

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

HOUSE BILL 2018

By: Nichols and Echols

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2011, Section 2603, as last amended by Section 2, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2018, Section 2603), which relates to the Oklahoma Higher Learning Access Program; providing eligibility for child of certified teacher to participate in Program; requiring establishment of financial need; setting income limitation for financial need; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 2603, as last amended by Section 2, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2018, 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        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 by a technology  
9 center school that meets the requirements to be eligible for federal  
10 student financial aid, or a private institution of higher learning  
11 located within this state and accredited pursuant to Section 4103 of  
12 this title; and

13 8. a. 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. if the student was adopted between birth and twelve  
18 (12) years of age while in the permanent custody of  
19 the Department of Human Services, in the court-ordered  
20 custody of a licensed private nonprofit child-placing  
21 agency, or federally recognized Indian tribe, as  
22 defined by the federal Indian Child Welfare Act, have  
23 established financial need according to the provisions  
24 of paragraph 1 of subsection E of Section 2605 of this

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

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

20 a. is a child:

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

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

7 (2) of any person who is employed as a certified  
8 teacher, as defined in Section 6-182 of this  
9 title,

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

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

18 d. has satisfied admission standards as determined by the  
19 Oklahoma State Regents for Higher Education for first-  
20 time-entering students for the appropriate type of  
21 institution, or, if attending a private institution,  
22 has satisfied admission standards as determined by the  
23 private institution. No student participating in the  
24 Oklahoma Higher Learning Access Program shall be

1 admitted into an institution of higher education by  
2 special admission standards,

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

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

14 2. A Except as provided in paragraph 3 of this subsection, a  
15 student who is eligible to participate in the program pursuant to  
16 this subsection shall not be required to meet the eligibility  
17 requirements set forth in subsection A of this section.

18 3. A student who is eligible to participate in the program  
19 pursuant to division (2) of subparagraph a of paragraph 1 of this  
20 subsection shall be required to establish financial need. As used  
21 in this paragraph, "financial need" means at the time the student  
22 begins postsecondary education and prior to receiving any Oklahoma  
23 Higher Learning Access Program benefit award, the federal adjusted  
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1 income of the student's parent(s) does not exceed Two Hundred Fifty  
2 Thousand Dollars (\$250,000.00).

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

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

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

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

22 D. The Oklahoma State Regents for Higher Education and the  
23 State Board of Career and Technology Education shall promulgate  
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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 2. This act shall become effective November 1, 2019.

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