

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 ENGROSSED SENATE
5 BILL NO. 140

6 By: Seifried of the Senate

7 and

8

9

10 Hasenbeck and **Fugate** of the
11 House

12

13

14 [Oklahoma Higher Learning Access Program - student
15 agreements - age limits - income eligibility -
16 promulgation of rules - effective date -
17 emergency]

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

19 SECTION 1. AMENDATORY 70 O.S. 2021, Section 2605, as

20 last amended by Section 2, Chapter 274, O.S.L. 2024 (70 O.S. Supp.

21 2024, Section 2605), is amended to read as follows:

22 Section 2605. A. Each school year, every fifth- through
23 eleventh-grade student in the public and private schools of this
24 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 ~~prior to entering the~~
20 ~~eleventh grade no later than December 31 of their twelfth-grade year~~
21 or prior to reaching the age of ~~sixteen (16)~~ seventeen (17) and who
22 qualify on the basis of the standards and provisions promulgated by
23 the Oklahoma State Regents for Higher Education shall be given the
24 opportunity throughout the eighth-, ninth-, tenth-, and eleventh-

1 grade years, and no later than December 31 of the twelfth-grade
2 year, for students enrolled in a public or private school, or
3 between the ages of thirteen (13) and ~~sixteen~~ (16) seventeen (17),
4 for students who are educated by other means, to enter into
5 participation in the program by agreeing to, throughout the
6 remainder of their school years or educational 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~~ December 31 of their
20 twelfth-grade year or after reaching the age of ~~seventeen~~ (17)
21 eighteen (18) shall be given the opportunity prior to reaching the
22 age of twenty-one (21) to enter into participation in the program
23 and shall execute an agreement with provisions as determined by the
24 Oklahoma State Regents for Higher Education.

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

11 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

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

4 2. Beginning with eighth-, ninth-, tenth-, or eleventh-grade
5 students who are enrolled in a public or private school or students
6 between the ages of thirteen (13) and sixteen (16) who are educated
7 by other means who apply for participation in the program in the
8 2021-2022 school year, the federal adjusted gross income of the
9 student's parent(s) exceeds Sixty Thousand Dollars (\$60,000.00) per
10 year;

11 3. Beginning with eighth-, ninth-, tenth-, or eleventh-grade
12 students who are enrolled in a public or private school or students
13 between the ages of thirteen (13) and sixteen (16) who are educated
14 by other means who apply for participation in the program in the
15 2022-2023 school year:

- 16 a. the federal adjusted gross income of the student's
17 parent(s), who have two or fewer dependent children,
18 exceeds Sixty Thousand Dollars (\$60,000.00) per year,
19 b. the federal adjusted gross income of the student's
20 parent(s), who have three or four dependent children,
21 exceeds Seventy Thousand Dollars (\$70,000.00) per
22 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 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

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 of 1978, at the time the
18 student 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. 6. The Oklahoma State Regents for Higher Education shall
23 review the determination of financial qualification as set forth in
24 paragraphs 1, 2, and 3, and 4 of this subsection if the income from

1 taxable and nontaxable sources of the student's parent(s) includes
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). 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, and 4 of this
10 subsection, the student shall be determined to have met the
11 financial qualification set forth in paragraphs 1, 2, and 3, and 4
12 of this 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 of 1978,
18 shall not be found to be in financial need for purposes of the
19 Oklahoma Higher Learning Access Program if at the time the student
20 begins postsecondary education and prior to receiving any Oklahoma
21 Higher Learning Access Program benefit award, the federal adjusted
22 gross income of the student's parent(s) exceeds One Hundred Fifty
23 Thousand Dollars (\$150,000.00) per year. The provisions of this
24 paragraph shall not apply to any student who has received an

1 Oklahoma Higher Learning Access Program benefit award prior to the
2 2012-2013 school 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 of 1978, shall not be found to be in financial need for
9 purposes of the Oklahoma Higher Learning Access Program if at the
10 time the student begins postsecondary education and prior to
11 receiving any Oklahoma Higher Learning Access Program benefit award,
12 the federal adjusted gross income of the student's parent(s) exceeds
13 Two Hundred Thousand Dollars (\$200,000.00) per year. The provisions
14 of this 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 4. Except for students who qualify pursuant to subsection B of
2 Section 2603 of this title, the determination of financial
3 qualification as set forth in this subsection shall be based on the
4 income of the student, not the income of the parent(s), if the
5 student is determined to be independent of the student's parent(s)
6 for federal financial aid purposes. A determination of financial
7 qualification shall not be required for the student who meets the
8 criteria set forth in this subsection at the time the student
9 applies for participation in the program. The provisions of this
10 paragraph shall not apply to any student who has received an
11 Oklahoma Higher Learning Access Program benefit award prior to the
12 2008-2009 school year.

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

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

22 1. Assist the student in achieving compliance with the
23 agreements;

1 2. Confer, when requested to do so, with the school contact
2 person, other school personnel, and program mentors;
3
4 3. Provide information requested by the Oklahoma State Regents
for Higher Education or the State Board of Education; and
5
6 4. Assist the student in completing forms and reports required
for program participation, making applications to institutions and
7 schools of higher learning, and filing applications for student
8 grants and scholarships.

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

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

19 J. The school district where an Oklahoma Higher Learning Access
20 Program student is enrolled when the student begins participation in
21 the program and any subsequent school district where the student
22 enrolls shall forward information regarding participation by the
23 student in the program to a school to which the student transfers
24 upon the request of the school for the records of the student.

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

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

- 15 1. A student enrolled in a public or private school after the
16 student's official date of high school graduation;
- 17 2. A student educated by other means who is age nineteen (19)
18 or older; or
- 19 3. Any student who is age twenty-one (21) or older.

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

22 SECTION 2. This act shall become effective July 1, 2025.

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health, or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
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4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
04/16/2025 - DO PASS, As Amended and Coauthored.
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