

1 1. "CTP program" means a degree, certificate, or nondegree
2 program that meets each of the following criteria:

3 a. is offered by an institution of higher education or
4 technology center school,

5 b. is delivered to students physically attending the
6 institution of higher education or technology center
7 school,

8 c. is designed to support students with intellectual
9 disabilities who are seeking to continue academic,
10 career and technical, and independent living
11 instruction at an institution of higher education or
12 technology center school to prepare for gainful
13 employment,

14 d. includes an advising and curriculum structure,

15 e. requires students with intellectual disabilities to
16 participate on not less than a half-time basis as
17 determined by the institution of higher education or
18 technology center school, with such participation
19 focusing on academic components and occurring through
20 one or more of the following activities:

21 (1) regular enrollment in credit-bearing courses with
22 nondisabled students offered by the institution
23 of higher education or technology center school,

1 (2) auditing or participating in courses with
2 nondisabled students offered by the institution
3 for higher education or technology center school
4 for which the student does not receive regular
5 academic credit,

6 (3) enrollment in noncredit-bearing, nondegree
7 courses with nondisabled students, or

8 (4) participation in internships or work-based
9 training in settings with nondisabled students,

10 f. requires students with intellectual disabilities to be
11 socially and academically integrated with nondisabled
12 students to the maximum extent possible, and

13 g. is approved by the United States Department of
14 Education pursuant to P.L. No. 110-315, the Higher
15 Education Opportunity Act, as amended;

16 2. "Eligible student" means a student with an intellectual
17 disability who is eligible for the scholarship program;

18 3. "Scholarship program" means the Oklahoma Access and
19 Achievement Program;

20 4. "State educational institution" means a higher education
21 institution or technology center school supported wholly or in part
22 by direct legislative appropriations that provides a CTP program;

23 5. "State Regents" means the Oklahoma State Regents for Higher
24 Education; and

1 6. "Student with an intellectual disability" means a student:

- 2 a. with a cognitive impairment, characterized by
3 significant limitations in intellectual and cognitive
4 functioning and adaptive behavior as expressed in
5 conceptual, social, and practical adaptive skills, and
6 b. who is currently or was formerly eligible for a free
7 appropriate public education under the Individuals
8 with Disabilities Education Act (IDEA), including a
9 student who was determined eligible for special
10 education or related services under IDEA but attended
11 a private school or was educated pursuant to the other
12 means of education exception provided for in
13 subsection A of Section 10-105 of Title 70 of the
14 Oklahoma Statutes.

15 C. There is hereby created a program to be known as the
16 Oklahoma Access and Achievement Program. The purpose of the program
17 is to provide an award to eligible students with intellectual
18 disabilities who are pursuing studies in this state at a CTP
19 program. The award shall be an amount equal to the nonguaranteed
20 resident tuition at an institution of higher education or the
21 tuition at a technology center school.

22 D. A student with an intellectual disability shall be eligible
23 for the Oklahoma Access and Achievement Program if the student:
24

1 1. Is a resident of this state or enrolled in a school district
2 located in this state that serves students who reside in both this
3 state and an adjacent state pursuant to a contract authorized by
4 Section 5-117.1 of Title 70 of the Oklahoma Statutes;

5 2. Is a United States citizen or lawfully present in the United
6 States. A student who is not a United States citizen or lawfully
7 present in the United States shall not be eligible to participate in
8 the scholarship program and qualify for an award;

9 3. Has graduated within the previous six (6) years from a
10 public high school accredited by the State Board of Education or a
11 private school, or has satisfactorily completed within the previous
12 six (6) years an educational program that was provided through a
13 means other than a public or private school;

14 4. Has secured admission to and enrolled in a CTP program at an
15 educational institution that meets the requirements to be eligible
16 for federal student financial aid; and

17 5. Has established financial need according to the provisions
18 of Section 3 of this act and standards and provisions promulgated by
19 the State Regents.

20 E. To retain eligibility in the scholarship program, a student
21 with an intellectual disability shall:

22 1. Meet the requirements for retention and completion as
23 established by the state educational institution where the student
24 is enrolled;

1 2. Maintain satisfactory academic progress as required by the
2 CTP program criteria;

3 3. Comply with the standards related to maintenance of
4 eligibility as promulgated by the State Regents; and

5 4. Refrain from conduct that leads to expulsion or suspension
6 of more than one semester from a state educational institution. A
7 student who violates the provisions of this paragraph shall
8 permanently lose eligibility for scholarship program benefits.

9 F. The State Regents shall promulgate rules relating to the
10 establishment and maintenance of eligibility under the scholarship
11 program.

12 SECTION 2. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 2501 of Title 70, unless there
14 is created a duplication in numbering, reads as follows:

15 A. Subject to the availability of funds, an amount equivalent
16 to the nonguaranteed resident tuition at an institution of higher
17 education or the tuition at a technology center school for which an
18 eligible student is obligated at a CTP program shall be awarded by
19 allocation from the Oklahoma Higher Learning Access Trust Fund
20 created pursuant to Section 3953.1 of Title 70 of the Oklahoma
21 Statutes.

22 B. Benefits awarded through the scholarship program shall be
23 awarded to all eligible student applicants without any limitation on
24 the number of awards in any year other than the amount of funds

1 available for the scholarship program and the number of eligible
2 student applicants. Subject to the provisions of subsection C of
3 this section, if funds are not sufficient to provide awards for all
4 eligible student applicants, the Oklahoma State Regents for Higher
5 Education shall make awards on the basis of need. Provided, the
6 State Regents may take into consideration other grants and
7 scholarships received by an eligible student applicant when making
8 awards.

9 C. An award provided for by this section shall not be allowed
10 for courses or other postsecondary units taken more than five (5)
11 years after the eligible student's first semester of postsecondary
12 enrollment. The State Regents may award the scholarship program
13 benefits for courses or other postsecondary units taken more than
14 five (5) years after the eligible student's first semester of
15 postsecondary enrollment only in hardship circumstances; provided,
16 however, no eligible student may receive benefits beyond a
17 cumulative time period of five (5) years.

18 D. The State Regents may, at the time an award is made on
19 behalf of an eligible student, set aside in the Oklahoma Higher
20 Learning Access Trust Fund funds for the full commitment made to the
21 student. For all academic years, students who have previously
22 received awards under the provisions of the Oklahoma Access and
23 Achievement Act and who have continued at all times to fulfill the
24 requirements for eligibility to receive awards provided pursuant to

1 the scholarship program shall be given an absolute priority for
2 continued financial support by the scholarship program above any
3 students who are applying for an award for the first time.

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 2502 of Title 70, unless there
6 is created a duplication in numbering, reads as follows:

7 A. Except as otherwise provided for in subsection B of this
8 section, a student with an intellectual disability shall not be
9 found to be in financial need for purposes of the Oklahoma Access
10 and Achievement Act if prior to receiving any scholarship program
11 award for any year during which the student is enrolled in a CTP
12 program at a state educational institution, the federal adjusted
13 gross income of the student's parent(s) or legal guardian(s) exceeds
14 One Hundred Thousand Dollars (\$100,000.00) per year. The
15 determination of financial qualification provided in this subsection
16 shall be based on the income of the student, not the income of the
17 parent(s) or legal guardian(s), if a student is determined to be
18 independent of his or her parent(s) or legal guardian(s) for federal
19 financial aid purposes.

20 B. 1. A student with an intellectual disability who was
21 adopted between birth and twelve (12) years of age while in the
22 permanent custody of the Department of Human Services, in the court-
23 ordered custody of a licensed private nonprofit child-placing
24 agency, or federally recognized Indian tribe, as defined by the

1 federal Indian Child Welfare Act, shall not be found to be in
2 financial need for purposes of the Oklahoma Access and Achievement
3 Act if prior to receiving any scholarship program award for any year
4 during which the student is enrolled in a CTP program at a state
5 educational institution, the federal adjusted gross income of the
6 student's parent(s) exceeds One Hundred Fifty Thousand Dollars
7 (\$150,000.00) per year.

8 2. A student with an intellectual disability who was adopted
9 between thirteen (13) and seventeen (17) years of age while in the
10 permanent custody of the Department of Human Services, in the court-
11 ordered custody of a licensed private nonprofit child-placing
12 agency, or federally recognized Indian tribe, as defined by the
13 federal Indian Child Welfare Act, shall not be found to be in
14 financial need for purposes of the Oklahoma Access and Achievement
15 Act if prior to receiving any scholarship program award for any year
16 during which the student is enrolled in a CTP program at a state
17 educational institution, the federal adjusted gross income of the
18 student's parent(s) exceeds Two Hundred Thousand Dollars
19 (\$200,000.00) per year.

20 3. The determination of financial qualification provided for in
21 this subsection shall be based on the income of the student, not the
22 income of the student's parent(s), if the student is determined to
23 be independent of the student's parent(s) for federal financial aid
24 purposes.

1 SECTION 4. AMENDATORY 70 O.S. 2021, Section 3953.1, is
2 amended to read as follows:

3 Section 3953.1. A. There is hereby created a trust fund to be
4 known as the "Oklahoma Higher Learning Access Trust Fund". The
5 Oklahoma State Regents for Higher Education shall be the trustees of
6 ~~said~~ the Trust Fund.

7 B. The State Regents shall utilize ~~said~~ the Trust Fund to
8 implement the provisions of Sections 2601 through 2605 of this title
9 and Sections 1 through 3 of this act.

10 C. The Trust Fund principal shall consist of monies the
11 Legislature appropriates or transfers to the Oklahoma State Regents
12 for Higher Education for the Trust Fund and any monies or assets
13 contributed to the Trust Fund from any other source, public or
14 private. All monies accruing to the credit of ~~said~~ the fund are
15 hereby appropriated and may be budgeted and expended by the State
16 Regents. Expenditures from ~~said~~ the fund shall be made upon
17 warrants issued by the State Treasurer against claims filed as
18 prescribed by law with the Director of the Office of Management and
19 Enterprise Services for approval and payment.

20 D. Notwithstanding other provisions of law, income and
21 investment return on Trust Fund principal shall accrue to the Trust
22 Fund for use as provided by authorization of the trustees for the
23 purposes provided in Sections 2601 through 2605 of this title and
24 Sections 1 through 3 of this act. The State Regents may also

1 utilize the Trust Fund principal for the purposes provided in
2 Sections 2601 through 2605 of this title and Sections 1 through 3 of
3 this act. Except as otherwise provided by law, no such income or
4 investment return or principal shall be used for administrative
5 expenses; expenses incurred by the State Regents in the
6 administration of the Trust Fund and of the Oklahoma Higher Learning
7 Access Program established by the Oklahoma Higher Learning Access
8 Act and the Oklahoma Access and Achievement Program established by
9 the Oklahoma Access and Achievement Act shall be paid from monies
10 appropriated to the State Regents coordinating board for their
11 general operating budget.

12 E. The State Regents shall adopt rules for accomplishing
13 transfer of funds from the Oklahoma Higher Learning Access Trust
14 Fund to the appropriate institutional Educational and General
15 Operations Revolving Funds, as provided in Section 3901 of this
16 title, to private institutions, and to the appropriate technology
17 center school district to cover general enrollment fees or tuition
18 for eligible students pursuant to the Oklahoma Higher Learning
19 Access Act and the Oklahoma Access and Achievement Act. Allocations
20 from the Trust Fund may be made only for the purpose of covering the
21 general enrollment fees or tuition of eligible students. No portion
22 of the Trust Fund may be used or allocated for administrative or
23 operating expenses of any higher education institution or technology
24 center school.

1 SECTION 5. This act shall become effective July 1, 2024.

2 SECTION 6. It being immediately necessary for the preservation
3 of the public peace, health, or safety, an emergency is hereby
4 declared to exist, by reason whereof this act shall take effect and
5 be in full force from and after its passage and approval.

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7 COMMITTEE REPORT BY: COMMITTEE ON HIGHER EDUCATION AND CAREER TECH,
8 dated 03/25/2024 - DO PASS, As Amended.
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