

1 **SENATE FLOOR VERSION**

2 February 20, 2025

3 **AS AMENDED**

4 SENATE BILL NO. 140

By: Seifried of the Senate

and

Hasenbeck of the House

5  
6  
7  
8 **[ Oklahoma Higher Learning Access Program - student**  
9 **agreements - age limits - income eligibility -**  
10 **promulgation of rules - effective date -**  
11 **emergency ]**

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

13 SECTION 1. AMENDATORY 70 O.S. 2021, Section 2605, as  
14 last amended by Section 2, Chapter 274, O.S.L. 2024 (70 O.S. Supp.  
15 2024, Section 2605), is amended to read as follows:

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

1 making students and parents aware of the Oklahoma Higher Learning  
2 Access Program.

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

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

1 between the ages of thirteen (13) and ~~sixteen (16)~~ seventeen (17),  
2 for students who are educated by other means, to enter into  
3 participation in the program by agreeing to, throughout the  
4 remainder of their school years or educational program:

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

15 2. Students who meet the eligibility qualification set forth in  
16 subparagraph a of paragraph 1 of subsection B of Section 2603 of  
17 this title after ~~completing the eleventh grade~~ December 31 of their  
18 twelfth-grade year or after reaching the age of ~~seventeen (17)~~  
19 eighteen (18) shall be given the opportunity prior to reaching the  
20 age of twenty-one (21) to enter into participation in the program  
21 and shall execute an agreement with provisions as determined by the  
22 Oklahoma State Regents for Higher Education.

23 3. The contact person shall maintain the agreements, which  
24 shall be executed on forms provided by the Oklahoma State Regents

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

9 4. The Oklahoma State Regents for Higher Education may provide  
10 an exception to the age limits provided for in paragraphs 1 and 2 of  
11 this subsection pursuant to subsection L of this section.

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

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

20 1. Beginning with eighth-, ninth-, or tenth-grade students who  
21 are enrolled in a public or private school or students between the  
22 ages of thirteen (13) and fifteen (15) who are educated by other  
23 means who apply for participation in the program in the 2017-2018  
24

1 school year, the federal adjusted gross income of the student's  
2 parent(s) exceeds Fifty-five Thousand Dollars (\$55,000.00) per year;

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

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

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

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

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

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

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

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

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

17       5. Beginning with the 2018-2019 academic year, prior to  
18 receiving any Oklahoma Higher Learning Access Program benefit award  
19 for any year during which the student is enrolled in an institution  
20 which is a member of The Oklahoma State System of Higher Education,  
21 a postsecondary vocational-technical program offered by a technology  
22 center school that meets the requirements to be eligible for federal  
23 student financial aid, or a private institution of higher learning  
24 located within this state and accredited pursuant to Section 4103 of

1 this title, the federal adjusted gross income of the student's  
2 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per  
3 year.

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

- 7 a. is determined to be independent of the student's  
8 parents for federal financial aid purposes,
- 9 b. was in the permanent custody of the Department of  
10 Human Services at the time the student enrolled in the  
11 program, or
- 12 c. was in the court-ordered custody of a federally  
13 recognized Indian tribe, as defined by the federal  
14 Indian Child Welfare Act of 1978, at the time the  
15 student enrolled in the program.

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

19 ~~5.~~ 6. The Oklahoma State Regents for Higher Education shall  
20 review the determination of financial qualification as set forth in  
21 paragraphs 1, 2, ~~and 3,~~ and 4 of this subsection if the income from  
22 taxable and nontaxable sources of the student's parent(s) includes  
23 income received from nontaxable military benefits or income received  
24 from the federal Social Security Administration due to the death or

1 disability of the student's parent(s). If the income from taxable  
2 and nontaxable sources of the student's parent(s), excluding income  
3 received from nontaxable military benefits or income received from  
4 the federal Social Security Administration due to the death or  
5 disability of the student's parent(s), does not exceed the  
6 limitations set forth by paragraphs 1, 2, ~~and 3,~~ and 4 of this  
7 subsection, the student shall be determined to have met the  
8 financial qualification set forth in paragraphs 1, 2, ~~and 3,~~ and 4  
9 of this subsection.

10 E. 1. A student who was adopted between birth and twelve (12)  
11 years of age while in the permanent custody of the Department of  
12 Human Services, in the court-ordered custody of a licensed private  
13 nonprofit child-placing agency, or federally recognized Indian  
14 tribe, as defined by the federal Indian Child Welfare Act of 1978,  
15 shall not be found to be in financial need for purposes of the  
16 Oklahoma Higher Learning Access Program if at the time the student  
17 begins postsecondary education and prior to receiving any Oklahoma  
18 Higher Learning Access Program benefit award, the federal adjusted  
19 gross income of the student's parent(s) exceeds One Hundred Fifty  
20 Thousand Dollars (\$150,000.00) per year. The provisions of this  
21 paragraph shall not apply to any student who has received an  
22 Oklahoma Higher Learning Access Program benefit award prior to the  
23 2012-2013 school year.

24



1           2. A student who was adopted between thirteen (13) and  
2 seventeen (17) years of age while in the permanent custody of the  
3 Department of Human Services, in the court-ordered custody of a  
4 licensed private nonprofit child-placing agency, or federally  
5 recognized Indian tribe, as defined by the federal Indian Child  
6 Welfare Act of 1978, shall not be found to be in financial need for  
7 purposes of the Oklahoma Higher Learning Access Program if at the  
8 time the student begins postsecondary education and prior to  
9 receiving any Oklahoma Higher Learning Access Program benefit award,  
10 the federal adjusted gross income of the student's parent(s) exceeds  
11 Two Hundred Thousand Dollars (\$200,000.00) per year. The provisions  
12 of this paragraph shall not apply to any student who has received an  
13 Oklahoma Higher Learning Access Program benefit award prior to the  
14 2012-2013 school year.

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

22           4. Except for students who qualify pursuant to subsection B of  
23 Section 2603 of this title, the determination of financial  
24 qualification as set forth in this subsection shall be based on the

1 income of the student, not the income of the parent(s), if the  
2 student is determined to be independent of the student's parent(s)  
3 for federal financial aid purposes. A determination of financial  
4 qualification shall not be required for the student who meets the  
5 criteria set forth in this subsection at the time the student  
6 applies for participation in the program. The provisions of this  
7 paragraph shall not apply to any student who has received an  
8 Oklahoma Higher Learning Access Program benefit award prior to the  
9 2008-2009 school year.

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

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

19 1. Assist the student in achieving compliance with the  
20 agreements;

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

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

1 4. Assist the student in completing forms and reports required  
2 for program participation, making applications to institutions and  
3 schools of higher learning, and filing applications for student  
4 grants and scholarships.

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

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

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

21 K. Students participating in the Oklahoma Higher Learning  
22 Access Program shall provide their Social Security number or their  
23 student identification number used by their school to the Oklahoma  
24 State Regents for Higher Education. The State Regents shall keep

1 the numbers confidential and use them only for administrative  
2 purposes.

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

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

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

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

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

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

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

23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
24 February 20, 2025 - DO PASS