

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

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 23. Oklahoma Higher Learning Access Program

610:25-23-4. Program requirements [AMENDED]

610:25-23-7. Payment of awards; policies and limitations [AMENDED]

**SUMMARY:**

The proposed permanent rule revisions are necessary for two reasons. The first is to incorporate recent changes in ACT's testing policy. On October 8, 2019, ACT announced that beginning in September 2020, ACT will calculate and officially report a student's "superscore" if the student takes the test more than once. The "superscore" will be calculated based on the student's highest score on each individual section (English, math, reading, science) taken from the multiple tests. In addition, after a student has taken the complete test a first time, the student will be able to retest in one or more of the individual sections without having to retake the entire test. The Oklahoma's Promise statutes require that homeschool students and students graduating from a non-accredited high school achieve a composite score of 22 or higher on the ACT test. The proposed rule revision specifies that a student's "superscore" as reported by ACT will be considered for purposes of eligibility for the Oklahoma's Promise award.

The second reason is to correct a scrivener's error. In the most recent version of the Oklahoma's Promise rules published by the office of the Secretary of State, a phrase stating, "through a cooperative agreement between a public technology center and an institution of The Oklahoma State System of Higher Education," which was deleted in 2018 due to legislation passed in 2017, was inadvertently restored to the rules. Per discussions with the Office of Administrative Rules, the proposed amendment to delete this phrase in 610:25-23-7 is necessary to return the rule to its correct wording.

**AUTHORITY:**

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

**COMMENT PERIOD:**

Interested persons may submit written and oral comments to David B. Harting, Associate General Counsel, Oklahoma State Regents for Higher Education, 655 Research Parkway, Suite 200, Oklahoma City, OK, 73104, by 5:00 p.m., February 3, 2020.

**PUBLIC HEARING:**

A public hearing has not been scheduled; however, one can be requested by contacting David B. Harting, Associate General Counsel, Oklahoma State Regents for Higher Education, 655 Research Parkway, Suite 200, Oklahoma City, OK, 73104 by 5:00 p.m., February 3, 2020.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained at the Office of the Chancellor, Oklahoma State Regents for Higher Education, 655 Research Parkway, Suite 200, Oklahoma City, OK, 73104.

**RULE IMPACT STATEMENT:**

**ACCEPTED** 12/6/19

Office of Administrative Rules

Oklahoma Secretary of State

Docket # 19 - 924

OAR/ccr CW

Copies of the rule impact statement may be obtained at the Office of the Chancellor, Oklahoma State Regents for Higher Education, 655 Research Parkway, Suite 200, Oklahoma City, OK, 73104 on and after January 2, 2020.

**CONTACT PERSON:**

David B. Harting, Associate General Counsel, Oklahoma State Regents for Higher Education, (405) 225-9289.

**NAME OF AGENCY:**

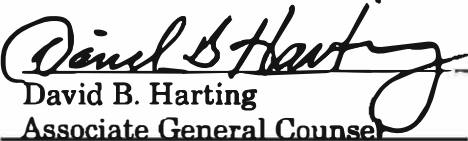
State Regents for Higher Education

**TYPE OF DOCUMENT:**

Notice of rulemaking intent

**LIAISON VERIFICATION:**

I verify that I have reviewed the attached document and that it substantially conforms to filing and format requirements of the APA and the rules of the Secretary of State. Additional information may be obtained by contacting me at 405-225-9289.

  
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David B. Harting  
Associate General Counsel

December 6, 2019