

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 3189

By: Pittman

AS INTRODUCED

An Act relating to education; amending 70 O.S. 2011, Section 2603, as last amended by Section 2, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2019, Section 2603), which relates to eligibility requirements for the Oklahoma Higher Learning Access Program; including fees in award payments; expanding access to high school students concurrently enrolled in college or university courses; allowing special admission standards; modifying the amount of coursework to form the basis for eligibility criteria; amending 70 O.S. 2011, Section 2604, as amended by Section 3, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2019, Section 2604), which relates to awards pursuant to the Oklahoma Higher Learning Access Program; including fees in award payments; modifying the time for which awards are allowable; allowing award payments to apply to remedial, noncredit-earning courses; 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. 2019, 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

1 Program and to qualify for an award which includes payment of an
2 amount equivalent to resident tuition and fees or other tuition and
3 fees pursuant to Section 2604 of this title for the first semester
4 or other academic unit of postsecondary enrollment, a student shall:

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

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

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

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

- 1 b. have graduated within the previous three (3) years
2 from a high school not accredited by the State Board
3 of Education with a minimum 2.5 cumulative grade point
4 average on a 4.0 scale for all work attempted in
5 grades nine through twelve and have achieved a
6 composite score of 22 or higher on the ACT test, ~~or~~
7 c. have satisfactorily completed within the previous
8 three (3) years an educational program that was
9 provided through a means other than a public or
10 private school and have achieved a composite score of
11 22 or higher on the ACT test, or
12 d. be a high school junior or senior concurrently
13 enrolled in college or university courses pursuant to
14 Section 628.13 of this title, or concurrently enrolled
15 in college or university courses at a private
16 institution accredited pursuant to Section 4103 of
17 this title;

18 5. Have completed, or, if a high school student pursuant to
19 subparagraph d of paragraph 4 of this subsection, be on schedule to
20 timely complete the curricular requirements for admission to an
21 institution within The Oklahoma State System of Higher Education and
22 one additional unit or set of competencies in a course that meets
23 college admission requirements. The curriculum requirements shall
24 include two units or sets of competencies in foreign or non-English

1 language or technology courses that meet the college admission
2 requirements and one unit or set of competencies of a fine arts
3 course. Students shall also have attained a 2.5 grade point average
4 in the core curriculum courses. Students who attended a high school
5 which did not offer all the core curriculum courses or students who
6 were educated by other means and were not offered all the core
7 curriculum courses shall be allowed to satisfy this curriculum
8 requirement by participating in a program approved by the State
9 Regents for remediation of high school curricular deficiencies;

10 6. Have satisfied admission standards as determined by the
11 Oklahoma State Regents for Higher Education for first-time-entering
12 students for the appropriate type of institution, or, if attending a
13 private institution, have satisfied admission standards as
14 determined by the private institution. No student participating in
15 the Oklahoma Higher Learning Access Program shall be admitted into
16 an institution of higher education by special admission standards;

17 7. Have secured admission to, and enrolled in, an institution
18 which is a member of The Oklahoma State System of Higher Education,
19 a postsecondary vocational-technical program offered by a technology
20 center school that meets the requirements to be eligible for federal
21 student financial aid, or a private institution of higher learning
22 located within this state and accredited pursuant to Section 4103 of
23 this title; and
24

- 1 8. a. have established financial need according to the
2 provisions of subsection D of Section 2605 of this
3 title and standards and provisions promulgated by the
4 Oklahoma State Regents for Higher Education,
- 5 b. if the student was adopted between birth and twelve
6 (12) years of age while in the permanent custody of
7 the Department of Human Services, in the court-ordered
8 custody of a licensed private nonprofit child-placing
9 agency, or federally recognized Indian tribe, as
10 defined by the federal Indian Child Welfare Act, have
11 established financial need according to the provisions
12 of paragraph 1 of subsection E of Section 2605 of this
13 title and standards and provisions promulgated by the
14 Oklahoma State Regents for Higher Education, or
- 15 c. if the student was adopted between thirteen (13) and
16 seventeen (17) years of age while in the permanent
17 custody of the Department of Human Services, in the
18 court-ordered custody of a licensed private nonprofit
19 child-placing agency, or federally recognized Indian
20 tribe, as defined by the federal Indian Child Welfare
21 Act, have established financial need according to the
22 provisions of paragraph 2 of subsection E of Section
23 2605 of this title and standards and provisions
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1 promulgated by the Oklahoma State Regents for Higher
2 Education.

3 B. 1. A student shall be eligible to participate in the
4 Oklahoma Higher Learning Access Program and to qualify for an award
5 which includes payment of an amount equivalent to resident tuition
6 and fees or other tuition and fees pursuant to Section 2604 of this
7 title for the first semester or other academic unit of postsecondary
8 enrollment 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,
23
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- 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~~ A student participating in
10 the Oklahoma Higher Learning Access Program ~~shall~~ may
11 be 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.
24

1 2. 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~~ four semesters
12 of high school coursework by a student.

13 SECTION 2. AMENDATORY 70 O.S. 2011, Section 2604, as
14 amended by Section 3, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2019,
15 Section 2604), is amended to read as follows:

16 Section 2604. A. Subject to the availability of funds, an
17 amount equivalent to the nonguaranteed resident tuition and fees for
18 which an 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 B. Subject to the availability of funds, for each eligible
23 Oklahoma Higher Learning Access Program student enrolled at a
24 private institution of higher learning located within this state and

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

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

17 D. 1. An award allowed by this section shall not be allowed
18 for courses or other postsecondary units taken in excess of the
19 requirements for completion of a baccalaureate program or taken more
20 than five (5) years after the student's first semester of full-time
21 postsecondary enrollment. The Oklahoma State Regents for Higher
22 Education may award the Oklahoma Higher Learning Access Program
23 benefits for courses of postsecondary units taken more than five (5)
24 years after the student's first semester of full-time postsecondary

1 enrollment only in hardship circumstances; provided, however, no
2 Oklahoma Higher Learning Access Program participant may receive
3 benefits beyond a cumulative time period of five (5) years.

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

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

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

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

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

5 SECTION 3. This act shall become effective November 1, 2020.

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