

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 58th Legislature (2021)

4   HOUSE BILL 1739

By: Dills and **Lawson** of the  
House

5   and

6   **Stanley** of the Senate

7  
8  
9  
10                               AS INTRODUCED

11           An Act relating to children; creating the Connecting  
12           Futures Act; directing Department of Human Services  
13           to create pilot program; allowing Department to act  
14           as authorized entity in providing consent for certain  
15           minors to obtain services and documents; allowing  
16           Department to make referrals; directing Department to  
17           promulgate rules; amending 70 O.S. 2011, Section  
18           2605, as last amended by Section 4, Chapter 289,  
19           O.S.L. 2017 (70 O.S. Supp. 2020, Section 2605), which  
20           relates to the Oklahoma Higher Learning Access  
21           Program; allowing certain students to apply for  
22           Oklahoma Higher Access Learning Program without  
23           parental income; providing for codification;  
24           providing for noncodification; and providing an  
          effective date.

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

22           SECTION 1.       NEW LAW       A new section of law not to be  
23           codified in the Oklahoma Statutes reads as follows:  
24

1        This act shall be known and may be cited as the "Connecting  
2 Futures Act".

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

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

18        1.    Provide for the Department to act as an authorized entity in  
19 providing consent for eligible minors in obtaining necessary  
20 services, including routine and ordinary medical and behavioral  
21 health services;

22        2.    Provide for the Department to act as an authorized entity in  
23 providing consent for eligible minors to obtain the following  
24

documents pertaining to the eligible minor, including, but not limited to:

- a. an official copy of a United States birth certificate,
- b. a Social Security card issued by the Social Security Administration,
- c. health insurance information, and
- d. a state-issued identification card;

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

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

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

C. The Department may:

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

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

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

1       SECTION 3.       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 a private institution of higher learning  
6 located within this state and accredited pursuant to Section 4103 of  
7 this title, the federal adjusted gross income of the student's  
8 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per  
9 year.

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

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

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



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

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

1 Dollars (\$150,000.00) per year. The provisions of this paragraph  
2 shall not apply to any student who has received an Oklahoma Higher  
3 Learning Access Program benefit award prior to the 2012-2013 school  
4 year.

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

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

1 Department of Human Services pursuant to Section 2 of this act. A  
2 determination of financial qualification shall not be required for  
3 the student who meets the criteria set forth in this subsection at  
4 the time the student applies for participation in the program. The  
5 provisions of this paragraph shall not apply to any student who has  
6 received an Oklahoma Higher Learning Access Program benefit award  
7 prior to the 2008-2009 school year.

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

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

17 1. Assist the student in achieving compliance with the  
18 agreements;

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

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

23 4. Assist the student in completing forms and reports required  
24 for program participation, making applications to institutions and

1 schools of higher learning, and filing applications for student  
2 grants and scholarships.

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

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

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

21 K. The school district where an Oklahoma Higher Learning Access  
22 Program student is enrolled when the student begins participation in  
23 the program and any subsequent school district where the student  
24 enrolls shall forward information regarding participation by the

1 student in the program to a school to which the student transfers  
2 upon the request of the school for the records of the student.

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

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

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10 COMMITTEE REPORT BY: COMMITTEE ON CHILDREN, YOUTH AND FAMILY  
11 SERVICES, dated 02/09/2021 - DO PASS, As Coauthored.  
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