

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1727

By: Moore

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5
6 AS INTRODUCED

7 An Act relating to the Oklahoma Higher Learning
8 Access Program; amending 70 O.S. 2021, Section 2603,
9 as amended by Section 1, Chapter 274, O.S.L. 2024 (70
10 O.S. Supp. 2024, Section 2603), which relates to
11 eligibility requirements; providing eligibility for
12 children of certain teachers; defining term; amending
13 70 O.S. 2021, Section 2605, as last amended by
14 Section 2, Chapter 274, O.S.L. 2024 (70 O.S. Supp.
15 2024, Section 2605), which relates to student
16 agreements; exempting students who are children of
17 certain teachers from financial qualification
18 determination; defining term; directing the Oklahoma
19 State Regents for Higher Education to verify certain
20 employment status; providing an effective date; and
21 declaring an emergency.

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

23 SECTION 1. AMENDATORY 70 O.S. 2021, Section 2603, as
24 amended by Section 1, Chapter 274, O.S.L. 2024 (70 O.S. Supp. 2024,
Section 2603), is amended to read as follows:

Section 2603. A. Except as otherwise provided for in
subsection B of this section and elsewhere in this section, to be
eligible to participate in the Oklahoma Higher Learning Access
Program and to qualify for an award which includes payment of an

1 amount equivalent to resident tuition or other tuition pursuant to
2 Section 2604 of this title for the first semester or other academic
3 unit of postsecondary enrollment, a student shall:

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

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

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

18 4. a. have graduated within the previous three (3) years
19 from a high school accredited by the State Board of
20 Education or the Oklahoma School of Science and
21 Mathematics with a minimum 2.5 cumulative grade point
22 average on a 4.0 scale for all work attempted in
23 grades nine through twelve,

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- 1 b. have graduated within the previous three (3) years
2 from a high school not accredited by the State Board
3 of Education with a minimum 2.5 cumulative grade point
4 average on a 4.0 scale for all work attempted in
5 grades nine through twelve and have achieved a
6 composite score of 22 or higher on the ACT test, or
7 c. have satisfactorily completed within the previous
8 three (3) years an educational program that was
9 provided through a means other than a public or
10 private school and have achieved a composite score of
11 22 or higher on the ACT test;

12 5. Have completed the curricular requirements for admission to
13 an institution within The Oklahoma State System of Higher Education.
14 Students shall also have attained a 2.5 grade point average in the
15 core curriculum courses. Students who attended a high school which
16 did not offer all the core curriculum courses or students who were
17 educated by other means and were not offered all the core curriculum
18 courses shall be allowed to satisfy this curriculum requirement by
19 participating in a program approved by the Oklahoma State Regents
20 for Higher Education for remediation of high school curricular
21 deficiencies;

22 6. Have satisfied admission standards as determined by the
23 Oklahoma State Regents for Higher Education for first-time-entering
24 students for the appropriate type of institution, or, if attending a

1 private institution, have satisfied admission standards as
2 determined by the private institution. No student participating in
3 the Oklahoma Higher Learning Access Program shall be admitted into
4 an institution of higher education by special admission standards;

5 7. Have secured admission to, and enrolled in, an institution
6 which is a member of The Oklahoma State System of Higher Education,
7 a postsecondary vocational-technical program offered by a technology
8 center school that meets the requirements to be eligible for federal
9 student financial aid, or a private institution of higher learning
10 located within this state and accredited pursuant to Section 4103 of
11 this title; and

12 8. a. have established financial need according to the
13 provisions of subsection D of Section 2605 of this
14 title and standards and provisions promulgated by the
15 Oklahoma State Regents for Higher Education,

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

3 c. if the student was adopted between thirteen (13) and
4 seventeen (17) years of age while in the permanent
5 custody of the Department of Human Services, in the
6 court-ordered custody of a licensed private nonprofit
7 child-placing agency, or federally recognized Indian
8 tribe, as defined by the federal Indian Child Welfare
9 Act, have established financial need according to the
10 provisions of paragraph 2 of subsection E of Section
11 2605 of this title and standards and provisions
12 promulgated by the Oklahoma State Regents for Higher
13 Education, ~~or~~

14 d. if the student was placed in the custody of the
15 Department of Human Services at any time during the
16 eighth, ninth, tenth, or eleventh grades and enrolls
17 in the program no later than his or her official date
18 of high school graduation, have established financial
19 need according to the provisions of paragraph 3 of
20 subsection E of Section 2605 of this title and
21 standards and provisions promulgated by the Oklahoma
22 State Regents for Higher Education, or

23 e. if the student is the child of a certified classroom
24 teacher, as provided for in paragraph 4 of subsection

1 E of Section 2605 of this title. For the purposes of
2 this paragraph, "certified classroom teacher" means
3 any certified, full-time teacher who has been employed
4 by a public school district in this state for a
5 minimum of ten (10) years.

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

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

21 b. is a resident of this state or is enrolled in a school
22 district located in this state that serves students
23 who reside in both this state and an adjacent state
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1 pursuant to a contract as authorized in Section 5-
2 117.1 of this title,

3 c. enrolls in an institution within The Oklahoma State
4 System of Higher Education prior to reaching the age
5 of twenty-one (21),

6 d. has satisfied admission standards as determined by the
7 Oklahoma State Regents for Higher Education for first-
8 time-entering students for the appropriate type of
9 institution, or, if attending a private institution,
10 has satisfied admission standards as determined by the
11 private institution. No student participating in the
12 Oklahoma Higher Learning Access Program shall be
13 admitted into an institution of higher education by
14 special admission standards,

15 e. has secured admission to, and enrolled in, an
16 institution which is a member of The Oklahoma State
17 System of Higher Education, a postsecondary
18 vocational-technical program offered by a technology
19 center school that meets the requirements to be
20 eligible for federal student financial aid, or a
21 private institution of higher learning located within
22 this state and accredited pursuant to Section 4103 of
23 this title, and

1 f. executes an agreement pursuant to subsection C of
2 Section 2605 of this title.

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

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

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

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

13 3. Maintain satisfactory academic progress as required for
14 eligibility for federal Title IV student financial aid programs.
15 The provisions of this paragraph shall become effective for the
16 2012-2013 school year;

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

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

1 D. The Oklahoma State Regents for Higher Education and the
2 State Board of Career and Technology Education shall promulgate
3 rules relating to maintenance of eligibility under the Oklahoma
4 Higher Learning Access Act by a student.

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

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

15 SECTION 2. AMENDATORY 70 O.S. 2021, Section 2605, as
16 last amended by Section 2, Chapter 274, O.S.L. 2024 (70 O.S. Supp.
17 2024, Section 2605), is amended to read as follows:

18 Section 2605. A. Each school year, every fifth- through
19 eleventh-grade student in the public and private schools of this
20 state and students who are educated by other means and are in the
21 equivalent of the fifth through eleventh grade shall be apprised,
22 together with the parent, custodial parent, or guardian of the
23 student, of the opportunity for access to higher learning under the
24 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 or prior to reaching the age of sixteen (16) and the
21 standards and provisions promulgated by the Oklahoma State Regents
22 for Higher Education shall be given the opportunity throughout the
23 eighth-, ninth-, tenth-, and eleventh-grade years, for students
24 enrolled in a public or private school, or between the ages of

1 thirteen (13) and sixteen (16), for students who are educated by
2 other means, to enter into participation in the program by agreeing
3 to, throughout the remainder of their school years or educational
4 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 or after reaching the
18 age of seventeen (17) shall be given the opportunity prior to
19 reaching the age of twenty-one (21) to enter into participation in
20 the program and shall execute an agreement with provisions as
21 determined by the Oklahoma State Regents for Higher Education.

22 3. The contact person shall maintain the agreements, which
23 shall be executed on forms provided by the Oklahoma State Regents
24 for Higher Education and managed according to regulations

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

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

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

19 2. Beginning with eighth-, ninth-, tenth-, or eleventh-grade
20 students who are enrolled in a public or private school or students
21 between the ages of thirteen (13) and sixteen (16) who are educated
22 by other means who apply for participation in the program in the
23 2021-2022 school year, the federal adjusted gross income of the
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1 student's parent(s) exceeds Sixty Thousand Dollars (\$60,000.00) per
2 year;

3 3. 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 2022-2023 school year:

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

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

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

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

1 located within this state and accredited pursuant to Section 4103 of
2 this title, the federal adjusted gross income of the student's
3 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per
4 year.

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

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

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

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

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

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

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, shall not be found to be in financial need for purposes
7 of the Oklahoma Higher Learning Access Program if at the time the
8 student begins postsecondary education and prior to receiving any
9 Oklahoma Higher Learning Access Program benefit award, the federal
10 adjusted gross income of the student's parent(s) exceeds Two Hundred
11 Thousand Dollars (\$200,000.00) per year. The provisions of this
12 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 5. a. A determination of financial qualification is not
11 required for a student who is the child of a certified
12 classroom teacher at the time the student applies for
13 participation in the Oklahoma Higher Learning Access
14 Program and prior to receiving any Oklahoma Higher
15 Learning Access Program benefit award for any year
16 during which the student is enrolled in an institution
17 which is a member of The Oklahoma State System of
18 Higher Education, a postsecondary vocational-technical
19 program offered by a technology center school that
20 meets the eligibility requirements for federal student
21 financial aid, or a private institution of higher
22 learning located within this state and accredited
23 pursuant to Section 4103 of this title. The Oklahoma
24 State Regents for Higher Education shall verify the

1 full-time employment status of the student's parent(s)
2 prior to the student receiving any Oklahoma Higher
3 Learning Access Program benefit award. The provisions
4 of this paragraph shall apply to eighth-, ninth-, or
5 tenth-grade students who are enrolled in a public or
6 private school or students between the ages of
7 thirteen (13) and fifteen (15) who are educated by
8 other means who apply for participation in the program
9 after the 2023-2024 school year, and

10 b. For the purposes of this paragraph, "certified
11 classroom teacher" means any certified, full-time
12 teacher who has been employed by a public school
13 district in this state for a minimum of ten (10)
14 years. The teacher is not required to have been
15 employed by the same public school district for ten
16 (10) years, and the ten (10) years of employment do
17 not have to be consecutive.

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

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

3 1. Assist the student in achieving compliance with the
4 agreements;

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

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

9 4. Assist the student in completing forms and reports required
10 for program participation, making applications to institutions and
11 schools of higher learning, and filing applications for student
12 grants and scholarships.

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

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

23 J. The school district where an Oklahoma Higher Learning Access
24 Program student is enrolled when the student begins participation in

1 the program and any subsequent school district where the student
2 enrolls shall forward information regarding participation by the
3 student in the program to a school to which the student transfers
4 upon the request of the school for the records of the student.

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

10 SECTION 3. This act shall become effective July 1, 2025.

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

15 60-1-10381 AQH 12/02/24
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