

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL 80

By: Thompson

AS INTRODUCED

An Act relating to the Oklahoma Higher Learning Access Program; 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 eligibility for the program; allowing students to meet certain eligibility criteria by performing at a proficiency level on certain assessments; directing the State Department of Education to designate certain sites; providing an effective date; and declaring an emergency.

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

- 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, or
- d. 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 performed at a proficiency level on the assessments required by Section 1210.508 of this title for grades nine through twelve. The State Department of Education shall designate sites for administration of assessments to carry out the provision of this subparagraph;

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

1 average in the core curriculum courses. Students who attended a
2 high school which did not offer all the core curriculum courses or
3 students who were educated by other means and were not offered all
4 the core curriculum courses shall be allowed to satisfy this
5 curriculum requirement by participating in a program approved by the
6 State Regents for remediation of high school curricular
7 deficiencies;

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

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

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

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

13 c. if the student was adopted between thirteen (13) and
14 seventeen (17) years of age while in the permanent
15 custody of the Department of Human Services, in the
16 court-ordered custody of a licensed private nonprofit
17 child-placing agency, or federally recognized Indian
18 tribe, as defined by the federal Indian Child Welfare
19 Act, have established financial need according to the
20 provisions of paragraph 2 of subsection E of Section
21 2605 of this title and standards and provisions
22 promulgated by the Oklahoma State Regents for Higher
23 Education.
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1 B. 1. A student shall be eligible to participate in the
2 Oklahoma Higher Learning Access Program and to qualify for an award
3 which includes payment of an amount equivalent to resident tuition
4 or other tuition pursuant to Section 2604 of this title for the
5 first semester or other academic unit of postsecondary enrollment if
6 the student meets all of the following criteria:

- 7 a. is a child of any person killed after January 1, 2000,
8 in the line of duty in any branch of the United States
9 Armed Forces or who died after January 1, 2000, as a
10 result of an injury sustained while in the line of
11 duty in any branch of the United States Armed Forces
12 and the person who was killed or died filed an
13 individual or joint Oklahoma income tax return for the
14 tax year prior to the year during which the person was
15 killed or died,
- 16 b. is a resident of this state or is enrolled in a school
17 district located in this state that serves students
18 who reside in both this state and an adjacent state
19 pursuant to a contract as authorized in Section 5-
20 117.1 of this title,
- 21 c. enrolls in an institution within The Oklahoma State
22 System of Higher Education prior to reaching the age
23 of twenty-one (21),
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- 1 d. has satisfied admission standards as determined by the
2 Oklahoma State Regents for Higher Education for first-
3 time-entering students for the appropriate type of
4 institution, or, if attending a private institution,
5 has satisfied admission standards as determined by the
6 private institution. No student participating in the
7 Oklahoma Higher Learning Access Program shall be
8 admitted into an institution of higher education by
9 special admission standards,
- 10 e. has secured admission to, and enrolled in, an
11 institution which is a member of The Oklahoma State
12 System of Higher Education, a postsecondary
13 vocational-technical program offered by a technology
14 center school that meets the requirements to be
15 eligible for federal student financial aid, or a
16 private institution of higher learning located within
17 this state and accredited pursuant to Section 4103 of
18 this title, and
- 19 f. executes an agreement pursuant to subsection C of
20 Section 2605 of this title.

21 2. A student who is eligible to participate in the program
22 pursuant to this subsection shall not be required to meet the
23 eligibility requirements set forth in subsection A of this section.
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1 C. To retain eligibility while pursuing the program of higher
2 learning in which enrolled, the student shall:

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

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

8 3. Maintain satisfactory academic progress as required for
9 eligibility for federal Title IV student financial aid programs.

10 The provisions of this paragraph shall become effective for the
11 2012-2013 school year;

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

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

20 D. The Oklahoma State Regents for Higher Education and the
21 State Board of Career and Technology Education shall promulgate
22 rules relating to maintenance of eligibility under the Oklahoma
23 Higher Learning Access Act by a student.
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1 E. It is the intent of the Legislature that students in the
2 ninth grade for the 1992-93 school year who are determined to be
3 eligible Oklahoma Higher Learning Access students pursuant to the
4 Oklahoma Higher Learning Access Act shall be the first students
5 eligible for benefits from the Oklahoma Higher Learning Access Trust
6 Fund.

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

11 SECTION 2. This act shall become effective July 1, 2019.

12 SECTION 3. It being immediately necessary for the preservation
13 of the public peace, health or safety, an emergency is hereby
14 declared to exist, by reason whereof this act shall take effect and
15 be in full force from and after its passage and approval.

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