested by the State Regents, the State Board of Education shall
23 assist the State Regents to ensure the designation of contact
24 persons. Private schools shall also designate at least one school

1 official as a contact person. For students who are educated by
2 other means, a parent or guardian or other person approved by the
3 State Regents shall be designated the contact person.

4 C. 1. Students who qualify on the basis of financial need
5 according to subsection D or E of this section or who meet the
6 eligibility qualification set forth in subparagraph a of paragraph 1
7 of subsection B of Section 2603 of this title prior to entering the
8 tenth grade or prior to reaching the age of fifteen (15) and the
9 standards and provisions promulgated by the Oklahoma State Regents
10 for Higher Education shall be given the opportunity throughout the
11 eighth-, ninth-, and tenth-grade years, for students enrolled in a
12 public or private school, or between the ages of thirteen (13) and
13 fifteen (15), for students who are educated by other means, to enter
14 into participation in the program by agreeing to, throughout the
15 remainder of their school years or educational program:

- 16 a. attend school or an educational program regularly and
17 do homework regularly,
- 18 b. refrain from substance abuse,
- 19 c. refrain from commission of crimes or delinquent acts,
- 20 d. have school work and school records reviewed by
21 mentors designated pursuant to the program,
- 22 e. provide information requested by the Oklahoma State
23 Regents for Higher Education or the State Board of
24 Education, and

1 f. participate in program activities.

2 2. Students who meet the eligibility qualification set forth in
3 subparagraph a of paragraph 1 of subsection B of Section 2603 of
4 this title after completing the tenth grade or after reaching the
5 age of sixteen (16) shall be given the opportunity prior to reaching
6 the age of twenty-one (21) to enter into participation in the
7 program and shall execute an agreement with provisions as determined
8 by the Oklahoma State Regents for Higher Education.

9 3. The contact person shall maintain the agreements, which
10 shall be executed on forms provided by the Oklahoma State Regents
11 for Higher Education and managed according to regulations
12 promulgated by the Oklahoma State Regents for Higher Education, and
13 the contact person shall monitor compliance of the student with the
14 terms of the agreement. The Oklahoma State Regents for Higher
15 Education are authorized to process student agreements and verify
16 compliance with the agreements. Students failing to comply with the
17 terms of the agreement shall not be eligible for the awards, or
18 beginning with the 2023-2024 academic year the forgivable loans,
19 provided in Section 2604 of this title.

20 D. Except as otherwise provided for in subsection E of this
21 section and except for students who qualify pursuant to subsection B
22 of Section 2603 of this title, a student shall not be found to be in
23 financial need for purposes of the Oklahoma Higher Learning Access
24 Program if:

1 1. At the time the student applies for participation in the
2 program during the eighth, ninth or tenth grade for students
3 enrolled in a public or private school, or between the ages of
4 thirteen (13) and fifteen (15), for students who are educated by
5 other means, the income from taxable and nontaxable sources of the
6 student's parent(s) exceeds Fifty Thousand Dollars (\$50,000.00) per
7 year;

8 2. Beginning with eighth-, ninth- or tenth-grade students who
9 are enrolled in a public or private school or students between the
10 ages of thirteen (13) and fifteen (15) who are educated by other
11 means who apply for participation in the program in the 2017-2018
12 school year, the federal adjusted gross income of the student's
13 parent(s) exceeds Fifty-five Thousand Dollars (\$55,000.00) per year;

14 3. Beginning with eighth-, ninth- or tenth-grade students who
15 are enrolled in a public or private school or students between the
16 ages of thirteen (13) and fifteen (15) who are educated by other
17 means who apply for participation in the program in the 2021-2022
18 school year, the federal adjusted gross income of the student's
19 parent(s) exceeds Sixty Thousand Dollars (\$60,000.00) per year;

20 4. At the time the student begins postsecondary education and
21 prior to receiving any Oklahoma Higher Learning Access Program
22 benefit award, the federal adjusted gross income of the student's
23 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per
24 year; and

1 5. Beginning with the 2018-2019 academic year, prior to
2 receiving any Oklahoma Higher Learning Access Program benefit award,
3 or beginning with the 2023-2024 academic year prior to receiving any
4 Oklahoma Higher Learning Access Program forgivable loan, for any
5 year during which the student is enrolled in an institution which is
6 a member of The Oklahoma State System of Higher Education, a
7 postsecondary vocational-technical program offered by a technology
8 center school that meets the requirements to be eligible for federal
9 student financial aid or a private institution of higher learning
10 located within this state and accredited pursuant to Section 4103 of
11 this title, the federal adjusted gross income of the student's
12 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per
13 year.

14 The determination of financial qualification as set forth in
15 paragraphs 4 and 5 of this subsection shall be based on the income
16 of the student, not the income of the parent(s), if a student:

- 17 a. is determined to be independent of the student's
18 parents for federal financial aid purposes,
- 19 b. was in the permanent custody of the Department of
20 Human Services at the time the student enrolled in the
21 program, or
- 22 c. was in the court-ordered custody of a federally
23 recognized Indian tribe, as defined by the federal

1 Indian Child Welfare Act, at the time the student
2 enrolled in the program.

3 The provisions of this paragraph shall apply to any student who
4 has received an Oklahoma Higher Learning Access Program benefit
5 ~~award~~ after the 2017-2018 school year;

6 6. The Oklahoma State Regents for Higher Education shall review
7 the determination of financial qualification as set forth in
8 paragraphs 1, 2 and 3 of this subsection if the income from taxable
9 and nontaxable sources of the student's parent(s) includes income
10 received from nontaxable military benefits or income received from
11 the federal Social Security Administration due to the death or
12 disability of the student's parent(s). If the income from taxable
13 and nontaxable sources of the student's parent(s), excluding income
14 received from nontaxable military benefits or income received from
15 the federal Social Security Administration due to the death or
16 disability of the student's parent(s), does not exceed the
17 limitations set forth by paragraphs 1, 2 and 3 of this subsection,
18 the student shall be determined to have met the financial
19 qualification set forth in paragraphs 1, 2 and 3 of this subsection.

20 E. 1. A student who was adopted between birth and twelve (12)
21 years of age while in the permanent custody of the Department of
22 Human Services, in the court-ordered custody of a licensed private
23 nonprofit child-placing agency, or federally recognized Indian
24 tribe, as defined by the federal Indian Child Welfare Act, shall not

1 be found to be in financial need for purposes of the Oklahoma Higher
2 Learning Access Program if at the time the student begins
3 postsecondary education and prior to receiving any Oklahoma Higher
4 Learning Access Program benefit ~~award~~, the federal adjusted gross
5 income of the student's parent(s) exceeds One Hundred Fifty Thousand
6 Dollars (\$150,000.00) per year. The provisions of this paragraph
7 shall not apply to any student who has received an Oklahoma Higher
8 Learning Access Program benefit ~~award~~ prior to the 2012-2013 school
9 year.

10 2. A student who was adopted between thirteen (13) and
11 seventeen (17) years of age while in the permanent custody of the
12 Department of Human Services, in the court-ordered custody of a
13 licensed private nonprofit child-placing agency, or federally
14 recognized Indian tribe, as defined by the federal Indian Child
15 Welfare Act, shall not be found to be in financial need for purposes
16 of the Oklahoma Higher Learning Access Program if at the time the
17 student begins postsecondary education and prior to receiving any
18 Oklahoma Higher Learning Access Program benefit ~~award~~, the federal
19 adjusted gross income of the student's parent(s) exceeds Two Hundred
20 Thousand Dollars (\$200,000.00) per year. The provisions of this
21 paragraph shall not apply to any student who has received an
22 Oklahoma Higher Learning Access Program benefit ~~award~~ prior to the
23 2012-2013 school year.

1 3. Except for students who qualify pursuant to subsection B of
2 Section 2603 of this title, the determination of financial
3 qualification as set forth in this subsection shall be based on the
4 income of the student, not the income of the parent(s), if the
5 student is determined to be independent of the student's parent(s)
6 for federal financial aid purposes. A determination of financial
7 qualification shall not be required for the student who meets the
8 criteria set forth in this subsection at the time the student
9 applies for participation in the program. The provisions of this
10 paragraph shall not apply to any student who has received an
11 Oklahoma Higher Learning Access Program benefit ~~award~~ prior to the
12 2008-2009 school year.

13 F. The financial qualification of a student as set forth in
14 subsections D and E of this section shall be certified by the
15 contact person or by the Oklahoma State Regents for Higher Education
16 on the agreement form provided by the Oklahoma State Regents for
17 Higher Education. The form shall be retained in the permanent
18 record of the student and a copy forwarded to the Oklahoma State
19 Regents for Higher Education.

20 G. Agreements shall be witnessed by the parent, custodial
21 parent, or guardian of the student, who shall further agree to:

22 1. Assist the student in achieving compliance with the
23 agreements;
24

1 2. Confer, when requested to do so, with the school contact
2 person, other school personnel, and program mentors;

3 3. Provide information requested by the Oklahoma State Regents
4 for Higher Education or the State Board of Education; and

5 4. Assist the student in completing forms and reports required
6 for program participation, making applications to institutions and
7 schools of higher learning, and filing applications for student
8 grants and scholarships.

9 H. Students who are enrolled in a school district located in
10 this state that serves students who reside in both this state and an
11 adjacent state pursuant to a contract as authorized in Section 5-
12 117.1 of this title, are in the eleventh and twelfth grades during
13 the 2006-2007 school year, and who were denied participation in the
14 program shall be allowed to enter or reenter into participation in
15 the program by entering into agreements as set forth in subsections
16 C and D of this section by June 1, 2008.

17 I. The Oklahoma State Regents for Higher Education shall
18 promulgate rules for the determination of student compliance with
19 agreements made pursuant to this section.

20 J. The Oklahoma State Regents for Higher Education shall
21 designate personnel to coordinate tracking of program records for
22 the years when students participating in the program are still in
23 the schools or are being educated by other means, provide staff
24 development for contact persons in the schools, and provide liaison

1 with the State Board of Education and local organizations and
2 individuals participating in the program.

3 K. The school district where an Oklahoma Higher Learning Access
4 Program student is enrolled when the student begins participation in
5 the program and any subsequent school district where the student
6 enrolls shall forward information regarding participation by the
7 student in the program to a school to which the student transfers
8 upon the request of the school for the records of the student.

9 L. Students participating in the Oklahoma Higher Learning
10 Access Program shall provide their Social Security number or their
11 student identification number used by their school to the Oklahoma
12 State Regents for Higher Education. The Regents shall keep the
13 numbers confidential and use them only for administrative purposes.

14 SECTION 6. Sections 1 and 2 of this act shall become effective
15 November 1, 2022.

16 SECTION 7. Sections 3, 4 and 5 of this act shall become
17 effective July 1, 2018.

18 SECTION 8. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

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