

CHAPTER 25. STUDENT FINANCIAL AID AND SCHOLARSHIPS

SUBCHAPTER 43. OKLAHOMA ACCESS AND ACHIEVEMENT PROGRAM

610:25-43-1. Purpose

The Oklahoma Access and Achievement Program, created by the Oklahoma Access and Achievement Act passed in 2024 (70 O.S. § 2501 et seq.), is designed to provide an award to eligible students with intellectual disabilities who are pursuing studies in Oklahoma at a comprehensive transition and postsecondary (CTP) program.

610:25-43-2. Definitions

The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"CTP program" means a degree, certificate, or nondegree program that:

- (A) is offered by an institution of higher education or a technology center school;
- (B) is delivered to students physically attending the institution of higher education or technology center school;
- (C) is designed to support students with intellectual disabilities who are seeking to continue academic, career and technical, and independent living instruction at an institution of higher education or technology center school to prepare for gainful employment;
- (D) includes an advising and curriculum structure;
- (E) requires students with intellectual disabilities to participate on not less than a half-time basis as determined by the institution of higher education or technology center school, with participation focusing on academic components and occurring through one or more of the following activities:
 - (1) regular enrollment in credit-bearing courses with nondisabled students offered by the institution of higher education or technology center school,
 - (2) auditing or participating in courses with nondisabled students offered by the institution of higher education or technology center school for which the student does not receive regular academic credit,
 - (3) enrollment in noncredit-bearing, nondegree courses with nondisabled students, or
 - (4) participation in internships or work-based training in settings with nondisabled persons;
- (F) requires students with intellectual disabilities to be socially and academically integrated with nondisabled students to the maximum extent possible; and
- (G) is approved by the United States Department of Education pursuant to Public Law 110-315, the Higher Education Opportunity Act, as amended.

"Eligible student" means a student with an intellectual disability who is eligible for the scholarship program.

"FAFSA" means Free Application for Federal Student Aid.

"OSRHE" means the Oklahoma State Regents for Higher Education.

"SAP" means satisfactory academic progress.

"State educational institution" means an institution of higher education or technology center school in Oklahoma supported wholly or in part by direct legislative appropriations that provides a CTP program.

"Student with an intellectual disability" means a student:

- (A) with a cognitive impairment, characterized by significant limitations in intellectual and cognitive functioning and adaptive behavior as expressed in conceptual, social, and practical adaptive skills, and
- (B) who is currently or was formerly eligible for a free appropriate public education under the Individuals with Disabilities Education Act (IDEA), including a student who was determined eligible for special education or related services under IDEA but attended a private school or was educated pursuant to the other means of education exception provided for in 70 O.S. § 10-105(A).

610:25-43-3. Eligibility Requirements

(a) A student with an intellectual disability shall be eligible to participate in the Oklahoma Access and Achievement Program if the student:

- (1) Is a resident of the State of Oklahoma or enrolled in a school district located in this state that serves students who reside in both this state and an adjacent state pursuant to a contract as authorized in 70 O.S. § 5-117.1;
- (2) Is a United States citizen or lawfully present in the United States;
- (3) Has graduated within the previous six (6) years from a public high school accredited by the State Board of Education or a private school, or has satisfactorily completed, within the previous six (6) years, an educational program that was provided through means other than a public or private school;
- (4) Has secured admission to and enrolled in a CTP program at a state educational institution that meets the requirements to be eligible for federal student financial aid; and
- (5) Has established financial need according to 610:25-43-4.

- (b) A student with an intellectual disability and the student's parent(s), custodial parent(s), or guardian(s) shall:
- (1) Provide information requested by OSRHE and the institution in which the student is enrolled; and
 - (2) Assist the student in completing forms and reports required for program participation, making application to institutions and schools of higher learning, and filing applications for student grants and scholarships.

610:25-43-4. Financial Need

(a) Prior to receiving any Oklahoma Access and Achievement Program benefit award for any year during which the student with an intellectual disability is enrolled in a state educational institution, the federal adjusted gross income of the student's parent(s) or legal guardian(s) shall not exceed \$100,000 per year. The determination of financial qualification as set forth in this subsection shall be based on the income of the student, not the income of the parent(s) or legal guardian(s), if the student is determined to be independent of the student's parent(s) or legal guardian(s) for federal financial aid purposes.

(b) A student with an intellectual disability who was adopted while in the permanent custody of the Department of Human Services, in the court-ordered custody of a licensed private nonprofit child-placing agency, or federally recognized Indian tribe, as defined by the federal Indian Child Welfare Act, shall be subject to the following financial qualifications prior to receiving any program benefit award:

- (1) For a student adopted between birth and twelve (12) years of age, the federal adjusted gross income of the student's parent(s) may not exceed \$150,000 per year;
- (2) For a student adopted between thirteen (13) and seventeen (17) years of age, the federal adjusted gross income of the student's parent(s) may not exceed \$200,000 per year; or
- (3) If the student is determined to be independent of the student's parents for federal financial aid purposes, the determination of financial qualification shall be based on the income of the student, not the income of the parent(s).

(c) Eligible students shall apply for financial aid at the state educational institution in which they enroll.

(d) Eligible students must complete the FAFSA each year the student is enrolled in postsecondary education. Eligible students not eligible to complete the FAFSA may be provided an alternate method by OSRHE. Income information submitted through the FAFSA shall be used to determine compliance with the income limits described in this section. Any falsified or incomplete information submitted by the student or parent(s) may result in the student's disqualification from the program;

610:25-43-5. Criteria for Continued Eligibility

To retain eligibility in the Oklahoma Access and Achievement Program, the student with an intellectual disability shall:

- (1) Meet the requirements for retention and completion as established by the state educational institution where the student is enrolled;
- (2) Meet SAP standards as required by the CTP program criteria. This requirement will apply to all Oklahoma Access and Achievement Program participants whether or not they are receiving federal student financial aid. Any Oklahoma Access and Achievement Program participant that is ineligible to receive federal financial aid due to failure to meet SAP standards will also be ineligible to receive the Oklahoma Access and Achievement Program award; and
- (3) Refrain from conduct that leads to expulsion or suspension of more than one semester from a state educational institution. A student who violates the provisions of this paragraph shall permanently lose eligibility for scholarship program benefits.

610:25-43-6. Payments of awards; policies and limitations

(a) Subject to the availability of funds, eligible students enrolled at an institution in The Oklahoma State System of Higher Education shall have an award equivalent to their undergraduate resident nonguaranteed tuition paid to the institution on the student's behalf by an allocation from the Oklahoma Higher Learning Access Trust Fund.

(b) Subject to the availability of funds, eligible students enrolled in a technology center school CTP program that meets the requirements to be eligible for federal student financial aid and is offered by a technology center school supervised by the State Board of Career and Technology Education shall have an award equivalent to tuition paid, to the school or institution on the student's behalf by an allocation from the Oklahoma Higher Learning Access Trust Fund.

(c) Funds shall be transferred by OSRHE from the Oklahoma Higher Learning Access Trust Fund to the state educational institution in which the eligible student is enrolled. No funds shall be paid directly to the student.

(d) Payment will not be allowed for courses or other postsecondary units taken more than five (5) years after the eligible student's first semester of postsecondary enrollment.

(e) Students will be eligible for the benefits outlined in this policy for five (5) years after the eligible student's first semester of postsecondary enrollment. OSRHE may award the Oklahoma Access and Achievement Program benefits for courses or other postsecondary units taken more than five (5) years after the student's first semester of postsecondary enrollment only in hardship circumstances; provided, however, no Oklahoma Access and Achievement Program participant may receive benefits beyond a cumulative time period of five (5) years. Hardship circumstances may include, but are not limited to, sickness, injury, required military service, or service required by the student's religious or cultural traditions.

(f) There will be no limit to the number of awards in any year other than the amount of funds available for the scholarship program and the number of eligible student applicants. If sufficient funds are not available to provide awards for all eligible applicants, OSRHE shall make awards on the basis of need. Provided, OSRHE may take into consideration other grants and scholarships received by an eligible student applicant when making awards.

(g) Students who have previously received Oklahoma Access and Achievement Program awards and who have continued at all times to fulfill the requirements for eligibility to receive such awards shall have priority for continued financial support by this program over students applying for an initial award.

610:25-43-7. Applications

(a) Students and their parent(s), custodial parent(s), or legal guardian(s) must complete fully an application form provided by the state educational institution in which they plan to enroll. If a student's legal custody is the subject of an active legal proceeding, the student may submit an application without the information of their parent(s), custodial parent(s), or legal guardian(s).

(b) State educational institutions shall develop, maintain, and provide an Oklahoma Access and Achievement Program application for eligible students and submit information for new students each semester. The institution's application process must minimally determine the student's financial eligibility, including indication of adoption status, as determined pursuant to 610:25-43-4.

(c) Any falsified or incomplete information on the application forms may result in the student's disqualification from the Oklahoma Access and Achievement Program.

(d) Applications may be accepted throughout the year.

610:25-43-8. Authorized Institutional Representative and Administrative Responsibilities

(a) Each state educational institution's financial aid officer will work with the program administrator to certify the eligibility of Oklahoma Access and Achievement Program applicants, verify enrollment, receive and disburse funds, and perform such other duties as may be necessary for the proper administration of Oklahoma Access and Achievement Program scholarships.

(b) OSRHE shall:

(1) work with the state educational institution's representatives to coordinate tracking of program records for students participating in the program;

(2) coordinate and develop policies and procedures to implement the Oklahoma Access and Achievement Act; and

(3) administer the Oklahoma Higher Learning Access Trust Fund.