

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

HOUSE BILL 1020

By: McCane

AS INTRODUCED

An Act relating to the Oklahoma Higher Learning Access Program; amending 70 O.S. 2021, Section 2603, as amended by Section 1, Chapter 274, O.S.L. 2024 (70 O.S. Supp. 2024, Section 2603), which relates to eligibility requirements; providing eligibility for children of certain public school employees; defining term; amending 70 O.S. 2021, Section 2605, as last amended by Section 2, Chapter 274, O.S.L. 2024 (70 O.S. Supp. 2024, Section 2605), which relates to student agreements; exempting students who are children of certain public school employees from financial qualification determination; defining term; directing the Oklahoma State Regents for Higher Education to verify certain employment status; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 2603, as amended by Section 1, Chapter 274, O.S.L. 2024 (70 O.S. Supp. 2024, Section 2603), is amended to read as follows:

Section 2603. A. Except as otherwise provided for in subsection B of this section and elsewhere in this section, to be eligible to participate in the Oklahoma Higher Learning Access 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,

- 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 Students shall also have attained a 2.5 grade point average in the
15 core curriculum courses. Students who attended a high school which
16 did not offer all the core curriculum courses or students who were
17 educated by other means and were not offered all the core curriculum
18 courses shall be allowed to satisfy this curriculum requirement by
19 participating in a program approved by the Oklahoma State Regents
20 for Higher Education for remediation of high school curricular
21 deficiencies;

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

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

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

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

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

14 d. if the student was placed in the custody of the
15 Department of Human Services at any time during the
16 eighth, ninth, tenth, or eleventh grades and enrolls
17 in the program no later than his or her official date
18 of high school graduation, have established financial
19 need according to the provisions of paragraph 3 of
20 subsection E of Section 2605 of this title and
21 standards and provisions promulgated by the Oklahoma
22 State Regents for Higher Education, or

23 e. if the student is the child of a public school
24 employee who has been employed as a public school
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1 employee for at least five (5) consecutive years. For
2 the purposes of this paragraph, "public school
3 employee" means any teacher, librarian, certified or
4 registered nurse, or support employee whose salary is
5 paid wholly or in part from public funds. The term
6 "teacher" shall also include instructors and
7 counselors employed by the Department of Corrections
8 and holding valid teaching certificates issued by the
9 State Department of Education.

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

- 16 a. is a child of any person killed after January 1, 2000,
17 in the line of duty in any branch of the United States
18 Armed Forces or who died after January 1, 2000, as a
19 result of an injury sustained while in the line of
20 duty in any branch of the United States Armed Forces
21 and the person who was killed or died filed an
22 individual or joint Oklahoma income tax return for the
23 tax year prior to the year during which the person was
24 killed or died,
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- 1 b. is a resident of this state or is enrolled in a school
2 district located in this state that serves students
3 who reside in both this state and an adjacent state
4 pursuant to a contract as authorized in Section 5-
5 117.1 of this title,
- 6 c. enrolls in an institution within The Oklahoma State
7 System of Higher Education prior to reaching the age
8 of twenty-one (21),
- 9 d. has satisfied admission standards as determined by the
10 Oklahoma State Regents for Higher Education for first-
11 time-entering students for the appropriate type of
12 institution, or, if attending a private institution,
13 has satisfied admission standards as determined by the
14 private institution. No student participating in the
15 Oklahoma Higher Learning Access Program shall be
16 admitted into an institution of higher education by
17 special admission standards,
- 18 e. has secured admission to, and enrolled in, an
19 institution which is a member of The Oklahoma State
20 System of Higher Education, a postsecondary
21 vocational-technical program offered by a technology
22 center school that meets the requirements to be
23 eligible for federal student financial aid, or a
24 private institution of higher learning located within
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1 this state and accredited pursuant to Section 4103 of
2 this title, and

3 f. executes an agreement pursuant to subsection C of
4 Section 2605 of this title.

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

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

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

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

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

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

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

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

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

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

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

17 SECTION 2. AMENDATORY 70 O.S. 2021, Section 2605, as
18 last amended by Section 2, Chapter 274, O.S.L. 2024 (70 O.S. Supp.
19 2024, Section 2605), is amended to read as follows:

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

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

18 C. 1. Students who qualify on the basis of financial need
19 according to subsection D or E of this section or who meet the
20 eligibility qualification set forth in subparagraph a of paragraph 1
21 of subsection B of Section 2603 of this title prior to entering the
22 eleventh grade or prior to reaching the age of sixteen (16) and the
23 standards and provisions promulgated by the Oklahoma State Regents
24 for Higher Education shall be given the opportunity throughout the
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1 eighth-, ninth-, tenth-, and eleventh-grade years, for students
2 enrolled in a public or private school, or between the ages of
3 thirteen (13) and sixteen (16), for students who are educated by
4 other means, to enter into participation in the program by agreeing
5 to, throughout the remainder of their school years or educational
6 program:

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

17 2. Students who meet the eligibility qualification set forth in
18 subparagraph a of paragraph 1 of subsection B of Section 2603 of
19 this title after completing the eleventh grade or after reaching the
20 age of seventeen (17) shall be given the opportunity prior to
21 reaching the age of twenty-one (21) to enter into participation in
22 the program and shall execute an agreement with provisions as
23 determined by the Oklahoma State Regents for Higher Education.
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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. Beginning with eighth-, ninth-, or tenth-grade students who
17 are enrolled in a public or private school or students between the
18 ages of thirteen (13) and fifteen (15) who are educated by other
19 means who apply for participation in the program in the 2017-2018
20 school year, the federal adjusted gross income of the student's
21 parent(s) exceeds Fifty-five Thousand Dollars (\$55,000.00) per year;

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

5 3. Beginning with eighth-, ninth-, tenth-, or eleventh-grade
6 students who are enrolled in a public or private school or students
7 between the ages of thirteen (13) and sixteen (16) who are educated
8 by other means who apply for participation in the program in the
9 2022-2023 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 4. Beginning with the 2018-2019 academic year, prior to
21 receiving any Oklahoma Higher Learning Access Program benefit award
22 for any year during which the student is enrolled in an institution
23 which is a member of The Oklahoma State System of Higher Education,
24 a postsecondary vocational-technical program offered by a technology
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1 center school that meets the requirements to be eligible for federal
2 student financial aid, or a private institution of higher learning
3 located within this state and accredited pursuant to Section 4103 of
4 this title, the federal adjusted gross income of the student's
5 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per
6 year.

7 The determination of financial qualification as set forth in
8 this paragraph shall be based on the income of the student, not the
9 income of the parent(s), if a student:

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

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

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

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

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

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

1 learning located within this state and accredited
2 pursuant to Section 4103 of this title. The Oklahoma
3 State Regents for Higher Education shall verify the
4 five (5) consecutive years of full-time employment of
5 the student's parent(s) prior to the student receiving
6 any Oklahoma Higher Learning Access Program benefit
7 award. The provisions of this paragraph shall apply
8 to eighth-, ninth-, or tenth-grade students who are
9 enrolled in a public or private school or students
10 between the ages of thirteen (13) and fifteen (15) who
11 are educated by other means who apply for
12 participation in the program after the 2024-2025
13 school year.

14 b. For the purposes of this paragraph, "public school
15 employee" means any teacher, librarian, certified or
16 registered nurse, or support employee whose salary is
17 paid wholly or in part from public funds. The term
18 "teacher" shall also include instructors and
19 counselors employed by the Department of Corrections
20 and holding valid teaching certificates issued by the
21 State Department of Education.

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

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

7 1. Assist the student in achieving compliance with the
8 agreements;

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

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

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

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

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

3 J. The school district where an Oklahoma Higher Learning Access
4 Program student is enrolled when the student begins participation in
5 the program and any subsequent school district where the student
6 enrolls shall forward information regarding participation by the
7 student in the program to a school to which the student transfers
8 upon the request of the school for the records of the student.

9 K. Students participating in the Oklahoma Higher Learning
10 Access Program shall provide their Social Security number or their
11 student identification number used by their school to the Oklahoma
12 State Regents for Higher Education. The Regents shall keep the
13 numbers confidential and use them only for administrative purposes.

14 SECTION 3. This act shall become effective July 1, 2025.

15 SECTION 4. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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