

**TITLE 610. STATE REGENTS FOR HIGHER EDUCATION
CHAPTER 25. STUDENT FINANCIAL AID AND SCHOLARSHIPS
SUBCHAPTER 23. OKLAHOMA HIGHER LEARNING ACCESS PROGRAM**

**AGENCY RULE REPORT
April 22, 2013**

1. The date the notice of the intended rulemaking action was published in "The Oklahoma Register";

March 1, 2013

2. The name and address of the agency;

Oklahoma State Regents for Higher Education
655 Research Parkway, Suite 200
Oklahoma City, OK, 73104

3. The title and number of the rule;

TITLE 610. STATE REGENTS FOR HIGHER EDUCATION
CHAPTER 25. STUDENT FINANCIAL AID AND SCHOLARSHIPS
SUBCHAPTER 23. Oklahoma Higher Learning Access Program
610-25-23-4. Program requirements [AMENDED]
610:25-23-5. Securing program benefits [AMENDED]
610:25-23-6. Retaining eligibility in postsecondary education [AMENDED]

4. A citation to the statutory authority for the rule;

70 O.S. §2601 *et seq.*; 70 O.S. §3206 (i); Oklahoma State Regents for Higher Education

5. A brief summary of the content of the adopted rule;

The proposed rule changes address the following issues:

Grade Point Average (GPA) Standards: The proposed amendments extend the numerical value of the program's minimum GPA requirements from one decimal point to two decimal points (e.g. from 2.5 to 2.50). In statute, the program GPA requirements are written out to the first decimal place. However, high school and college GPA's are near universally calculated out to the second decimal point. The change will provide clear guidance to students, parents and school officials about the minimum GPA cut-off points and will clarify that rounding of the student's GPA to the first decimal point will not be permitted.

Three-Year Period after High School to Begin Using the Program Award: The statutes creating the program state that, to begin using the program award after high school, an Oklahoma's Promise student must "have graduated within the previous three (3) years." The proposed change clarifies that the period is three *calendar* years. The change will help reduce any confusion about when the three-year period ends. For example, an Oklahoma's Promise student graduating in 2012 would be required to begin college no later than the end of 2015.

The remaining non-substantive changes simply update references to the State Regents policy on Institutional Admission and Retention.

6. A statement explaining the need for the adopted rule;

The adopted rule changes are necessary to improve the effectiveness of the program.

7. The date and location of the meeting, if held, at which such rules were adopted;

April 18, 2013
Oklahoma State Regents for Higher Education
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8. A summary of the comments and explanation of changes or lack of any change made in the adopted rules as a result of testimony received at all hearings or meetings held or sponsored by an agency for the purpose of providing the public an opportunity to comment on the rules or of any written comments received prior to the adoption of the rule. The summary shall include all comments received about the cost impact of the proposed rules;

No comments were received.

9. A list of persons or organizations who appeared or registered for or against the adopted rule at any public hearing held by the agency or those who have commented in writing before or after the hearing;

None. There was no public hearing.

10. A rule impact statement;

See attached

11. An incorporation by reference statement if the rule incorporates a set of rules from a body outside the state, such as a national code;

N/A

12. The members of the governing board of the agency adopting the rules and the recorded vote of each member;

Massey – yes
White – yes
Price – yes
Parker – yes
Carson – not present
Harrell – not present
Glass – yes
Turpen – yes
Strickland – not present

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CHAPTER 25. STUDENT FINANCIAL AID AND SCHOLARSHIPS
SUBCHAPTER 23. OKLAHOMA HIGHER LEARNING ACCESS PROGRAM**

RULE IMPACT STATEMENT

A. Brief description of the purpose of the proposed rule.

The proposed rule changes address the following issues:

Grade Point Average (GPA) Standards: The proposed amendments extend the numerical value of the program's minimum GPA requirements from one decimal point to two decimal points (e.g. from 2.5 to 2.50). In statute, the program GPA requirements are written out to the first decimal place. However, high school and college GPA's are near universally calculated out to the second decimal point. The change will provide clear guidance to students, parents and school officials about the minimum GPA cut-off points and will clarify that rounding of the student's GPA to the first decimal point will not be permitted.

Three-Year Period after High School to Begin Using the Program Award: The statutes creating the program state that, to begin using the program award after high school, an Oklahoma's Promise student must "have graduated within the previous three (3) years." The proposed change clarifies that the period is three *calendar* years. The change will help reduce any confusion about when the three-year period ends. For example, an Oklahoma's Promise student graduating in 2012 would be required to begin college no later than the end of 2015.

The remaining non-substantive changes simply update references to the State Regents policy on Institutional Admission and Retention.

B. Description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the agency from any private or public entities.

Some Oklahoma's Promise high school graduates will be affected by the proposed rule changes related to GPA standards and the three-year period allowed for students to begin using the program award after high school.

C. Description of the classes of persons who will benefit from the proposed rule.

Students who delay college entry after high school graduation will benefit from the proposed rule change to define the three-year limit with greater clarity.

D. Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change.

Based on an analysis of the 2012 Oklahoma's Promise high school graduates, about 1% of the program's high school graduates may not receive the program benefit (equal to public college tuition) due to the proposed change in the GPA requirements.

E. Probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and

enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency.

The costs to the agency or any other agencies to implement the proposed rule changes should be minimal. The program benefits are funded by state revenue. Consequently, there may be a very slight reduction in the amount of state revenue needed to fund the benefits.

F. Determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule.

The proposed rule changes should not have an economic impact on any political subdivisions. High schools and colleges will be required to cooperate in implementing the rule but should not have to change their administrative systems due to the rule change.

G. Determination of whether implementation of the proposed rule will have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act.

After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rules will have no adverse impact upon Small Business.

H. Explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rule.

The proposed changes are designed to minimize compliance costs by working within existing administrative processes and systems at high schools and colleges.

I. Determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk.

The proposed rule should have no effect on the public health, safety, and environment.

J. Determination of any detrimental effect on the public health, safety and environment if the proposed rule is not implemented.

No effect on the public health, safety, or the environment will result if these rule amendments are not implemented.

K. Date the rule impact statement was prepared and if modified, the date modified.

January 3, 2013.