

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 639

By: Pugh, Stephens, Bullard and
Bergstrom of the Senate

6 and

7 Baker of the House

8
9 COMMITTEE SUBSTITUTE

10 An Act relating to the Oklahoma Higher Learning
11 Access Program; amending 70 O.S. 2011, Section 2602,
12 as amended by Section 1, Chapter 289, O.S.L. 2017 (70
13 O.S. Supp. 2020, Section 2602), which relates to the
14 purpose of the program; allowing the program to
15 include certain identified postsecondary career
16 technology programs; amending 70 O.S. 2011, Section
17 2603, as last amended by Section 2, Chapter 289,
18 O.S.L. 2017 (70 O.S. Supp. 2020, Section 2603), which
19 relates to eligibility for the program; adding
20 reference to certain identified postsecondary
21 vocational-technical program; 70 O.S. 2011, Section
22 2604, as amended by Section 3, Chapter 289, O.S.L.
23 2017 (70 O.S. Supp. 2020, Section 2604), which
24 relates to program awards; establishing time
limitation for certain courses; providing hardship
exception; amending 70 O.S. 2011, Section 2605, as
last amended by Section 4, Chapter 289, O.S.L. 2017
(70 O.S. Supp. 2020, Section 2605), which relates to
student agreements; adding reference to certain
identified postsecondary vocational-technical
programs; directing the Executive Director of the
Oklahoma Department of Commerce in certain
consultation to publish certain list by certain date;
providing for identification of postsecondary
vocational-technical programs that correlate to
certain occupation areas; requiring completion of
certain program within certain time period; allowing

1 completion of program regardless of placement on
2 certain list; providing for promulgation of rules;
3 providing for codification; providing an effective
4 date; and declaring an emergency.

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

6 SECTION 1. AMENDATORY 70 O.S. 2011, Section 2602, as
7 amended by Section 1, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2020,
8 Section 2602), is amended to read as follows:

9 Section 2602. There is hereby created the Oklahoma Higher
10 Learning Access Program. The program shall also be known as
11 "Oklahoma's Promise". The purpose of the program is to provide an
12 award to students who meet the criteria set forth in the Oklahoma
13 Higher Learning Access Act who are pursuing studies in this state
14 leading to an associate or baccalaureate degree or who are pursuing
15 studies in a postsecondary career technology program that would meet
16 the requirements to be eligible for federal student financial aid or
17 that has been identified as a critical occupation area pursuant to
18 Section 5 of this act and is offered by a technology center school
19 supervised by the State Board of Career and Technology Education,
20 and who are in good academic standing in the institution or school
21 in which the student is enrolled, that will relieve the student of
22 the burden of paying nonguaranteed resident tuition at institutions
23 of The Oklahoma State System of Higher Education, paying tuition for
24 enrollment in postsecondary programs of the technology center

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

9 SECTION 2. AMENDATORY 70 O.S. 2011, Section 2603, as
10 last amended by Section 2, Chapter 289, O.S.L. 2017 (70 O.S. Supp.
11 2020, Section 2603), is amended to read as follows:

12 Section 2603. A. Except as otherwise provided for in
13 subsection B of this section and elsewhere in this section, to be
14 eligible to participate in the Oklahoma Higher Learning Access
15 Program and to qualify for an award which includes payment of an
16 amount equivalent to resident tuition or other tuition pursuant to
17 Section 2604 of this title for the first semester or other academic
18 unit of postsecondary enrollment, a student shall:

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

23 2. Be a United States citizen or lawfully present in the United
24 States. A student who is not a United States citizen or lawfully

1 present in the United States shall not be eligible to participate in
2 the Oklahoma Higher Learning Access Program and to qualify for an
3 award notwithstanding the provisions of Section 3242 of this title.
4 The provisions of this paragraph shall not apply to any student who
5 was enrolled in the Oklahoma Higher Learning Access Program prior to
6 the end of the 2006-2007 school year;

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

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

15 b. have graduated within the previous three (3) years
16 from a high school not accredited by the State Board
17 of Education with a minimum 2.5 cumulative grade point
18 average on a 4.0 scale for all work attempted in
19 grades nine through twelve and have achieved a
20 composite score of 22 or higher on the ACT test, or

21 c. have satisfactorily completed within the previous
22 three (3) years an educational program that was
23 provided through a means other than a public or
24

1 private school and have achieved a composite score of
2 22 or higher on the ACT test;

3 5. Have completed the curricular requirements for admission to
4 an institution within The Oklahoma State System of Higher Education
5 and one additional unit or set of competencies in a course that
6 meets college admission requirements. The curriculum requirements
7 shall include two units or sets of competencies in foreign or non-
8 English language or technology courses that meet the college
9 admission requirements and one unit or set of competencies of a fine
10 arts course. Students shall also have attained a 2.5 grade point
11 average in the core curriculum courses. Students who attended a
12 high school which did not offer all the core curriculum courses or
13 students who were educated by other means and were not offered all
14 the core curriculum courses shall be allowed to satisfy this
15 curriculum requirement by participating in a program approved by the
16 State Regents for remediation of high school curricular
17 deficiencies;

18 6. Have satisfied admission standards as determined by the
19 Oklahoma State Regents for Higher Education for first-time-entering
20 students for the appropriate type of institution, or, if attending a
21 private institution, have satisfied admission standards as
22 determined by the private institution. No student participating in
23 the Oklahoma Higher Learning Access Program shall be admitted into
24 an institution of higher education by special admission standards;

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

9 8. a. have established financial need according to the
10 provisions of subsection D of Section 2605 of this
11 title and standards and provisions promulgated by the
12 Oklahoma State Regents for Higher Education,

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

23 c. if the student was adopted between thirteen (13) and
24 seventeen (17) years of age while in the permanent

1 custody of the Department of Human Services, in the
2 court-ordered custody of a licensed private nonprofit
3 child-placing agency, or federally recognized Indian
4 tribe, as defined by the federal Indian Child Welfare
5 Act, have established financial need according to the
6 provisions of paragraph 2 of subsection E of Section
7 2605 of this title and standards and provisions
8 promulgated by the Oklahoma State Regents for Higher
9 Education.

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

16 a. is a child of any person killed after January 1, 2000,
17 in the line of duty in any branch of the United States
18 Armed Forces or who died after January 1, 2000, as a
19 result of an injury sustained while in the line of
20 duty in any branch of the United States Armed Forces
21 and the person who was killed or died filed an
22 individual or joint Oklahoma income tax return for the
23 tax year prior to the year during which the person was
24 killed or died,

- b. is a resident of this state or is enrolled in a school district located in this state that serves students who reside in both this state and an adjacent state pursuant to a contract as authorized in Section 5-117.1 of this title,
- c. enrolls in an institution within The Oklahoma State System of Higher Education prior to reaching the age of twenty-one (21),
- d. has 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, has satisfied admission standards as determined by the private institution. No student participating in the Oklahoma Higher Learning Access Program shall be admitted into an institution of higher education by special admission standards,
- e. has secured admission to, and enrolled in, an institution which is a member of The Oklahoma State System of Higher Education, a postsecondary vocational-technical program offered by a technology center school that meets the requirements to be eligible for federal student financial aid or that has been identified as a critical occupation area pursuant

1 to Section 5 of this act, or a private institution of
2 higher learning located within this state and
3 accredited pursuant to Section 4103 of this title, and
4 f. executes an agreement pursuant to subsection C of
5 Section 2605 of this title.

6 2. A student who is eligible to participate in the program
7 pursuant to this subsection shall not be required to meet the
8 eligibility requirements set forth in subsection A of this section.

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

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

13 2. Maintain good academic standing and satisfactory academic
14 progress according to standards of the Oklahoma State Regents for
15 Higher Education;

16 3. Maintain satisfactory academic progress as required for
17 eligibility for federal Title IV student financial aid programs.
18 The provisions of this paragraph shall become effective for the
19 2012-2013 school year;

20 4. Comply with the standards related to maintenance of
21 eligibility as promulgated by the Oklahoma State Regents for Higher
22 Education; and

23 5. Refrain from conduct that leads to expulsion or suspension
24 of more than one semester from an institution of higher education.

1 A student who violates the provisions of this paragraph shall
2 permanently lose eligibility for program benefits. The provisions
3 of this paragraph shall become effective January 1, 2008.

4 D. The Oklahoma State Regents for Higher Education and the
5 State Board of Career and Technology Education shall promulgate
6 rules relating to maintenance of eligibility under the Oklahoma
7 Higher Learning Access Act by a student.

8 E. It is the intent of the Legislature that students in the
9 ninth grade for the 1992-93 school year who are determined to be
10 eligible Oklahoma Higher Learning Access students pursuant to the
11 Oklahoma Higher Learning Access Act shall be the first students
12 eligible for benefits from the Oklahoma Higher Learning Access Trust
13 Fund.

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

18 SECTION 3. AMENDATORY 70 O.S. 2011, Section 2604, as
19 amended by Section 3, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2020,
20 Section 2604), is amended to read as follows:

21 Section 2604. A. Subject to the availability of funds, an
22 amount equivalent to the nonguaranteed resident tuition for which an
23 eligible Oklahoma Higher Learning Access Program student is
24 obligated at an institution of The Oklahoma State System of Higher

1 Education shall be awarded by allocation from the Oklahoma Higher
2 Learning Access Trust Fund.

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

22 D. 1. ~~An~~ Except as provided for in paragraph 2 of this
23 subsection, an award allowed by this section shall not be allowed
24 for courses or other postsecondary units taken in excess of the

1 requirements for completion of a baccalaureate program or taken more
2 than five (5) years after the student's first semester of
3 postsecondary enrollment. The Oklahoma State Regents for Higher
4 Education may award the Oklahoma Higher Learning Access Program
5 benefits for courses of postsecondary units taken more than five (5)
6 years after the student's first semester of postsecondary enrollment
7 only in hardship circumstances; provided, however, no Oklahoma
8 Higher Learning Access Program participant may receive benefits
9 beyond a cumulative time period of five (5) years.

10 2. Beginning with students who entered into participation in
11 the program in the 2021-2022 school year, an award allowed by this
12 section shall not be allowed for courses or other postsecondary
13 units taken in excess of the requirements for completion of a
14 baccalaureate program or a postsecondary vocational-technical
15 program taken more than six (6) years after the student's first
16 semester of postsecondary enrollment. The Oklahoma State Regents
17 for Higher Education may award the Oklahoma Higher Learning Access
18 Program benefits for courses of postsecondary units taken more than
19 six (6) years after the student's first semester of postsecondary
20 enrollment only in hardship circumstances; provided, however, no
21 Oklahoma Higher Learning Access Program participant may receive
22 benefits beyond a cumulative time period of six (6) years.

23 3. The Oklahoma State Regents for Higher Education may award
24 the Oklahoma Higher Learning Access Program benefits for a student's

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

14 ~~3.~~ 4. The Oklahoma State Regents for Higher Education shall
15 establish a maximum limit on the number of courses or other
16 postsecondary units to which Oklahoma Higher Learning Access Program
17 benefits will apply.

18 E. Benefits awarded under the Oklahoma Higher Learning Access
19 Program shall be awarded to all eligible applicants without any
20 limitation on the number of awards in any year other than the amount
21 of funds available for the program and the number of eligible
22 applicants. Subject to the provisions of subsection F of this
23 section, if funds are not sufficient to provide awards for all
24 eligible applicants, the Oklahoma State Regents for Higher Education

1 shall make awards on the basis of need. Provided, the Oklahoma
2 State Regents for Higher Education shall take into consideration
3 other grants and scholarships received by an eligible applicant when
4 making awards.

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

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

22 SECTION 4. AMENDATORY 70 O.S. 2011, Section 2605, as
23 last amended by Section 4, Chapter 289, O.S.L. 2017 (70 O.S. Supp.
24 2020, Section 2605), is amended to read as follows:

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

12 B. On a form provided by the Oklahoma State Regents for Higher
13 Education, every public school district shall designate at least one
14 Oklahoma Higher Learning Access Program contact person, who shall be
15 a counselor or teacher, at each public school site in this state in
16 which eighth-, ninth- or tenth-grade classes are taught. When
17 requested by the State Regents, the State Board of Education shall
18 assist the State Regents to ensure the designation of contact
19 persons. Private schools shall also designate at least one school
20 official as a contact person. For students who are educated by
21 other means, a parent or guardian or other person approved by the
22 State Regents shall be designated the contact person.

23 C. 1. Students who qualify on the basis of financial need
24 according to subsection D or E of this section or who meet the

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

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

21 2. Students who meet the eligibility qualification set forth in
22 subparagraph a of paragraph 1 of subsection B of Section 2603 of
23 this title after completing the tenth grade or after reaching the
24 age of sixteen (16) shall be given the opportunity prior to reaching

1 the age of twenty-one (21) to enter into participation in the
2 program and shall execute an agreement with provisions as determined
3 by the Oklahoma State Regents for Higher Education.

4 3. The contact person shall maintain the agreements, which
5 shall be executed on forms provided by the Oklahoma State Regents
6 for Higher Education and managed according to regulations
7 promulgated by the Oklahoma State Regents for Higher Education, and
8 the contact person shall monitor compliance of the student with the
9 terms of the agreement. The Oklahoma State Regents for Higher
10 Education are authorized to process student agreements and verify
11 compliance with the agreements. Students failing to comply with the
12 terms of the agreement shall not be eligible for the awards provided
13 in Section 2604 of this title.

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

19 1. At the time the student applies for participation in the
20 program during the eighth, ninth or tenth grade for students
21 enrolled in a public or private school, or between the ages of
22 thirteen (13) and fifteen (15), for students who are educated by
23 other means, the income from taxable and nontaxable sources of the
24

1 student's parent(s) exceeds Fifty Thousand Dollars (\$50,000.00) per
2 year;

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

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

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

20 5. Beginning with the 2018-2019 academic year, prior to
21 receiving any Oklahoma Higher Learning Access Program benefit award
22 for any year during which the student is enrolled in an institution
23 which is a member of The Oklahoma State System of Higher Education,
24 a postsecondary vocational-technical program offered by a technology

center school that meets the requirements to be eligible for federal student financial aid or that has been identified as a critical occupation area pursuant to Section 5 of this act, or a private institution of higher learning located within this state and accredited pursuant to Section 4103 of this title, the federal adjusted gross income of the student's parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per year.

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

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

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

6. The Oklahoma State Regents for Higher Education shall review the determination of financial qualification as set forth in

1 paragraphs 1, 2 and 3 of this subsection if the income from taxable
2 and nontaxable sources of the student's parent(s) includes income
3 received from nontaxable military benefits or income received from
4 the federal Social Security Administration due to the death or
5 disability of the student's parent(s). If the income from taxable
6 and nontaxable sources of the student's parent(s), excluding income
7 received from nontaxable military benefits or income received from
8 the federal Social Security Administration due to the death or
9 disability of the student's parent(s), does not exceed the
10 limitations set forth by paragraphs 1, 2 and 3 of this subsection,
11 the student shall be determined to have met the financial
12 qualification set forth in paragraphs 1, 2 and 3 of this subsection.

13 E. 1. A student who was adopted between birth and twelve (12)
14 years of age while in the permanent custody of the Department of
15 Human Services, in the court-ordered custody of a licensed private
16 nonprofit child-placing agency, or federally recognized Indian
17 tribe, as defined by the federal Indian Child Welfare Act, shall not
18 be found to be in financial need for purposes of the Oklahoma Higher
19 Learning Access Program if at the time the student begins
20 postsecondary education and prior to receiving any Oklahoma Higher
21 Learning Access Program benefit award, the federal adjusted gross
22 income of the student's parent(s) exceeds One Hundred Fifty Thousand
23 Dollars (\$150,000.00) per year. The provisions of this paragraph
24 shall not apply to any student who has received an Oklahoma Higher

1 Learning Access Program benefit award prior to the 2012-2013 school
2 year.

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

17 3. Except for students who qualify pursuant to subsection B of
18 Section 2603 of this title, the determination of financial
19 qualification as set forth in this subsection shall be based on the
20 income of the student, not the income of the parent(s), if the
21 student is determined to be independent of the student's parent(s)
22 for federal financial aid purposes. A determination of financial
23 qualification shall not be required for the student who meets the
24 criteria set forth in this subsection at the time the student

1 applies for participation in the program. The provisions of this
2 paragraph shall not apply to any student who has received an
3 Oklahoma Higher Learning Access Program benefit award prior to the
4 2008-2009 school year.

5 F. The financial qualification of a student as set forth in
6 subsections D and E of this section shall be certified by the
7 contact person or by the Oklahoma State Regents for Higher Education
8 on the agreement form provided by the Oklahoma State Regents for
9 Higher Education. The form shall be retained in the permanent
10 record of the student and a copy forwarded to the Oklahoma State
11 Regents for Higher Education.

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

14 1. Assist the student in achieving compliance with the
15 agreements;

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

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

20 4. Assist the student in completing forms and reports required
21 for program participation, making applications to institutions and
22 schools of higher learning, and filing applications for student
23 grants and scholarships.
24

1 H. Students who are enrolled in a school district located in
2 this state that serves students who reside in both this state and an
3 adjacent state pursuant to a contract as authorized in Section 5-
4 117.1 of this title, are in the eleventh and twelfth grades during
5 the 2006-2007 school year, and who were denied participation in the
6 program shall be allowed to enter or reenter into participation in
7 the program by entering into agreements as set forth in subsections
8 C and D of this section by June 1, 2008.

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

12 J. The Oklahoma State Regents for Higher Education shall
13 designate personnel to coordinate tracking of program records for
14 the years when students participating in the program are still in
15 the schools or are being educated by other means, provide staff
16 development for contact persons in the schools, and provide liaison
17 with the State Board of Education and local organizations and
18 individuals participating in the program.

19 K. The school district where an Oklahoma Higher Learning Access
20 Program student is enrolled when the student begins participation in
21 the program and any subsequent school district where the student
22 enrolls shall forward information regarding participation by the
23 student in the program to a school to which the student transfers
24 upon the request of the school for the records of the student.

1 L. Students participating in the Oklahoma Higher Learning
2 Access Program shall provide their Social Security number or their
3 student identification number used by their school to the Oklahoma
4 State Regents for Higher Education. The Regents shall keep the
5 numbers confidential and use them only for administrative purposes.

6 SECTION 5. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 2607 of Title 70, unless there
8 is created a duplication in numbering, reads as follows:

9 A. The Executive Director of the Oklahoma Department of
10 Commerce, in consultation with the Oklahoma State Regents for Higher
11 Education, shall publish no later than October 1, 2021, and June 30
12 each subsequent year a list of critical occupation areas that meet
13 the guidelines of the identified core competencies of the state
14 based on wealth generation, growth potential and competitive
15 advantage.

16 B. The Oklahoma State Regents for Higher Education, in
17 consultation with the State Board of Career and Technology
18 Education, shall identify postsecondary vocational-technical
19 programs that correlate to critical occupation areas identified by
20 the executive director pursuant to this section.

21 C. 1. Beginning with the 2022-2023 academic year, a student
22 who receives an award pursuant to Section 2604 of Title 70 of the
23 Oklahoma Statutes and enrolls in a postsecondary vocational-
24 technical program that has been identified as a critical occupation

1 area pursuant to this section shall complete the program within six
2 (6) years after the student's first semester of postsecondary
3 enrollment.

4 2. A student who receives an award pursuant to Section 2604 of
5 Title 70 of the Oklahoma Statutes and enrolls in a postsecondary
6 vocational-technical program that has been identified as a critical
7 occupation area pursuant to this section may complete prescribed
8 coursework for program completion regardless of whether the program
9 is included on the most current list published by the Executive
10 Director of the Department of Commerce as long as program completion
11 is achieved within six (6) years of the student's enrollment.

12 D. The State Regents for Higher Education and the State Board
13 of Career and Technology Education may promulgate rules to implement
14 the provisions of this section.

15 SECTION 6. This act shall become effective July 1, 2021.

16 SECTION 7. It being immediately necessary for the preservation
17 of the public peace, health or safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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