

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1340

By: Pugh

AS INTRODUCED

An Act relating to the Oklahoma Higher Learning Access Program; amending 70 O.S. 2021, Section 2605, as last amended by Section 2, Chapter 485, O.S.L. 2025 (70 O.S. Supp. 2025, Section 2605), which relates to student agreements; increasing income eligibility limits beginning in certain school year; increasing income limit to receive any Oklahoma Higher Learning Access Program benefit award beginning in certain academic year; updating statutory references; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 2605, as last amended by Section 2, Chapter 485, O.S.L. 2025 (70 O.S. Supp. 2025, Section 2605), is amended to read as follows:

Section 2605. A. Each school year, every fifth- through eleventh-grade student in the public and private schools of this state and students who are educated by other means and are in the equivalent of the fifth through eleventh grade shall be apprised, together with the parent, custodial parent, or guardian of the student, of the opportunity for access to higher learning under the Oklahoma Higher Learning Access Program. The Oklahoma State Regents

1 for Higher Education and the State Board of Education shall develop,  
2 promote, and coordinate a public awareness program to be utilized in  
3 making students and parents aware of the Oklahoma Higher Learning  
4 Access Program.

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

16 C. 1. Students who qualify on the basis of financial need  
17 according to subsection D or E of this section or who meet the  
18 eligibility qualification set forth in subparagraph a of paragraph 1  
19 of subsection B of Section 2603 of this title no later than December  
20 31 of their twelfth-grade year or prior to reaching the age of  
21 seventeen (17) and who qualify on the basis of the standards and  
22 provisions promulgated by the Oklahoma State Regents for Higher  
23 Education shall be given the opportunity throughout the eighth-,  
24 ninth-, tenth-, and eleventh-grade years and no later than December

1 31 of the twelfth-grade year, for students enrolled in a public or  
2 private school, or between the ages of thirteen (13) and seventeen  
3 (17), for students who are educated by other means, to enter into  
4 participation in the program by agreeing to, throughout the  
5 remainder of their school years or educational program:

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

16 2. Students who meet the eligibility qualification set forth in  
17 subparagraph a of paragraph 1 of subsection B of Section 2603 of  
18 this title after December 31 of their twelfth-grade year or after  
19 reaching the age of eighteen (18) shall be given the opportunity  
20 prior to reaching the age of twenty-one (21) to enter into  
21 participation in the program and shall execute an agreement with  
22 provisions as determined by the Oklahoma State Regents for Higher  
23 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        4. The Oklahoma State Regents for Higher Education may provide  
12 an exception to the age limits provided for in paragraphs 1 and 2 of  
13 this subsection pursuant to subsection L of this section.

14        5. Notwithstanding the provisions of Sections 5-132 and 5-132.1  
15 of this title, a student who is age twenty-one (21) or older shall  
16 not be eligible to enter into participation in the program.

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

22        1. Beginning with eighth-, ninth-, or tenth-grade students who  
23 are enrolled in a public or private school or students between the  
24 ages of thirteen (13) and fifteen (15) who are educated by other

means who apply for participation in the program in the 2017-2018 school year, the federal adjusted gross income of the student's parent(s) exceeds Fifty-five Thousand Dollars (\$55,000.00) per year;

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

3. Beginning with eighth-, ninth-, tenth-, or eleventh-grade students who are enrolled in a public or private school or students between the ages of thirteen (13) and sixteen (16) who are educated by other means who apply for participation in the program in the 2022-2023 school year:

- a. the federal adjusted gross income of the student's parent(s), who have two or fewer dependent children, exceeds Sixty Thousand Dollars (\$60,000.00) per year,
- b. the federal adjusted gross income of the student's parent(s), who have three or four dependent children, exceeds Seventy Thousand Dollars (\$70,000.00) per year, or

1           c.     the federal adjusted gross income of the student's  
2                 parent(s), who have five or more dependent children,  
3                 exceeds Eighty Thousand Dollars (\$80,000.00) per year;

4           4.   Beginning with eighth-, ninth-, tenth-, or eleventh-grade  
5 students or twelfth-grade students no later than December 31 of  
6 their twelfth-grade year who are enrolled in a public or private  
7 school or students between the ages of thirteen (13) and seventeen  
8 (17) who are educated by other means who apply for participation in  
9 the program in the 2025-2026 school year:

10           a.   the federal adjusted gross income of the student's  
11                 parent(s), who have two or fewer dependent children,  
12                 exceeds Sixty Thousand Dollars (\$60,000.00) per year,

13           b.   the federal adjusted gross income of the student's  
14                 parent(s), who have three or four dependent children,  
15                 exceeds Seventy Thousand Dollars (\$70,000.00) per  
16                 year, or

17           c.   the federal adjusted gross income of the student's  
18                 parent(s), who have five or more dependent children,  
19                 exceeds Eighty Thousand Dollars (\$80,000.00) per year;

20           5.   Beginning with eighth-, ninth-, tenth-, or eleventh-grade  
21 students or twelfth-grade students no later than December 31 of  
22 their twelfth grade year who are enrolled in a public or private  
23 school or students between the ages of thirteen (13) and seventeen

1 (17) who are educated by other means who apply for participation in  
2 the program in the 2027-2028 school year:

3 a. the federal adjusted gross income of the student's  
4 parent(s), who have two or fewer dependent children,  
5 exceeds One Hundred Thousand Dollars (\$100,000.00) per  
6 year,

7 b. the federal adjusted gross income of the student's  
8 parent(s), who have three or four dependent children,  
9 exceeds One Hundred Ten Thousand Dollars (\$110,000.00)  
10 per year, or

11 c. the federal adjusted gross income of the student's  
12 parent(s), who have five or more dependent children,  
13 exceeds One Hundred Twenty Thousand Dollars  
14 (\$120,000.00) per year;

15 6. Beginning with the ~~2018-2019~~ 2027-2028 academic year, prior  
16 to receiving any Oklahoma Higher Learning Access Program benefit  
17 award for any year during which the student is enrolled in an  
18 institution ~~which~~ that is a member of The Oklahoma State System of  
19 Higher Education, a postsecondary vocational-technical program  
20 offered by a technology center school that meets the requirements to  
21 be eligible for federal student financial aid, or a private  
22 institution of higher learning located within this state and  
23 accredited pursuant to Section 4103 of this title, the federal  
24 adjusted gross income of the student's parent(s) exceeds ~~One Hundred~~

1 ~~Thousand Dollars (\$100,000.00)~~ One Hundred Thirty Thousand Dollars  
2 (\$130,000.00) per year.

3 The determination of financial qualification as set forth in  
4 this paragraph shall be based on the income of the student, not the  
5 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 of 1978, at the time the  
14 student 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.~~ 7. The Oklahoma State Regents for Higher Education shall  
19 review the determination of financial qualification as set forth in  
20 paragraphs 1, 2, 3, ~~and 4,~~ and 5 of this subsection if the income  
21 from taxable and nontaxable sources of the student's parent(s)  
22 includes income received from nontaxable military benefits or income  
23 received from the federal Social Security Administration due to the  
24 death or disability of the student's parent(s). If the income from



1 taxable and nontaxable sources of the student's parent(s), excluding  
2 income received from nontaxable military benefits or income received  
3 from 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, 3, ~~and 4,~~ and 5 of this  
6 subsection, the student shall be determined to have met the  
7 financial qualification set forth in paragraphs 1, 2, 3, ~~and 4,~~ and  
8 5 of this subsection.

9 E. 1. A student who was adopted between birth and twelve (12)  
10 years of age while in the permanent custody of the Department of  
11 Human Services, in the court-ordered custody of a licensed private  
12 nonprofit child-placing agency, or federally recognized Indian  
13 tribe, as defined by the federal Indian Child Welfare Act of 1978,  
14 shall not be found to be in financial need for purposes of the  
15 Oklahoma Higher Learning Access Program if at the time the student  
16 begins postsecondary education and prior to receiving any Oklahoma  
17 Higher Learning Access Program benefit award, the federal adjusted  
18 gross income of the student's parent(s) exceeds One Hundred Fifty  
19 Thousand Dollars (\$150,000.00) per year. The provisions of this  
20 paragraph shall not apply to any student who has received an  
21 Oklahoma Higher Learning Access Program benefit award prior to the  
22 2012-2013 school year.

23 2. A student who was adopted between thirteen (13) and  
24 seventeen (17) years of age while in the permanent custody of the

1 Department of Human Services, in the court-ordered custody of a  
2 licensed private nonprofit child-placing agency, or federally  
3 recognized Indian tribe, as defined by the federal Indian Child  
4 Welfare Act of 1978, shall not be found to be in financial need for  
5 purposes of the Oklahoma Higher Learning Access Program if at the  
6 time the student begins postsecondary education and prior to  
7 receiving any Oklahoma Higher Learning Access Program benefit award,  
8 the federal adjusted gross income of the student's parent(s) exceeds  
9 Two Hundred Thousand Dollars (\$200,000.00) per year. The provisions  
10 of this paragraph shall not apply to any student who has received an  
11 Oklahoma Higher Learning Access Program benefit award prior to the  
12 2012-2013 school year.

13 3. A student who was placed in the custody of the Department of  
14 Human Services at any time during the eighth, ninth, tenth, or  
15 eleventh grade and enrolls in the program no later than his or her  
16 official date of high school graduation shall not be found to be in  
17 financial need for purposes of the Oklahoma Higher Learning Access  
18 Program if the federal adjusted gross income of the student exceeds  
19 Sixty Thousand Dollars (\$60,000.00) per year.

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

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

8       5.   a.   A student who is the child of a certified classroom  
9               teacher at the time the student applies for  
10              participation in the Oklahoma Higher Learning Access  
11              Program shall not be found to be in financial need for  
12              the purposes of the Oklahoma Higher Learning Access  
13              Program if, beginning with eighth-, ninth-, tenth-, or  
14              eleventh-grade students or twelfth-grade students no  
15              later than December 31 of their twelfth-grade year who  
16              are enrolled in a public or private school or students  
17              between thirteen (13) and seventeen (17) years of age  
18              who are educated by other means who apply for  
19              participation in the program in the 2025-2026 school  
20              year, the household income of the student's parent(s)  
21              is equal to or greater than seven hundred percent  
22              (700%) of the federal poverty level (FPL).

23       b.   Prior to receiving any Oklahoma Higher Learning Access  
24              Program benefit award for any year during which the

1 student is enrolled in an institution that is a member  
2 of The Oklahoma State System of Higher Education, a  
3 postsecondary vocational-technical program offered by  
4 a technology center school that meets the eligibility  
5 requirements for federal student financial aid, or a  
6 private institution of higher learning located within  
7 this state and accredited pursuant to Section 4103 of  
8 this title, the household income of the parent(s) of a  
9 student who qualifies pursuant to this paragraph shall  
10 not be equal to or greater than seven hundred percent  
11 (700%) of the federal poverty level (FPL).

12 c. The Oklahoma State Regents for Higher Education shall  
13 verify the full-time employment status of the  
14 student's parent(s) prior to a student who qualifies  
15 pursuant to this paragraph receiving any Oklahoma  
16 Higher Learning Access Program benefit award.

17 d. For the purposes of this paragraph, "certified  
18 classroom teacher" means a certified, full-time  
19 classroom teacher who has been employed as a teacher  
20 in a public school district classroom in this state  
21 for a minimum of ten (10) years prior to his or her  
22 child applying for participation in the program. The  
23 teacher is not required to have been employed by the  
24 same public school district for ten (10) consecutive

1 years. Certified classroom teacher does not mean a  
2 certified teacher who is employed as a school district  
3 superintendent, principal, or any other position  
4 within the administration of a public school district  
5 when his or her child applies for participation in the  
6 program or prior to his or her child receiving any  
7 Oklahoma Higher Learning Access Program benefit award.

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  
25

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

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

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

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

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

1 L. The State Regents may provide an exception to the age limits  
2 provided for in paragraphs 1 and 2 of subsection C of this section  
3 to a student due to hardship circumstances and allow an application  
4 to the Oklahoma Higher Learning Access Program for twelfth-grade  
5 students enrolled in a public or private school and students who are  
6 educated by other means and are in the equivalent of twelfth grade.  
7 Provided, however, the exception due to hardship circumstances shall  
8 not apply to:

9 1. A student enrolled in a public or private school after the  
10 student's official date of high school graduation;

11 2. A student educated by other means who is age nineteen (19)  
12 or older; or

13 3. Any student who is age twenty-one (21) or older.

14 The Oklahoma State Regents for Higher Education shall promulgate  
15 rules to implement the provisions of this subsection.

16 SECTION 2. This act shall become effective November 1, 2026.

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