

1 ENGROSSED HOUSE
2 BILL NO. 1739

By: Dills, Lawson, Stark and
Hill of the House

3 and

4 Stanley of the Senate
5
6

7 An Act relating to children; creating the Connecting
8 Futures Act; directing Department of Human Services
9 to create pilot program; allowing Department to act
10 as authorized entity in providing consent for certain
11 minors to obtain services and documents; allowing
12 Department to make referrals; directing Department to
13 promulgate rules; amending 70 O.S. 2011, Section
14 2605, as last amended by Section 4, Chapter 289,
O.S.L. 2017 (70 O.S. Supp. 2020, Section 2605), which
relates to the Oklahoma Higher Learning Access
Program; allowing certain students to apply for
Oklahoma Higher Access Learning Program without
parental income; providing for codification;
providing for noncodification; and providing an
effective date.

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

18 SECTION 1. NEW LAW A new section of law not to be
19 codified in the Oklahoma Statutes reads as follows:

20 This act shall be known and may be cited as the "Connecting
21 Futures Act".

22 SECTION 2. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 1-2-112 of Title 10A, unless
24 there is created a duplication in numbering, reads as follows:

1 A. The Department of Human Services may, subject to available
2 funding, create a pilot program to address needs of any minors who
3 are separated from their parents or legal guardians, are not
4 supported by their parents or legal guardians and are not in the
5 custody of the Department of Human Services or in the custody of any
6 Indian tribe. The pilot program shall allow the Department to
7 provide assistance in securing necessary services to allow eligible
8 minors to become self-reliant and productive citizens. Nothing in
9 this section shall be construed to deprive the parent or legal
10 guardian of any parental or legal authority regarding the care and
11 custody of the child. If implemented by the Department, the pilot
12 program shall:

13 1. Provide for the Department to act as an authorized entity in
14 providing consent for eligible minors in obtaining necessary
15 services, including routine and ordinary medical and behavioral
16 health services;

17 2. Provide for the Department to act as an authorized entity in
18 providing consent for eligible minors to obtain the following
19 documents pertaining to the eligible minor, including, but not
20 limited to:

- 21 a. an official copy of a United States birth certificate,
- 22 b. a Social Security card issued by the Social Security
23 Administration,
- 24 c. health insurance information, and

1 d. a state-issued identification card;

2 3. Allow the Department to provide case management, advocacy
3 and referrals to organizations, including, but not limited to, safe
4 housing, counseling services, education and employment services; and

5 4. Allow the Department to act as an authorized entity in
6 providing consent for eligible minors to enlist in the National
7 Guard.

8 B. In the event that the minor is a member of, or eligible for
9 membership in, a federally recognized Indian tribe, the Department
10 shall send notice to the minor's tribe that the minor is being
11 served pursuant to this section.

12 C. The Department may:

13 1. Contract for services necessary to carry out the duties of
14 the Department pursuant to the provisions of this section; and

15 2. Accept the services of volunteer workers or consultants;
16 provided no compensation be provided for such services.

17 D. The Department shall promulgate rules to implement the
18 provisions of this section.

19 SECTION 3. AMENDATORY 70 O.S. 2011, Section 2605, as
20 last amended by Section 4, Chapter 289, O.S.L. 2017 (70 O.S. Supp.
21 2020, Section 2605), is amended to read as follows:

22 Section 2605. A. Each school year, every fifth- through ninth-
23 grade student in the public and private schools of this state and
24 students who are educated by other means and are in the equivalent

1 of the fifth through ninth grade shall be apprised, together with
2 the parent, custodial parent, or guardian of the student, of the
3 opportunity for access to higher learning under the Oklahoma Higher
4 Learning Access Program. The Oklahoma State Regents for Higher
5 Education and the State Board of Education shall develop, promote,
6 and coordinate a public awareness program to be utilized in making
7 students and parents aware of the Oklahoma Higher Learning Access
8 Program.

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

20 C. 1. Students who qualify on the basis of financial need
21 according to subsection D or E of this section or who meet the
22 eligibility qualification set forth in subparagraph a of paragraph 1
23 of subsection B of Section 2603 of this title prior to entering the
24 tenth grade or prior to reaching the age of fifteen (15) and the

standards and provisions promulgated by the Oklahoma State Regents for Higher Education shall be given the opportunity throughout the eighth-, ninth-, and tenth-grade years, for students enrolled in a public or private school, or between the ages of thirteen (13) and fifteen (15), for students who are educated by other means, to enter into participation in the program by agreeing to, throughout the remainder of their school years or educational program:

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

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

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

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

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

23 2. Beginning with eighth-, ninth- or tenth-grade students who
24 are enrolled in a public or private school or students between the

1 ages of thirteen (13) and fifteen (15) who are educated by other
2 means who apply for participation in the program in the 2017-2018
3 school year, the federal adjusted gross income of the student's
4 parent(s) exceeds Fifty-five Thousand Dollars (\$55,000.00) per year;

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

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

16 5. Beginning with the 2018-2019 academic year, prior to
17 receiving any Oklahoma Higher Learning Access Program benefit award
18 for any year during which the student is enrolled in an institution
19 which is a member of The Oklahoma State System of Higher Education,
20 a postsecondary vocational-technical program offered by a technology
21 center school that meets the requirements to be eligible for federal
22 student financial aid or a private institution of higher learning
23 located within this state and accredited pursuant to Section 4103 of
24 this title, the federal adjusted gross income of the student's

1 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per
2 year.

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

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

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

18 6. The Oklahoma State Regents for Higher Education shall review
19 the determination of financial qualification as set forth in
20 paragraphs 1, 2 and 3 of this subsection if the income from taxable
21 and nontaxable sources of the student's parent(s) includes income
22 received from nontaxable military benefits or income received from
23 the federal Social Security Administration due to the death or
24 disability of the student's parent(s). If the income from taxable

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

8 E. 1. A student who was adopted between birth and twelve (12)
9 years of age while in the permanent custody of the Department of
10 Human Services, in the court-ordered custody of a licensed private
11 nonprofit child-placing agency, or federally recognized Indian
12 tribe, as defined by the federal Indian Child Welfare Act, shall not
13 be found to be in financial need for purposes of the Oklahoma Higher
14 Learning Access Program if at the time the student begins
15 postsecondary education and prior to receiving any Oklahoma Higher
16 Learning Access Program benefit award, the federal adjusted gross
17 income of the student's parent(s) exceeds One Hundred Fifty Thousand
18 Dollars (\$150,000.00) per year. The provisions of this paragraph
19 shall not apply to any student who has received an Oklahoma Higher
20 Learning Access Program benefit award prior to the 2012-2013 school
21 year.

22 2. A student who was adopted between thirteen (13) and
23 seventeen (17) years of age while in the permanent custody of the
24 Department of Human Services, in the court-ordered custody of a

1 licensed private nonprofit child-placing agency, or federally
2 recognized Indian tribe, as defined by the federal Indian Child
3 Welfare Act, shall not be found to be in financial need for purposes
4 of the Oklahoma Higher Learning Access Program if at the time the
5 student begins postsecondary education and prior to receiving any
6 Oklahoma Higher Learning Access Program benefit award, the federal
7 adjusted gross income of the student's parent(s) exceeds Two Hundred
8 Thousand Dollars (\$200,000.00) per year. The provisions of this
9 paragraph shall not apply to any student who has received an
10 Oklahoma Higher Learning Access Program benefit award prior to the
11 2012-2013 school year.

12 3. Except for students who qualify pursuant to subsection B of
13 Section 2603 of this title, the determination of financial
14 qualification as set forth in this subsection shall be based on the
15 income of the student, not the income of the parent(s), if the
16 student is determined to be independent of the student's parent(s)
17 for federal financial aid purposes or is receiving services from the
18 Department of Human Services pursuant to Section 2 of this act. A
19 determination of financial qualification shall not be required for
20 the student who meets the criteria set forth in this subsection at
21 the time the student applies for participation in the program. The
22 provisions of this paragraph shall not apply to any student who has
23 received an Oklahoma Higher Learning Access Program benefit award
24 prior to the 2008-2009 school year.

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

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

10 1. Assist the student in achieving compliance with the
11 agreements;

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

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

16 4. Assist the student in completing forms and reports required
17 for program participation, making applications to institutions and
18 schools of higher learning, and filing applications for student
19 grants and scholarships.

20 H. Students who are enrolled in a school district located in
21 this state that serves students who reside in both this state and an
22 adjacent state pursuant to a contract as authorized in Section 5-
23 117.1 of this title, are in the eleventh and twelfth grades during
24 the 2006-2007 school year, and who were denied participation in the

1 program shall be allowed to enter or reenter into participation in
2 the program by entering into agreements as set forth in subsections
3 C and D of this section by June 1, 2008.

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

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

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

20 L. Students participating in the Oklahoma Higher Learning
21 Access Program shall provide their Social Security number or their
22 student identification number used by their school to the Oklahoma
23 State Regents for Higher Education. The Regents shall keep the
24 numbers confidential and use them only for administrative purposes.

SECTION 4. This act shall become effective November 1, 2021.

Passed the House of Representatives the 1st day of March, 2021.

Presiding Officer of the House
of Representatives

Passed the Senate the ____ day of _____, 2021.

Presiding Officer of the Senate