

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 1739

By: Dills

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6 AS INTRODUCED

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

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

21 This act shall be known and may be cited as the "Connecting
22 Futures Act".
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1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-2-112 of Title 10A, unless
3 there is created a duplication in numbering, reads as follows:

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

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

20 2. Provide for the Department to act as an authorized entity in
21 providing consent for eligible minors to obtain the following
22 documents pertaining to the eligible minor, including, but not
23 limited to:

24 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.

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

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

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

23 C. 1. Students who qualify on the basis of financial need
24 according to subsection D or E of this section or who meet the

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

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

21 2. Students who meet the eligibility qualification set forth in
22 subparagraph a of paragraph 1 of subsection B of Section 2603 of
23 this title after completing the tenth grade or after reaching the
24 age of sixteen (16) shall be given the opportunity prior to reaching

1 the age of twenty-one (21) to enter into participation in the
2 program and shall execute an agreement with provisions as determined
3 by the Oklahoma State Regents for Higher Education.

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

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

19 1. At the time the student applies for participation in the
20 program during the eighth, ninth or tenth grade for students
21 enrolled in a public or private school, or between the ages of
22 thirteen (13) and fifteen (15), for students who are educated by
23 other means, the income from taxable and nontaxable sources of the
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1 student's parent(s) exceeds Fifty Thousand Dollars (\$50,000.00) per
2 year;

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

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

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

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 paragraphs 4 and 5 of this subsection shall be based on the income
9 of the student, not the 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 6. 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

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 subsection.

12 E. 1. A student who was adopted between birth and twelve (12)
13 years of age while in the permanent custody of the Department of
14 Human Services, in the court-ordered custody of a licensed private
15 nonprofit child-placing agency, or federally recognized Indian
16 tribe, as defined by the federal Indian Child Welfare Act, shall not
17 be found to be in financial need for purposes of the Oklahoma Higher
18 Learning Access Program if at the time the student begins
19 postsecondary education and prior to receiving any Oklahoma Higher
20 Learning Access Program benefit award, the federal adjusted gross
21 income of the student's parent(s) exceeds One Hundred Fifty Thousand
22 Dollars (\$150,000.00) per year. The provisions of this paragraph
23 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. Except for students who qualify pursuant to subsection B of
18 Section 2603 of this title, the determination of financial
19 qualification as set forth in this subsection shall be based on the
20 income of the student, not the income of the parent(s), if the
21 student is determined to be independent of the student's parent(s)
22 for federal financial aid purposes or is receiving services from the
23 Department of Human Services pursuant to Section 2 of this act. A
24 determination of financial qualification shall not be required for

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

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

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

15 1. Assist the student in achieving compliance with the
16 agreements;

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

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

21 4. Assist the student in completing forms and reports required
22 for program participation, making applications to institutions and
23 schools of higher learning, and filing applications for student
24 grants and scholarships.

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

9 I. 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 J. 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 K. 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 L. 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 Regents shall keep the
5 numbers confidential and use them only for administrative purposes.

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

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8 58-1-6126 CMA 12/14/20

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