

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1096

By: Hasenbeck

4
5
6 AS INTRODUCED

7 An Act relating to schools; mandating the creation of
8 an Academic Performance Index; providing index
9 indicators; directing the organization of index data;
10 directing the Board of Education to create growth
11 targets; clarifying index applicability for certain
12 online students; amending 70 O.S. 2021, Sections 6-
13 194, as last amended by Section 2, Chapter 15, O.S.L.
14 2023, 6-195.1, 11-107.1, 1210.508, 2403, and 2603, as
15 amended by Section 1, Chapter 440, O.S.L. 2024 (70
16 O.S. Supp. 2024, Sections 6-194 and 2603), which
17 relate to student testing; changing certain testing
18 achievement goals in professional development
19 programs; changing continuing education program
20 source recommendations for mathematics core
21 curriculum; adding consideration of CLT exam scores
22 to remedial class options; modifying exams used in
23 establishing goals to improve state average scores;
24 modifying test qualifications for the Oklahoma State
Regents' Academic Scholars Program; adding CLT exam
scores to award eligibility in the Oklahoma Higher
Learning Access Program; providing for codification;
providing an effective date; and declaring an
emergency.

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 3-150.1 of Title 70, unless
24 there is created a duplication in numbering, reads as follows:

1 A. The State Board of Education shall develop an Academic
2 Performance Index (API) to be used to measure performance of
3 schools, including the academic performance of students. The index
4 shall consist of a variety of indicators including, but not limited
5 to:

6 1. Attendance rates;

7 2. Dropout rates;

8 3. Results of the Oklahoma School Testing Program administered
9 pursuant to Section 1210.508 of this title;

10 4. Advanced Placement participation;

11 5. Graduation rates for secondary school students;

12 6. Scores of nationally norm-referenced college entrance exams;

13 and

14 7. College remediation rates.

15 B. The data collected for the API shall be disaggregated, when
16 available, by socioeconomic status and ethnic group. Oklahoma
17 School Testing Program results shall constitute no less than sixty
18 percent (60%) of the value of the index.

19 C. The State Board of Education shall adopt expected annual
20 percentage growth targets for the state level, school districts, and
21 all school sites based on their API baseline score. The minimum
22 percentage growth target shall be five percent (5%) annually.
23 However, the State Board of Education may set differential growth
24 targets based on grade level of instruction.

1 D. The academic performance of students who are enrolled full-
2 time in an online program that is offered by a school district or
3 charter school that is not the district of residence or is not
4 located in the district of residence of the student shall be
5 reported separately by the school district or charter school, and
6 shall not be included when determining the Academic Performance
7 Index of the school district or charter school.

8 SECTION 2. AMENDATORY 70 O.S. 2021, Section 6-194, as
9 last amended by Section 2, Chapter 15, O.S.L. 2023 (70 O.S. Supp.
10 2024, Section 6-194), is amended to read as follows:

11 Section 6-194. A. The district boards of education of this
12 state shall establish professional development programs for the
13 certified teachers and administrators of the district. Programs
14 shall be adopted by each board based upon recommendations of a
15 professional development committee appointed by the board of
16 education for the district.

17 B. Each professional development committee shall include
18 classroom teachers, administrators, school counselors or licensed
19 mental health providers, and parents, guardians or custodians of
20 children in the school district and shall consult with a higher
21 education faculty. A majority of the members of the professional
22 development committee shall be composed of classroom teachers. The
23 teacher members shall be selected by a designated administrator of
24 the school district from a list of names submitted by the teachers

1 in the school district. The members selected shall be subject to
2 the approval of a majority vote of the teachers in the district.

3 C. In developing program recommendations, each professional
4 development committee shall annually utilize a data-driven approach
5 to analyze student data and determine district and school
6 professional development needs. The professional development
7 programs adopted shall be directed toward development of
8 competencies and instructional strategies in the core curriculum
9 areas for the following goals:

10 1. Increasing the academic performance data scores for the
11 district and each school site;

12 2. Closing achievement gaps among student subgroups;

13 3. Increasing student achievement as demonstrated on state-
14 mandated tests and ~~the ACT~~ nationally norm-referenced college
15 entrance exams;

16 4. Increasing high school graduation rates; and

17 5. Decreasing college remediation rates.

18 Each program may also include components on classroom management
19 and student discipline strategies, outreach to parents, guardians or
20 custodians of students, special education, and racial and ethnic
21 education, which all personnel defined as teachers in Section 1-116
22 of this title shall be required to complete at a frequency as
23 determined by the board of education. The State Board of Education
24 shall provide guidelines to assist school districts in developing

1 and implementing racial and ethnic education components into
2 professional development programs.

3 D. A program which includes the following information shall be
4 completed the first year a certified teacher is employed by a school
5 district, and then once every fifth academic year:

- 6 1. Training on recognition of child abuse and neglect;
- 7 2. Recognition of child sexual abuse;
- 8 3. Proper reporting of suspected abuse; and
- 9 4. Available resources.

10 E. One time per year, beginning in the 2009-2010 school year,
11 training in the area of autism shall be offered and all resident
12 teachers of students in early childhood programs through grade three
13 shall be required to complete the autism training during the
14 resident year and at least one time every three (3) years
15 thereafter. All other teachers and education support professionals
16 of students in early childhood programs through grade three shall be
17 required to complete the autism training at least one time every
18 three (3) years. The autism training shall include a minimum
19 awareness of the characteristics of autistic children, resources
20 available and an introduction to positive behavior supports to
21 challenging behavior. Each adopted program shall allow school
22 counselors to receive at least one-third (1/3) of the hours or
23 credit required each year through programs or courses specifically
24 designed for school counselors.

1 Districts are authorized to utilize any means for professional
2 development that is not prohibited by law including, but not limited
3 to, professional development provided by the district, any state
4 agency, institution of higher education, or any private entity.

5 F. One time per year, beginning in the 2020-2021 school year, a
6 dyslexia awareness program shall be offered. Beginning in the 2023-
7 2024 school year, the program shall include information and training
8 in dysgraphia. At a minimum, the program shall include:

9 1. Training in awareness of dyslexia characteristics in
10 students;

11 2. Training in effective classroom instruction to meet the
12 needs of students with dyslexia; and

13 3. Available dyslexia resources for teachers, students and
14 parents.

15 G. Except as otherwise provided for in this subsection, each
16 certified teacher in this state shall be required by the district
17 board of education to meet the professional development requirements
18 established by the board, or established through the negotiation
19 process. Except as otherwise provided for in this subsection, the
20 professional development requirements established by each board of
21 education shall require every teacher to annually complete a minimum
22 number of the total number of points required to maintain
23 employment; provided, no more than a total of one hundred fifty
24 (150) hours of local, state, or federal professional development or

1 training shall be required for classroom teachers during any five-
2 year period. Failure of any teacher to meet district board of
3 education professional development requirements may be grounds for
4 nonrenewal of such teacher's contract by the board. Such failure
5 may also be grounds for nonconsideration of salary increments
6 affecting the teacher. Teachers shall maintain written
7 documentation of all their completed professional development.

8 H. Each district shall annually submit a report to the State
9 Department of Education on the district level professional
10 development needs, activities completed, expenditures, and results
11 achieved for each school year by each goal as provided in subsection
12 C of this section. If a school district elects not to adopt and
13 offer a professional development program as provided for in
14 subsection A of this section, the district shall not be required to
15 submit an annual report as required pursuant to this subsection but
16 shall report to the State Department of Education its election not
17 to offer a program and all professional development activities
18 completed by teachers and administrators of the school district.

19 I. Subject to the availability of funds, the Department shall
20 develop an online system for reporting as required in subsection H
21 of this section. The Department shall also make such information
22 available on its website.

23 SECTION 3. AMENDATORY 70 O.S. 2021, Section 6-195.1, is
24 amended to read as follows:

1 Section 6-195.1. A. It is hereby declared to be the intent of
2 the Legislature to establish a continuing education program whereby
3 teachers employed to teach mathematics may obtain certification in
4 mathematics and teachers certified to teach mathematics in the state
5 may take higher education courses in order to obtain the
6 competencies needed to enable the teacher to successfully complete
7 the subject area examinations and become certified to teach any of
8 the core curriculum mathematics courses recommended by the ~~American~~
9 ~~College Test~~ State Department of Education. The program shall pay
10 up to One Hundred Dollars (\$100.00) per credit hour up to a maximum
11 of twenty-four (24) credit hours for a teacher to take higher
12 education courses in mathematics. Teachers required to gain
13 certification as provided in Section 6-189.1 of this title shall be
14 given priority in the funding for the continuing education program.
15 The purpose of the program is to improve the knowledge and skills of
16 teachers and to ensure that the children of the state are taught by
17 professional educators, fully prepared in the area of mathematics.

18 B. Implementation of this section shall be contingent upon the
19 appropriation of state funds by the Legislature for the specific
20 purpose of implementing this section. Nothing in this section shall
21 prevent the State Board of Education or a school district board of
22 education from utilizing private, local, or federal funds to
23 implement this section.

24

1 C. Implementation of this section shall be delayed until the
2 current expenditure per pupil in average daily attendance in public
3 elementary and secondary schools in unadjusted dollars for the 1998-
4 99 school year or any school year thereafter for Oklahoma, as
5 reported by the National Center for Education Statistics annually in
6 the Digest of Education Statistics, reaches at least ninety percent
7 (90%) of the regional average expenditure for that same year, and
8 funds are provided. For purposes of this section, the regional
9 average expenditure shall consist of the current expenditure per
10 pupil in average daily attendance in public elementary and secondary
11 schools in unadjusted dollars for each of the following states:
12 Arkansas, Colorado, Kansas, Missouri, New Mexico, Oklahoma, and
13 Texas, averaged together. By January 1 of each year, the State
14 Board of Education shall report whether or not the ninety-percent
15 expenditure level has been reached based on information reported
16 annually in the Digest of Education Statistics by the National
17 Center for Education Statistics. This section shall be implemented
18 on July 1 after the first January 1 report verifies that the ninety-
19 percent expenditure level has been reached and funds have been
20 provided for the specific purposes of this section.

21 SECTION 4. AMENDATORY 70 O.S. 2021, Section 11-107.1, is
22 amended to read as follows:

23 Section 11-107.1. A. Each school district in this state may
24 offer a remediation course for high school students who score below

1 a nineteen (19) on the American College Testing (ACT) exam or below
2 an equivalent score on the ~~SAT exam~~ Scholastic Assessment Test (SAT)
3 or Classical Learning Test (CLT) exams.

4 B. Nothing in subsection A of this section shall be construed
5 to require that a teacher providing instruction in the remediation
6 course be certified in any subject matter that is tested on the ACT
7 or, SAT exam, or CLT exams.

8 SECTION 5. AMENDATORY 70 O.S. 2021, Section 1210.508, is
9 amended to read as follows:

10 Section 1210.508. A. 1. By no later than December 31, 2016,
11 the State Board of Education shall adopt a statewide system of
12 student assessments in compliance with the Elementary and Secondary
13 Education Act of 1965 (ESEA), as reauthorized and amended by P.L.
14 No. 114-95, also known as the Every Student Succeeds Act (ESSA).

15 2. The statewide student assessment system adopted by the Board
16 pursuant to this subsection shall be aligned with the Oklahoma
17 Academic Standards as adopted by the Board and which prepare
18 students for college and careers.

19 B. 1. The Board shall issue a request for proposals for the
20 selection of assessments to be administered to students in grades
21 three through twelve as a part of the statewide student assessment
22 system adopted by the Board pursuant to this section.

23 2. The Board shall adopt assessments from the selected
24 proposals that were submitted pursuant to paragraph 1 of this

1 subsection. The adopted assessments shall be administered by the
2 Board for a period that is in coordination with the six-year subject
3 area textbook adoption cycle unless the vendor does not fulfill the
4 terms of the contract or fails to comply with or violates the terms
5 of the contract. The Board shall administer the assessments
6 beginning with the 2017-2018 school year.

7 C. The statewide student assessment system adopted by the Board
8 pursuant to this section shall include assessments that:

9 1. Are aligned with the Oklahoma subject matter standards as
10 adopted by the Board;

11 2. Provide a measure of comparability among other states;

12 3. Yield both norm-referenced scores and criterion-referenced
13 scores;

14 4. Have a track record of statistical reliability and accuracy;
15 and

16 5. For assessments administered in high school, provide a
17 measure of future academic performance.

18 D. For the 2016-2017 school year, the Board shall administer
19 assessments in:

20 1. English Language Arts or Reading and Mathematics in grades
21 three through eight and at least once in high school, during the
22 grade span of nine through twelve;

23 2. Science not less than once during each grade span of three
24 through five, six through nine and ten through twelve; and

1 3. United States History not less than once during the grade
2 span of nine through twelve.

3 E. 1. Beginning with the 2017-2018 school year, the statewide
4 student assessment system shall include assessments in:

5 a. English Language Arts and Mathematics in grades three
6 through eight and at least once in high school, during
7 the grade span of nine through twelve,

8 b. Science not less than once during each grade span of
9 three through five, six through nine and ten through
10 twelve, and

11 c. United States History, with an emphasis on civics, not
12 less than once during the grade span of nine through
13 twelve.

14 2. Beginning with the 2017-2018 school year, the statewide
15 student assessment system may include:

16 a. assessments in Reading and Writing in certain grades
17 as determined by the Board, and

18 b. contingent upon the availability of funds, an
19 additional nationally recognized college- and career-
20 readiness assessment or assessments as recommended by
21 the State Department of Education which will be
22 administered to students in high school at no cost to
23 the student.
24

1 F. 1. Beginning with students entering the ninth grade in the
2 2017-2018 school year, each student shall take the assessment or
3 assessments included in the statewide student assessment system
4 adopted by the Board pursuant to subsection A of this section in
5 order to graduate from a public high school with a standard diploma.
6 All students shall take the assessment or assessments prior to
7 graduation, unless otherwise exempt by law.

8 2. Beginning with students entering the ninth grade in the
9 2017-2018 school year, each student, in addition to taking the
10 assessment or assessments included in the statewide student
11 assessment system adopted by the Board pursuant to subsection A of
12 this section, shall meet any other high school graduation
13 requirements adopted by the Board pursuant to Section 5 of Enrolled
14 House Bill No. 3218 of the 2nd Session of the 55th Oklahoma
15 Legislature in order to graduate from a public high school with a
16 standard diploma.

17 3. For students who start the ninth grade prior to or during
18 the 2016-2017 school year, school districts shall adopt a plan that
19 establishes the assessment or assessments those students are
20 required to take in order to graduate from a public high school with
21 a standard diploma. The plan may also include any or all of the
22 other high school graduation requirements adopted by the Board
23 pursuant to Section 5 of Enrolled House Bill No. 3218 of the 2nd
24 Session of the 55th Oklahoma Legislature that those students will be

1 required to meet in order to graduate from a public high school with
2 a standard diploma.

3 4. The Board shall promulgate rules to ensure that students who
4 transfer into an Oklahoma school district from out-of-state after
5 the junior year of high school shall not be denied the opportunity
6 to be awarded a standard diploma due to differing testing
7 requirements.

8 G. In order to provide an indication of the levels of
9 competency attained by the student in a permanent record for
10 potential future employers and institutions of higher education,
11 school districts shall report on the high school transcript of the
12 student the highest-achieved score on the assessment or assessments
13 included in the statewide student assessment system adopted by the
14 Board pursuant to subsection A of this section and any business- and
15 industry-recognized endorsements attained.

16 H. Students who do not perform at a proficiency level on
17 assessments shall be remediated as established in the assessment
18 requirements adopted by the Board pursuant to Section 5 of Enrolled
19 House Bill No. 3218 of the 2nd Session of the 55th Oklahoma
20 Legislature, subject to the availability of funding.

21 I. 1. All assessments required by this section shall measure
22 academic competencies in correlation with the subject matter
23 standards adopted by the Board pursuant to Sections 11-103.6 and 11-
24 103.6a of this title and referred to as the Oklahoma Academic

1 Standards. The State Board of Education shall evaluate the subject
2 matter standards to ensure the competencies reflect high standards,
3 are specific, well-defined, measurable, challenging, and will
4 prepare elementary students for next-grade-level course work and
5 secondary students for postsecondary studies at institutions of
6 higher education or technology center schools without the need for
7 remediation. All subject matter standards shall reflect the goals
8 as set forth in Section 11-103.6 of this title and of improving the
9 state average ~~ACT score~~ of college entrance exam scores.

10 2. The State Department of Education shall annually evaluate
11 the results of the assessments. The State Board of Education shall
12 ensure that preliminary results for all statewide assessments are
13 reported to districts no later than June 20 of each year and are
14 presented in a manner that yields detailed, diagnostic information
15 for the purpose of guiding instruction and student remediation. As
16 improvements are made to the assessments required by this section,
17 the Board shall seek to increase the depth of knowledge assessed for
18 each subject. The State Board of Education shall seek to ensure
19 that data yielded from the assessments required in this section are
20 utilized at the school district level to inform instruction,
21 professional development, school improvement and remediation for
22 students.

23 3. The Commission for Educational Quality and Accountability
24 shall determine the cut scores for the performance levels on all

1 statewide assessments. The Commission shall conduct an ongoing
2 review to compare the statewide assessment content and performance
3 descriptors with those of other states. Upon receipt of the review,
4 the Commission may adjust the cut scores as necessary.

5 4. The State Board of Education, for the purposes of conducting
6 reliability and validity studies, monitoring contractor adherence to
7 professionally accepted testing standards, and providing
8 recommendations for testing program improvement, shall retain the
9 services of an established, independent agency or organization that
10 is nationally recognized for its technical expertise in educational
11 testing but is not engaged in the development of aptitude or
12 achievement tests for elementary or secondary level grades. These
13 national assessment experts shall annually conduct studies of the
14 reliability and validity of the statewide assessments administered
15 pursuant to this section. Validity studies shall include studies of
16 decision validity and concurrent validity.

17 J. 1. The State Board of Education shall promulgate rules
18 setting the assessment window dates for each statewide assessment so
19 that the assessments are administered according to recommended
20 testing protocols, and so that the assessment results are reported
21 back to school districts in a timely manner. The vendor shall
22 provide a final electronic data file of all school site, school
23 district, and state results to the State Department of Education and
24 the Office of Educational Quality and Accountability prior to August

1 20 of each year. The Department shall forward the final data files
2 for each school district and each school site in that district to
3 the school district. The Board shall ensure the contract with the
4 vendor includes a provision that the vendor report assessment
5 results directly to the Office of Educational Quality and
6 Accountability at the same time it is reported to the Board.

7 2. State, district, and site level results of all assessments
8 required in this section shall be disaggregated by gender, race,
9 ethnicity, disability status, migrant status, English proficiency,
10 and status as economically disadvantaged, except that such
11 disaggregation shall not be required in a case in which the number
12 of students in a category is insufficient to yield statistically
13 reliable information or the results would reveal personally
14 identifiable information about an individual student. Each school
15 site shall notify the student's parents of the school's performance
16 levels in the Oklahoma School Testing Program as reported in the
17 Oklahoma Educational Indicators Program at the end of each school
18 year.

19 K. The State Board of Education shall be responsible for the
20 field-testing and validation of the statewide assessment system
21 required in subsection A of this section.

22 L. The State Board of Education shall develop, administer, and
23 incorporate as a part of the Oklahoma School Testing Program, other
24 assessment programs or procedures, including appropriate

1 accommodations for the assessment of students with disabilities as
2 required by the Individuals with Disabilities Education Act (IDEA),
3 20 U.S.C., Section 1400 et seq.

4 M. For purposes of developing and administering alternate
5 assessments for students with the most significant cognitive
6 disabilities, the State Board of Education shall not be subject to
7 subsections D and E of Section 11-103.6a of this title.

8 SECTION 6. AMENDATORY 70 O.S. 2021, Section 2403, is
9 amended to read as follows:

10 Section 2403. A. No person shall be eligible to participate in
11 the Oklahoma State Regents' Academic Scholars Program unless the
12 person:

13 1. Has complied with all of the rules promulgated by the
14 Oklahoma State Regents for Higher Education pursuant to the
15 provisions of the Oklahoma State Regents' Academic Scholars Act,
16 Section 2401 et seq. of this title, for the award, regulation, and
17 administration of scholarships; and

18 2. Qualifies as one of the following:

19 a. an Individual Applicant Qualified Student, which shall
20 mean a student who is a resident of the State of
21 Oklahoma whose ~~American College Testing Program~~ score
22 ~~or whose Scholastic Aptitude Test~~ score on a
23 nationally norm-referenced college entrance exam falls
24 within the 99.5 to 100.0 percentile levels as

1 administered in the State of Oklahoma and whose grade
2 point average and/or class rank is exceptional, as
3 determined by the State Regents,

4 b. a Presidential Scholar, which shall mean a student
5 selected by the Commission on Presidential Scholars
6 administered by the United States Department of
7 Education,

8 c. a National Merit Scholar, which shall mean a student
9 designated as a National Merit Scholar by the National
10 Merit Scholarship Corporation,

11 d. a National Merit Finalist, which shall mean a student
12 designated as a National Merit Finalist by the
13 National Merit Scholarship Corporation, or

14 e. after October 1, 1999, an Institutional Nominee, which
15 shall mean a student nominated by an institution in
16 The Oklahoma State System of Higher Education:

17 (1) whose ~~American College Testing Program or~~
18 ~~Scholastic Aptitude Test~~ score on a nationally
19 norm-referenced college entrance exam falls

20 within the 95.0 to 99.49 percentile levels, or

21 (2) who shows exceptional academic achievement as
22 evidenced by factors, including, but not limited
23 to, grade point average, class rank, national
24 awards, scholastic achievements, honors, and who

1 shows exceptional promise based on documentation
2 that may include, but not be limited to, teacher
3 recommendations, extracurricular activities, and
4 evidence of overcoming economic and social
5 obstacles as determined by the State Regents.
6 The State Regents shall ensure that standards of
7 high academic ability are documented.
8 Scholarship awards to Institutional Nominees
9 shall become effective when appropriate
10 documentation is verified by the State Regents.

11 B. No person shall be eligible to receive a scholarship
12 pursuant to the provisions of the Oklahoma State Regents' Academic
13 Scholars Program unless the person is enrolled as a full-time
14 student at a public or private accredited institution of higher
15 education in Oklahoma.

16 C. The Oklahoma State Regents' Academic Scholars Program shall
17 provide a scholarship in an amount not to exceed the average costs
18 of all enrollment fees, tuition and other fees, room and board, and
19 all required textbooks or materials for up to five (5) years of
20 undergraduate and/or graduate study at an accredited public or
21 private institution of higher education in Oklahoma as provided in
22 subsection E of this section. The State Regents may establish
23 separate scholarship award levels for each qualifying category.
24

1 D. If a person identifies himself or herself as a student with
2 a disability and requests consideration for a scholarship under the
3 Academic Scholars Program by means other than standard testing
4 procedures, the State Regents shall determine what means of
5 assessment are appropriate and upon the basis of said assessment
6 results, determine what level of award, if any, shall be made.

7 E. 1. If the student is attending an institution of The
8 Oklahoma State System of Higher Education, the total funding for the
9 scholarship provided in this section, exclusive of any internships,
10 shall not exceed the costs for items specified in subsection C of
11 this section at the institution attended as determined annually by
12 the Oklahoma State Regents for Higher Education.

13 2. If the student is attending a private institution of higher
14 education, the total funding for the scholarship provided in this
15 section, exclusive of any internships, shall not exceed the costs
16 for items specified in subsection C of this section at an
17 institution of The Oklahoma State System of Higher Education of
18 comparable type which has the highest general enrollment fees of its
19 type institution in The Oklahoma State System of Higher Education as
20 determined annually by the Oklahoma State Regents for Higher
21 Education.

22 SECTION 7. AMENDATORY 70 O.S. 2021, Section 2603, as
23 amended by Section 1, Chapter 440, O.S.L. 2024 (70 O.S. Supp. 2024,
24 Section 2603), is amended to read as follows:

1 Section 2603. A. Except as otherwise provided for in
2 subsection B of this section and elsewhere in this section, to be
3 eligible to participate in the Oklahoma Higher Learning Access
4 Program and to qualify for an award which includes payment of an
5 amount equivalent to resident tuition or other tuition pursuant to
6 Section 2604 of this title for the first semester or other academic
7 unit of postsecondary enrollment, a student shall:

8 1. Be a resident of this state or be enrolled in a school
9 district located in this state that serves students who reside in
10 both this state and an adjacent state pursuant to a contract as
11 authorized in Section 5-117.1 of this title;

12 2. Be a United States citizen or lawfully present in the United
13 States. A student who is not a United States citizen or lawfully
14 present in the United States shall not be eligible to participate in
15 the Oklahoma Higher Learning Access Program and to qualify for an
16 award notwithstanding the provisions of Section 3242 of this title.
17 The provisions of this paragraph shall not apply to any student who
18 was enrolled in the Oklahoma Higher Learning Access Program prior to
19 the end of the 2006-2007 school year;

20 3. Have a record of satisfactory compliance with agreements
21 executed pursuant to Section 2605 of this title;

22 4. a. have graduated within the previous three (3) years
23 from a high school accredited by the State Board of
24 Education or the Oklahoma School of Science and

1 Mathematics with a minimum 2.5 cumulative grade point
2 average on a 4.0 scale for all work attempted in
3 grades nine through twelve,

4 b. have graduated within the previous three (3) years
5 from a high school not accredited by the State Board
6 of Education with a minimum 2.5 cumulative grade point
7 average on a 4.0 scale for all work attempted in
8 grades nine through twelve and have achieved a
9 composite score of 22 or higher on the ACT test or an
10 equivalent score on the SAT or CLT, or

11 c. have satisfactorily completed within the previous
12 three (3) years an educational program that was
13 provided through a means other than a public or
14 private school and have achieved a composite score of
15 22 or higher on the ACT test or an equivalent score on
16 the SAT or CLT;

17 5. Have completed the curricular requirements for admission to
18 an institution within The Oklahoma State System of Higher Education
19 and one additional unit or set of competencies in a course that
20 meets college admission requirements; or have completed the core
21 curriculum and be seeking admission to a technology center school
22 overseen by the State Board of Career and Technology Education. The
23 curriculum requirements for admission to an institution within The
24 Oklahoma State System of Higher Education shall include two units or

1 sets of competencies in foreign or non-English language or
2 technology courses that meet the college admission requirements and
3 one unit or set of competencies of a fine arts course. Students
4 shall also have attained a 2.5 grade point average in the core
5 curriculum courses. Students who attended a high school which did
6 not offer all the core curriculum courses or students who were
7 educated by other means and were not offered all the core curriculum
8 courses shall be allowed to satisfy this curriculum requirement by
9 participating in a program approved by the Oklahoma State Regents
10 for Higher Education for remediation of high school curricular
11 deficiencies;

12 6. Have satisfied admission standards as determined by the
13 Oklahoma State Regents for Higher Education for first-time-entering
14 students for the appropriate type of institution, or, if attending a
15 private institution, have satisfied admission standards as
16 determined by the private institution. No student participating in
17 the Oklahoma Higher Learning Access Program shall be admitted into
18 an institution of higher education by special admission standards;

19 7. Have secured admission to, and 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

1 located within this state and accredited pursuant to Section 4103 of
2 this title; and

3 8. a. have established financial need according to the
4 provisions of subsection D of Section 2605 of this
5 title and standards and provisions promulgated by the
6 Oklahoma State Regents for Higher Education,

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

17 c. if the student was adopted between thirteen (13) and
18 seventeen (17) years of age while in the permanent
19 custody of the Department of Human Services, in the
20 court-ordered custody of a licensed private nonprofit
21 child-placing agency, or federally recognized Indian
22 tribe, as defined by the federal Indian Child Welfare
23 Act, have established financial need according to the
24 provisions of paragraph 2 of subsection E of Section

1 2605 of this title and standards and provisions
2 promulgated by the Oklahoma State Regents for Higher
3 Education.

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

10 a. is a child of any person killed after January 1, 2000,
11 in the line of duty in any branch of the United States
12 Armed Forces or who died after January 1, 2000, as a
13 result of an injury sustained while in the line of
14 duty in any branch of the United States Armed Forces
15 and the person who was killed or died filed an
16 individual or joint Oklahoma income tax return for the
17 tax year prior to the year during which the person was
18 killed or died,

19 b. is a resident of this state or is enrolled in a school
20 district located in this state that serves students
21 who reside in both this state and an adjacent state
22 pursuant to a contract as authorized in Section 5-
23 117.1 of this title,

- 1 c. enrolls in an institution within The Oklahoma State
2 System of Higher Education prior to reaching the age
3 of twenty-one (21),
- 4 d. has satisfied admission standards as determined by the
5 Oklahoma State Regents for Higher Education for first-
6 time-entering students for the appropriate type of
7 institution, or, if attending a private institution,
8 has satisfied admission standards as determined by the
9 private institution. No student participating in the
10 Oklahoma Higher Learning Access Program shall be
11 admitted into an institution of higher education by
12 special admission standards,
- 13 e. has secured admission to, and enrolled in, an
14 institution which is a member of The Oklahoma State
15 System of Higher Education, a postsecondary
16 vocational-technical program offered by a technology
17 center school that meets the requirements to be
18 eligible for federal student financial aid, or a
19 private institution of higher learning located within
20 this state and accredited pursuant to Section 4103 of
21 this title, and
- 22 f. executes an agreement pursuant to subsection C of
23 Section 2605 of this title.
- 24

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

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

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

8 2. Maintain good academic standing and satisfactory academic
9 progress according to standards of the Oklahoma State Regents for
10 Higher Education;

11 3. Maintain satisfactory academic progress as required for
12 eligibility for federal Title IV student financial aid programs.
13 The provisions of this paragraph shall become effective for the
14 2012-2013 school year;

15 4. Comply with the standards related to maintenance of
16 eligibility as promulgated by the Oklahoma State Regents for Higher
17 Education; and

18 5. Refrain from conduct that leads to expulsion or suspension
19 of more than one semester from an institution of higher education.
20 A student who violates the provisions of this paragraph shall
21 permanently lose eligibility for program benefits. The provisions
22 of this paragraph shall become effective January 1, 2008.

23 D. The Oklahoma State Regents for Higher Education and the
24 State Board of Career and Technology Education shall promulgate

1 rules relating to maintenance of eligibility under the Oklahoma
2 Higher Learning Access Act by a student.

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

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

13 SECTION 8. This act shall become effective July 1, 2025.

14 SECTION 9. It being immediately necessary for the preservation
15 of the public peace, health or safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

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