

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 639, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Pugh

Pugh-EB-FS-Req#1954
3/9/2021 3:15 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 639

By: Pugh and Stephens of the
Senate

and

Baker of the House

FLOOR SUBSTITUTE

[Oklahoma Higher Learning Access Program -
postsecondary career technology programs -
codification - effective date -

emergency]

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

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

Section 2602. There is hereby created the Oklahoma Higher
Learning Access Program. The program shall also be known as
"Oklahoma's Promise". The purpose of the program is to provide an
award to students who meet the criteria set forth in the Oklahoma
Higher Learning Access Act who are pursuing studies in this state
leading to an associate or baccalaureate degree or who are pursuing
studies in a postsecondary career technology program that would meet

1 the requirements to be eligible for federal student financial aid or
2 that has been identified as a critical occupation area pursuant to
3 Section 5 of this act and is offered by a technology center school
4 supervised by the State Board of Career and Technology Education,
5 and who are in good academic standing in the institution or school
6 in which the student is enrolled, that will relieve the student of
7 the burden of paying nonguaranteed resident tuition at institutions
8 of The Oklahoma State System of Higher Education, paying tuition for
9 enrollment in postsecondary programs of the technology center
10 districts, or paying some portion of such fees or tuition, pursuant
11 to the provisions of the Oklahoma Higher Learning Access Act, as may
12 be required of enrollees at private institutions of higher education
13 which are accredited pursuant to Section 4103 of this title. The
14 further purpose of this program is to establish and maintain a
15 variety of support services whereby a broader range of the general
16 student population of this state will be prepared for success in
17 postsecondary endeavors.

18 SECTION 2. AMENDATORY 70 O.S. 2011, Section 2603, as
19 last amended by Section 2, Chapter 289, O.S.L. 2017 (70 O.S. Supp.
20 2020, Section 2603), is amended to read as follows:

21 Section 2603. A. Except as otherwise provided for in
22 subsection B of this section and elsewhere in this section, to be
23 eligible to participate in the Oklahoma Higher Learning Access
24 Program and to qualify for an award which includes payment of an

1 amount equivalent to resident tuition or other tuition pursuant to
2 Section 2604 of this title for the first semester or other academic
3 unit of postsecondary enrollment, a student shall:

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

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

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

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

- 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;

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

1 State Regents for remediation of high school curricular
2 deficiencies;

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

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

18 8. a. have established financial need according to the
19 provisions of subsection D of Section 2605 of this
20 title and standards and provisions promulgated by the
21 Oklahoma State Regents for Higher Education,

22 b. if the student was adopted between birth and twelve
23 (12) years of age while in the permanent custody of
24 the Department of Human Services, in the court-ordered

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

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

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

- 1 a. is a child of any person killed after January 1, 2000,
2 in the line of duty in any branch of the United States
3 Armed Forces or who died after January 1, 2000, as a
4 result of an injury sustained while in the line of
5 duty in any branch of the United States Armed Forces
6 and the person who was killed or died filed an
7 individual or joint Oklahoma income tax return for the
8 tax year prior to the year during which the person was
9 killed or died,
- 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 that has
9 been identified as a critical occupation area pursuant
10 to Section 5 of this act, or a private institution of
11 higher learning located within this state and
12 accredited pursuant to Section 4103 of this title, and
13 f. executes an agreement pursuant to subsection C of
14 Section 2605 of this title.

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

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

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

22 2. Maintain good academic standing and satisfactory academic
23 progress according to standards of the Oklahoma State Regents for
24 Higher Education;

1 3. Maintain satisfactory academic progress as required for
2 eligibility for federal Title IV student financial aid programs.
3 The provisions of this paragraph shall become effective for the
4 2012-2013 school year;

5 4. Comply with the standards related to maintenance of
6 eligibility as promulgated by the Oklahoma State Regents for Higher
7 Education; and

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

13 D. The Oklahoma State Regents for Higher Education and the
14 State Board of Career and Technology Education shall promulgate
15 rules relating to maintenance of eligibility under the Oklahoma
16 Higher Learning Access Act by a student.

17 E. It is the intent of the Legislature that students in the
18 ninth grade for the 1992-93 school year who are determined to be
19 eligible Oklahoma Higher Learning Access students pursuant to the
20 Oklahoma Higher Learning Access Act shall be the first students
21 eligible for benefits from the Oklahoma Higher Learning Access Trust
22 Fund.

23 F. The Oklahoma State Regents for Higher Education are
24 authorized to study, develop and propose criteria for determining

1 award eligibility based upon the completion of seven semesters of
2 high school coursework by a student.

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

6 Section 2604. A. Subject to the availability of funds, an
7 amount equivalent to the nonguaranteed resident tuition for which an
8 eligible Oklahoma Higher Learning Access Program student is
9 obligated at an institution of The Oklahoma State System of Higher
10 Education shall be awarded by allocation from the Oklahoma Higher
11 Learning Access Trust Fund.

12 B. Subject to the availability of funds, for each eligible
13 Oklahoma Higher Learning Access Program student enrolled at a
14 private institution of higher learning located within this state and
15 accredited pursuant to Section 4103 of this title, the Oklahoma
16 State Regents for Higher Education shall award from the Oklahoma
17 Higher Learning Access Trust Fund an amount equivalent to the amount
18 of resident tuition for which the student would be eligible if the
19 student were enrolled in a comparable program at a comparable
20 institution of The Oklahoma State System of Higher Education.
21 Comparability shall be determined by the State Regents.

22 C. Subject to the availability of funds, an amount equivalent
23 to the tuition for any eligible Oklahoma Higher Learning Access
24 Program student enrolled in a public postsecondary vocational-

1 technical program or course for the purpose set forth in Section
2 2602 of this title shall be awarded by allocation from the Oklahoma
3 Higher Learning Access Trust Fund. Provided, such allocation shall
4 not exceed the amount a student would have received for comparable
5 enrollment at a two-year institution within The Oklahoma State
6 System of Higher Education.

7 D. 1. Except as provided for in paragraph 2 of this
8 subsection, an award allowed by this section shall not be allowed
9 for courses or other postsecondary units taken in excess of the
10 requirements for completion of a baccalaureate program or taken more
11 than five (5) years after the student's first semester of
12 postsecondary enrollment. The Oklahoma State Regents for Higher
13 Education may award the Oklahoma Higher Learning Access Program
14 benefits for courses of postsecondary units taken more than five (5)
15 years after the student's first semester of postsecondary enrollment
16 only in hardship circumstances; provided, however, no Oklahoma
17 Higher Learning Access Program participant may receive benefits
18 beyond a cumulative time period of five (5) years.

19 2. Beginning with students who entered into participation in
20 the program in the 2021-2022 school year, an award allowed by this
21 section shall not be allowed for courses or other postsecondary
22 units taken in excess of the requirements for completion of a
23 baccalaureate program or a postsecondary vocational-technical
24 program taken more than six (6) years after the student's first

semester of postsecondary enrollment. The Oklahoma State Regents for Higher Education may award the Oklahoma Higher Learning Access Program benefits for courses of postsecondary units taken more than six (6) years after the student's first semester of postsecondary enrollment only in hardship circumstances; provided, however, no Oklahoma Higher Learning Access Program participant may receive benefits beyond a cumulative time period of six (6) years.

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

~~3.~~ 4. The Oklahoma State Regents for Higher Education shall establish a maximum limit on the number of courses or other

1 postsecondary units to which Oklahoma Higher Learning Access Program
2 benefits will apply.

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

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

1 superior to any students who are applying for such benefits for the
2 first time.

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

7 H. 1. If a student who entered into participation in the
8 program beginning in the 2021-2022 school year does not complete the
9 courses or other postsecondary units required for a baccalaureate
10 program or a postsecondary vocational-technical program within six
11 (6) years after the student's first semester of postsecondary
12 enrollment as provided for in subsection D of this section, the
13 student shall be required to repay the full amount of the award
14 provided pursuant to this section. The student shall enter into a
15 repayment agreement with the institution of higher education or the
16 technology center school in which the student was enrolled.
17 Repayments shall be deposited into the Oklahoma Higher Learning
18 Access Trust Fund.

19 2. In determining the repayment amount, the institution of
20 higher education or technology center school in which the student
21 was enrolled may consider hardship circumstances on a case-by-case
22 basis.

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

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

15 B. On a form provided by the Oklahoma State Regents for Higher
16 Education, every public school district shall designate at least one
17 Oklahoma Higher Learning Access Program contact person, who shall be
18 a counselor or teacher, at each public school site in this state in
19 which eighth-, ninth- or tenth-grade classes are taught. When
20 requested by the State Regents, the State Board of Education shall
21 assist the State Regents to ensure the designation of contact
22 persons. Private schools shall also designate at least one school
23 official as a contact person. For students who are educated by
24

1 other means, a parent or guardian or other person approved by the
2 State Regents shall be designated the contact person.

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

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

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

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

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

23 1. At the time the student applies for participation in the
24 program during the eighth, ninth or tenth grade for students

1 enrolled in a public or private school, or between the ages of
2 thirteen (13) and fifteen (15), for students who are educated by
3 other means, the income from taxable and nontaxable sources of the
4 student's parent(s) exceeds Fifty Thousand Dollars (\$50,000.00) per
5 year;

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

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

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

23 5. Beginning with the 2018-2019 academic year, prior to
24 receiving any Oklahoma Higher Learning Access Program benefit award

1 for any year during which the student is 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, the federal
9 adjusted gross income of the student's parent(s) exceeds One Hundred
10 Thousand Dollars (\$100,000.00) per year.

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

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

23

24

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

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

18 E. 1. A student who was adopted between birth and twelve (12)
19 years of age while in the permanent custody of the Department of
20 Human Services, in the court-ordered custody of a licensed private
21 nonprofit child-placing agency, or federally recognized Indian
22 tribe, as defined by the federal Indian Child Welfare Act, shall not
23 be found to be in financial need for purposes of the Oklahoma Higher
24 Learning Access Program if at the time the student begins

1 postsecondary education and prior to receiving any Oklahoma Higher
2 Learning Access Program benefit award, the federal adjusted gross
3 income of the student's parent(s) exceeds One Hundred Fifty Thousand
4 Dollars (\$150,000.00) per year. The provisions of this paragraph
5 shall not apply to any student who has received an Oklahoma Higher
6 Learning Access Program benefit award prior to the 2012-2013 school
7 year.

8 2. A student who was adopted between thirteen (13) and
9 seventeen (17) years of age while in the permanent custody of the
10 Department of Human Services, in the court-ordered custody of a
11 licensed private nonprofit child-placing agency, or federally
12 recognized Indian tribe, as defined by the federal Indian Child
13 Welfare Act, shall not be found to be in financial need for purposes
14 of the Oklahoma Higher Learning Access Program if at the time the
15 student begins postsecondary education and prior to receiving any
16 Oklahoma Higher Learning Access Program benefit award, the federal
17 adjusted gross income of the student's parent(s) exceeds Two Hundred
18 Thousand Dollars (\$200,000.00) per year. The provisions of this
19 paragraph shall not apply to any student who has received an
20 Oklahoma Higher Learning Access Program benefit award prior to the
21 2012-2013 school year.

22 3. Except for students who qualify pursuant to subsection B of
23 Section 2603 of this title, the determination of financial
24 qualification as set forth in this subsection shall be based on the

1 income of the student, not the income of the parent(s), if the
2 student is determined to be independent of the student's parent(s)
3 for federal financial aid purposes. A determination of financial
4 qualification shall not be required for the student who meets the
5 criteria set forth in this subsection at the time the student
6 applies for participation in the program. The provisions of this
7 paragraph shall not apply to any student who has received an
8 Oklahoma Higher Learning Access Program benefit award prior to the
9 2008-2009 school year.

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

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

19 1. Assist the student in achieving compliance with the
20 agreements;

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

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

1 4. Assist the student in completing forms and reports required
2 for program participation, making applications to institutions and
3 schools of higher learning, and filing applications for student
4 grants and scholarships.

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

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

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

23 K. The school district where an Oklahoma Higher Learning Access
24 Program student is enrolled when the student begins participation in

1 the program and any subsequent school district where the student
2 enrolls shall forward information regarding participation by the
3 student in the program to a school to which the student transfers
4 upon the request of the school for the records of the student.

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

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

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

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

1 C. 1. Beginning with the 2022-2023 academic year, a student
2 who receives an award pursuant to Section 2604 of Title 70 of the
3 Oklahoma Statutes and enrolls in a postsecondary vocational-
4 technical program that has been identified as a critical occupation
5 area pursuant to this section shall complete the program within six
6 (6) years after the student's first semester of postsecondary
7 enrollment.

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

16 3. If a student does not complete the postsecondary vocational-
17 technical program that has been identified as a critical occupation
18 area pursuant to this section within six (6) years, the student
19 shall be required to repay the full amount of the award provided
20 pursuant to this section. The student shall enter into a repayment
21 agreement with the technology center school. Repayments shall be
22 deposited into the Oklahoma Higher Learning Access Trust Fund. In
23 determining the repayment amount, the technology center school may
24 consider hardship circumstances on a case-by-case basis.

1 D. The State Regents for Higher Education and the State Board
2 of Career and Technology Education may promulgate rules to implement
3 the provisions of this section.

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

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

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