

## TITLE 610. STATE REGENTS FOR HIGHER EDUCATION

### CHAPTER 1. ADMINISTRATIVE OPERATIONS

[Authority: OKLA. CONST. art XIII-A, §§ 1 through 4; 70 O.S., §§ 6–130, 3101 et seq., 3201, 3206, 3228, and 3228.1; 74 O.S., §§ 85.3A and 85.9E]

[Source: Codified 1-27-92]

### SUBCHAPTER 1. THE OKLAHOMA STATE SYSTEM OF HIGHER EDUCATION

#### 610:1-1-1. Purpose

The purpose of this Subchapter is to describe the organizational structure and method of operation of the Oklahoma State System of Higher Education and the Oklahoma State Regents for Higher Education.

#### 610:1-1-2. Definitions

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

**"Higher education"** *"...include[s] all education of any kind beyond or in addition to the twelfth grade or its equivalent as that grade is now generally understood and accepted in the public schools of the State of Oklahoma..."* [70 O.S., §3102(d)]; "... provided, however, that this shall not exclude as a constituent institution any institution of higher learning which now offers as a part of its curriculum courses of high school study.

#### 610:1-1-3. State System institutions, constituent agencies, and community junior colleges

(a) The following institutions are included in The Oklahoma State System of Higher Education:

- (1) University of Oklahoma, Norman
- (2) Oklahoma State University, Stillwater
- (3) University of Central Oklahoma, Edmond
- (4) East Central University, Ada
- (5) Northeastern State University, Tahlequah
- (6) Northwestern Oklahoma State University, Alva
- (7) Southeastern Oklahoma State University, Durant
- (8) Southwestern Oklahoma University, Weatherford
- (9) Cameron University, Lawton
- (10) Langston University, Langston
- (11) Oklahoma Panhandle State University, Goodwell
- (12) University of Science and Arts of Oklahoma, Chickasha
- (13) Carl Albert State College, Poteau
- (14) Connors State College of Agriculture and Applied Science, Wilburton
- (15) Eastern Oklahoma State College, Miami
- (16) Redlands Community College, El Reno
- (17) Murray State College, Tishomingo
- (18) Northeastern Oklahoma Agricultural and Mechanical College, Miami
- (19) Northern Oklahoma College, Tonkawa
- (20) Rose State College, Midwest City
- (21) Rogers State University, Claremore

- (22) Seminole State College, Seminole
- (23) Oklahoma City Community College, Oklahoma City
- (24) Tulsa Community College, Tulsa
- (25) Western Oklahoma State College, Altus

(b) There are nine other constituent agencies in the State System which are a part of or directly related to public higher education in the state. These are:

- (1) University of Oklahoma Health Science Center, Oklahoma City
- (2) University of Oklahoma Law Center, Norman
- (3) Oklahoma Geological Survey, Norman
- (4) Oklahoma State University Agricultural Experiment Station, Stillwater
- (5) Oklahoma State University Agricultural Extension Division, Stillwater
- (6) Oklahoma State University College of Veterinary Medicine, Stillwater
- (7) Oklahoma State University Technical Branch, Okmulgee
- (8) Oklahoma State University Technical Branch, Oklahoma City
- (9) Oklahoma State University College of Osteopathic Medicine, Tulsa

(c) In 1967, the Oklahoma Legislature enacted Senate Bill No. 2, which provided for the establishment and operation of community junior colleges under the jurisdiction of the coordinating board of the State System, the Oklahoma State Regents for Higher Education. Municipal junior colleges existing at that time were by provision of this law made parts of the community college system. These included El Reno Junior College (now Redlands Community College), Poteau Junior College (now Carl Albert State College), Sayre Junior College (now a branch campus of Southwestern Oklahoma State University) and Seminole Junior College. After enactment of that law two new community junior colleges were established: Oscar Rose Junior college (now Rose State College) in Midwest City and South Oklahoma City Junior College (now Oklahoma City Community College). This made a total of six community junior colleges, all of which operated as a part of the public system of higher education under the general coordination of the State Regents. In 1973, the Oklahoma legislature made legal provisions for community junior colleges to be converted to full-fledged state two-year colleges and directed the State Regents to have responsibility for administration of the law. See, 70 O.S., § 4423. Subsequently, all six of the above name community junior colleges except Sayre Junior college applied for and were officially converted to state junior colleges pursuant to this act.

[Source: Amended at 12 Ok Reg 1471, eff 5-25-95; Amended at 17 Ok Reg 3053, eff 7-13-00]

#### **610:1-1-4. State Regents' internal organization; staff**

The State Legislature in 1941 vitalized Article XIII-A of the Constitution, providing for the internal organization of the State Regents. There are a chairman, vice-chairman, secretary and assistant secretary, all of whom are elected annually by the membership of the State Regents. The law also provides for office staff and for the furnishing of suitable permanent quarters for the State Regents.

#### **610:1-1-5. State Regents' office**

(a) The work of the Oklahoma State Regents for Higher Education is defined by constitutional provision, state statute, or State Regents' policy delineating coordinating responsibility for the State System of Higher Education, including the areas of institutional functions, programs of study, standards of education, and finances.

(b) The State Regents' office is the administrative headquarters of the Oklahoma State Regents for Higher Education, the coordinating board of control of The

Oklahoma State System of Higher Education, and its functions are:

- (1) To execute State Regents' policies and programs.
- (2) To gather information about the State System for State Regents' review and consideration relative to policymaking.
- (3) To provide coordinating leadership at the state level in the general operation of the State System.

### **SUBCHAPTER 3. STUDENT ADVISORY BOARD**

#### **610:1-3-1. Purpose**

- (a) The Oklahoma State Regents for Higher Education recognize the value of a formal structure for student input and a strengthened linkage to its most important constituency-students. Consequently, the State Regents have created a Student Advisory Board to assist the State Regents in enhancing their relationship with students. The creation of this board is consistent with provisions of House Bill No. 1801 of the 1988 Oklahoma Legislature [70 O.S., §3205.5 and 3205.6] which became effective November 1, 1988.
- (b) The purpose of the Student Advisory Board is to communicate to the State Regents the views and interests of all Oklahoma college and university students on those issues that relate to the constitutional and statutory responsibilities of the State Regents. In representing students, the Student Advisory Board shall combine the opinions of students with good sound research to develop the best proposals and recommendations for The Oklahoma State System of Higher Education.

[Source: Amended at 26 Ok Reg 1323, eff 5-25-09]

#### **610:1-3-2. Membership**

- (a) The Student Advisory Board consists of seven members elected by delegates to the Oklahoma Student Government Association (O.S.G.A) at its annual meeting.
- (b) Board members will be selected as follows:
  - (1) Two members will be elected at large to represent the comprehensive universities in The Oklahoma State System of Higher Education.
  - (2) Two members will be elected at large to represent the regional and senior universities in The Oklahoma State System of Higher Education.
  - (3) Two members will be elected at large to represent the community colleges in The Oklahoma State System of Higher Education.
  - (4) One member will be elected at large to represent the accredited independent colleges and universities in the state.
- (c) The term of office of the Student Advisory Board is one year. A member may serve a maximum of three terms.
- (d) A member must be enrolled in at least 12 semester credit hours at an Oklahoma college or university and must have a minimum cumulative grade-point average of 2.8 on a 4.0 scale. A member must attend the type of institution that he/she is elected to represent.
- (e) Members will take office each year at the State Regents' May meeting.
- (f) A member who wishes to resign before his/her term expires must notify in writing the State Regents and the Oklahoma Student Government Association.
- (g) Members are required to attend all regularly scheduled Student Advisory Board meetings. Any member absent from three (3) regularly scheduled meetings, excluding meetings in June and July, shall be removed from office.
- (h) A member may be removed from office if he/she does not continue to meet the requirements as set forth in (d) of this Section during the term of office.

(i) The Student Advisory Board members shall have the powers to recommend to the Board of Directors of the O.S.G.A removal of a fellow Student Advisory Board member for violations of duties set forth in 610:1-3-3.

(j) The Board of Directors of the O.S.G.A. shall by majority vote have the power to remove a Student Advisory Board member congruent to any such recommendation made from the Student Advisory Board.

(k) A Student Advisory Board member who is removed from office shall not be considered a past member.

[Source: Amended at 26 Ok Reg 1323, eff 5-25-09]

### **610:1-3-3. Duties**

(a) So that members of the Student Advisory Board may adequately represent the views of other state students, each member will visit at least two other schools within the State System during his/her term of office. These other schools may not be under the same governing board as the institution that the member is attending. During these visits, the member should speak with student government leaders on important issues of student concern.

(b) The Student Advisory Board will serve as an avenue for the student community to express its opinions and interests to the State Regents.

(c) The Student Advisory Board will elect a chair at its first meeting following election to serve as its liaison to the State Regents' office.

(d) The chair will work with the State Regents' office through a staff liaison designated by the Chancellor.

(e) The Student Advisory Board will elect a vice-chair at its first meeting following election to take official minutes of the Student Advisory Board meetings, maintain a file of Student Advisory Board actions, and preside over Student Advisory Board meetings in the absence of the chair.

(f) Members of the Student Advisory Board will be called upon by the Chancellor to provide informal counsel and advice and to make presentations at public hearings, legislative meetings, etc.

(g) The Student Advisory Board will hold eleven (11) regular meetings each term excluding extraordinary, unforeseen circumstances which prevent holding a regular meeting.

(h) The Student Advisory Board, by a majority vote of its members, may submit recommendations to the State Regents on matters relating to the duties and responsibilities of the State Regents.

(i) Members of the Student Advisory Board are encouraged to attend all regularly scheduled meetings of the State Regents. The board's elected representative has speaking privileges at such meetings in accordance with State Regents' operating policy.

(j) Members of the Student Advisory Board are encouraged to attend student leadership retreats sponsored by the State Regents. Costs related to Student Advisory Board members attending State Regents sponsored student leadership retreats may be paid from the operating budget of the State Regents.

(k) The representative at the State Regents' meetings will be responsible for recognizing other members of the Student Advisory Board for the purposes of:

(1) Speaking on issues that concern students and relate to the State Regents' duties and responsibilities.

(2) Presenting recommendations that relate to the State Regents' duties and responsibilities.

(l) The Student Advisory Board will work with the Chancellor and the designated staff liaison in developing an annual list of priorities and goals for rendering advice to the State Regents.

(m) The chair or other designated spokesman of the Student Advisory Board shall have a place on the agenda of regular State Regents' meetings for the purpose of making a report.

(n) The Student Advisory Board will submit an annual written report of its activities to the State Regents and the Oklahoma Student Government Association and will also maintain regular contact with the Association to apprise it of significant developments.

(o) The Student Advisory Board will follow the requirements of the Oklahoma Open Meeting Act [25 O.S., § 301 et seq.].

(p) Members of the Student Advisory Board shall be reimbursed for travel expenses incurred in the official performance of their duties as members of the Student Advisory Board in accordance with the State Travel Law [74 O.S., § 500.1 et seq.]. Reimbursements will be paid from the operating budget of the State Regents and must have the prior approval of the Chancellor's office and the Student Advisory Board chair.

(q) Clerical and administrative assistance to the Student Advisory Board will be provided by the Chancellor's office and the designated staff liaison in the conduct of the Student Advisory Board business.

[Source: Amended at 26 Ok Reg 1323, eff 5-25-09]

#### **610:1-3-4. Guidelines for operation**

(a) The Student Advisory Board will operate under the provisions of 70 O.S., §§ 3205.5 and 3205.6.

(b) The Student Advisory Board will also operate under guidelines established by the Student Advisory Board and approved by the State Regents.

#### **610:1-3-5. Meetings**

(a) A schedule of regular meetings of the Student Advisory Board will be filed annually with the Secretary of State and with the State Regents' office.

(b) A record of the Student Advisory Board meetings shall be kept on official file in the office of the State Regents.

(c) An individual designated by the Chancellor shall be invited to attend official meetings of the Student Advisory Board.

#### **610:1-3-6. Amendments**

The provisions in this Subchapter may be amended by a two-thirds (2/3) vote of the Student Advisory Board and approval of the State Regents.

[Source: Amended at 26 Ok Reg 1323, eff 5-25-09]

### **SUBCHAPTER 5. FACULTY ADVISORY COMMITTEE [REVOKED]**

#### **610:1-5-1. Purpose [REVOKED]**

[Source: Revoked at 20 Ok Reg 1351, eff 5-27-03]

#### **610:1-5-2. Membership [REVOKED]**

[Source: Revoked at 20 Ok Reg 1351, eff 5-27-03]

### **610:1-5-3. Duties [REVOKED]**

[Source: Revoked at 20 Ok Reg 1351, eff 5-27-03]

### **610:1-5-4. Operation guidelines [REVOKED]**

[Source: Revoked at 20 Ok Reg 1351, eff 5-27-03]

### **610:1-5-5. Meetings [REVOKED]**

[Source: Revoked at 20 Ok Reg 1351, eff 5-27-03]

### **610:1-5-6. Amendments [REVOKED]**

[Source: Revoked at 20 Ok Reg 1351, eff 5-27-03]

## **SUBCHAPTER 7. RULES OF OPERATION**

### **610:1-7-1. Purpose**

(a) The Oklahoma State Regents for Higher Education is the coordinating board of control for The Oklahoma State System of Higher Education with powers, duties, and responsibilities defined by Article XIII-A of the Oklahoma Constitution and State Statute (specifically 70 O.S., §§ 3202 through 3206). As an arm of state government, State Regents' operations are subject to such statutory regulation and requirements as the Open Meeting Act [25 O.S., § 301 et seq.], the Open Records Act [51 O.S., § 24A 1 et seq.], the Administrative Procedures Act [75 O.S., § 250 et seq.], etc. Although some state statutes relating to operational procedures specifically exempt higher education entities, these rules and regulations are nevertheless followed in some measure and where possible because of the State Regents' desire to operate in a manner consistent with safeguards of individual rights and freedoms and because of their desire to provide appropriate leadership for the State System in its inextricably linked relationship to the health and well-being of the State of Oklahoma.

(b) The operational procedures for the coordinating board are set forth in this Subchapter within the above constitutional and statutory framework and are for the information and guidance of the State Regents and their staff, institutional officials, governing board members, legislators, and other state officials, the press, and citizens generally who may be interested in and concerned with business transacted by the board.

[Source: Amended at 12 Ok Reg 1471, eff 5-25-95]

### **610:1-7-2. Definitions**

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

**"Emergency"** means *"a situation involving injury to persons or injury and damage to public and personal property or immediate financial loss when the time requirement for public notice of a special meeting would make such procedure impractical and increase the likelihood of injury or damage or immediate financial loss."* [25 O.S., § 304(5)]

### **610:1-7-3. Regular meetings**

(a) **Schedule.** Regular meetings of the State Regents are generally held at six-week intervals on Fridays.

(b) **Notice.** Notice in writing is given to the Secretary of State by December 15 of each calendar year of the schedule showing the date, time, and place of the regularly scheduled meetings for the following calendar year.

(c) **Posting.** In addition, advance public notice is displayed in prominent public view at the office of the State Regents at least 24 hours prior to such meetings setting forth thereon the date, time, place, and agenda for said meeting. This 24 hours prior public posting excludes Saturdays and Sundays and holidays legally declared by the State of Oklahoma. However, the posting of an agenda does not preclude the State Regents from considering at its regularly scheduled meeting any new business.

(d) **Meeting change.** If any change is to be made of the date, time, or place of regularly scheduled meetings, then notice in writing will be given to the Secretary of State not less than 10 days prior to the implementation of any such change.

[Source: Amended at 10 Ok Reg 4603, eff 9-8-93 (emergency); Amended at 11 Ok Reg 1885, eff 5-12-94]

#### **610:1-7-4. Special meetings**

(a) **Schedule.** Special meetings of the State Regents are held as necessary and upon call of the Chairman.

(b) **Notice.** Written notice will be given to all Regents accordingly at least five days in advance of the meeting, or each Regent will be notified by personal telephone call. Public notice will be given at least 48 hours prior to special meetings. Such public notice of date, time, and place shall be given in writing, in person, or by telephonic means to the Secretary of State.

(c) **Posting.** Public notice will be displayed in prominent public view at the office of the State Regents at least 24 hours prior to such special meetings, setting thereon the date, time, place, and agenda for said meeting. Only matters appearing on the posted agenda may be considered at said special meeting. The 24 hours prior public posting shall exclude Saturdays and Sundays and holidays legally declared by the State of Oklahoma.

#### **610:1-7-5. Emergency meetings**

(a) **Schedule.** Emergency meetings of the State Regents may be called for the purpose of dealing with an emergency.

(b) **Notice.** An emergency meeting of the State Regents as defined by the Open Meetings Act may be held without the public notice heretofore required. Should an emergency meeting be necessary, as much advance public notice as is reasonable and possible under the circumstances existing must be given, in person or by telephonic or electronic means.

[Source: Amended at 10 Ok Reg 4603, eff 9-8-93 (emergency); Amended at 11 Ok Reg 1885, eff 5-12-94]

#### **610:1-7-6. Continued or reconvened meetings**

(a) **Schedule.** In order to finish business appearing on an agenda of a previous meeting, the State Regents may continue or reconvene that meeting at another time. Only matters on the agenda of the previous meeting at which the announcement of the continuance is made may be discussed at a continued or reconvened meeting.

(b) **Notice.** Public notice of continuation or reconvening of a meeting, including date, time, and place of continued meeting, shall be given by announcement at the original meeting.

#### **610:1-7-7. Committee meetings or study sessions**

(a) State Regents' study sessions may be held on call by the Chairman. Committee meetings will generally be held two weeks before the regular meeting.

(b) State Regents' committees are non-action groups and as such are not subject to the provisions of the Open Meeting Act. [25 O.S., §301 et seq.] Although provisions of the Open Meeting Act apply to "*all committees or subcommittees of any public body*," [25 O.S., §304] the Act's coverage has nevertheless been judicially constrained to committees or subcommittees which exercise some power normally vested with the larger group.

(c) All Regents will be notified of committee meetings. Noncommittee members electing to attend the meetings must take the responsibility for notifying the Chancellor's Office no later than 48 hours in advance of the meeting in order that proper notice and posting requirements can be met under the Open Meeting Act. In the event that five or more Regents are present for the committee meeting without the accomplishment of proper notice and posting requirements, the committee chairman will be authorized to reduce the number of Regents in attendance to a number that will not violate the Open Meeting Act.

[Source: Amended at 10 Ok Reg 4603, eff 9-8-93 (emergency); Amended at 11 Ok Reg 1885, eff 5-12-94]

#### **610:1-7-8. Informal, electronic, or telephonic meetings**

The State Regents will not hold meetings electronically or by telephone to decide any action or vote on any matter except as provided by the Open Meeting Act. The State Regents may hold meetings by teleconferencing as defined by state law. Advance notice will be given of all meetings to be held by teleconference, identifying all the meeting sites. All meeting sites will be fully accessible to the public. Any written material provided at one site will be provided at all sites. In the event of an interruption in the telecommunications link, the meeting will recess while efforts are made to restore service. If the link cannot be reestablished, the meeting may continue at whichever site has a quorum of Regents.

[Source: Amended at 10 Ok Reg 4603, eff 9-8-93 (emergency); Amended at 11 Ok Reg 1885, eff 5-12-94; Amended at 11 Ok Reg 4408, eff 7-14-94 (emergency); Amended at 12 Ok Reg 1471, eff 5-25-95]

#### **610:1-7-9. Cancelled meetings**

The State Regents shall utilize quorum calls in advance of meetings as needed to determine possible attendance at regular and special meetings. Should it be found that a majority of members will not be present for a meeting, the Chairman will be notified and will declare the meeting canceled due to an anticipated lack of quorum. Notice of the cancellation will immediately be filed with the Office of Secretary of State, and individuals receiving agenda listings will be notified to the extent possible.

[Source: Amended at 10 Ok Reg 4603, eff 9-8-93 (emergency); Amended at 11 Ok Reg 1885, eff 5-12-94]

#### **610:1-7-10. Meetings open to public**

All meetings of the State Regents are open to the press and the public pursuant to state law [25 O.S., § 301 et seq.].

#### **610:1-7-11. Agenda preparation**

(a) **Submission of items by institutions.**



(1) Institutional items of a routine or reporting nature to be included on the agenda of a meeting of the State Regents must be received in the Chancellor's office at least 12 calendar days prior to the meeting. Items of a policy nature requiring staff research and study should be received in the office at least 21 calendar days prior to the meeting.

(2) Communications and recommendations from colleges and universities, including appropriate approval from the institutional governing board when necessary, must be sent in writing by the president of the institution to the Chancellor for State Regents' consideration. All official mail sent by an institution to the State Regents' office should be transmitted over the signature of the president and addressed to the Chancellor. Official mail from the State Regents' office will be transmitted over the Chancellor's signature to the president of the institution.

(3) Presidents are invited to assist the Chancellor in presenting institutional business to the State Regents as they desire. Presidents desiring to meet with the Regents in connection with institutional business should schedule time for their appearance with the Chancellor at least five days in advance of the meeting. While it is not necessary that presidents meet with the State Regents on matters not requiring their presence, presidents, governing board members, faculty, students, or other citizens are always welcome to visit and observe at State Regents' meetings.

(b) **Submission of items by other constituencies.** Items submitted by students, federal and state governmental entities or representatives, and citizens generally must be submitted in writing 12 days prior to the meeting and must relate to the responsibilities of the coordinating board.

(c) **Submission of items by the State Regents.** The agenda is prepared by the Chancellor at the direction of the Chairman. Regents wishing to place an item on the agenda must submit that item to the Chairman or the Chancellor.

[Source: Amended at 10 Ok Reg 4603, eff 9-8-93 (emergency); Amended at 11 Ok Reg 1885, eff 5-12-94]

### **610:1-7-12. Agenda schedule**

(a) Agendas for regular and special State Regents' meetings will be sent to the Regents one week in advance. Agendas for emergency or committee meetings will be available for Regents at the time of the meeting or sooner if possible.

(b) Agenda listings of State Regents' regular meetings will be mailed to State System presidents 48 hours prior to the meeting.

(c) Agenda listings of State Regents' regular meetings containing the date, time, and place of regular meetings shall be mailed 48 hours prior to the meeting to each individual or entity who has made a written request according to the following guidelines:

(1) The agenda book will be mailed or made available to those making a written request.

(2) The mailing of an agenda book will generally be limited to one book per institution or agency.

(3) With the exception of state and federal agencies, the State Regents reserve the right to make an annual charge for the agenda mailing service sufficient to cover costs.

(4) Requests in writing for agenda listings and the agenda book must be renewed annually by calendar year with the Chancellor's office.

[Source: Amended at 10 Ok Reg 4603, eff 9-8-93 (emergency); Amended at 11 Ok Reg 1885, eff 5-12-94; Amended at 11 Ok Reg 4408, eff 7-14-94 (emergency); Amended at 12 Ok Reg 1471, eff 5-25-95]

### **610:1-7-13. Items for consideration at meeting**

All matters to be considered at a State Regents' meeting shall appear on the agenda and may include:

(1) **New business.** An item called New Business shall be listed on each regular meeting agenda under which only matters not known about or which could not have been reasonably foreseen prior to the time of posting may be considered.

(2) **Executive session.** A proposal for an Executive Session must be listed on the agenda and must contain sufficient information to advise the public that an executive session will be proposed, what matters are proposed to be discussed in the executive session, and what action, if any, is contemplated to be taken on matters proposed for discussion in an executive session. State Regents may hold executive sessions only as provided by the Open Meeting Act. Any vote or action taken thereon will be taken in public meeting with the vote of each member publicly cast and recorded.

(3) **Hearings.**

(A) The State Regents will provide notice at the time of their public meeting of:

(i) hearings on proposed policy adoptions or changes to be considered at the next regular meeting and

(ii) appeals of State Regents' actions which will be scheduled on the following regular agenda for further review.

(B) The proceedings described in (A)(i) and (A)(ii) of this paragraph will be conducted in a manner analogous to those of the Administrative Procedures Act.

[Source: Amended at 10 Ok Reg 4603, eff 9-8-93 (emergency); Amended at 11 Ok Reg 1885, eff 5-12-94; Amended at 11 Ok Reg 4408, eff 7-14-94 (emergency); Amended at 12 Ok Reg 1471, eff 5-25-95]

### **610:1-7-14. Organization of agenda**

(a) The agenda for a State Regents' meeting will contain items of business categorized under the following topics:

- (1) Academic Affairs
- (2) Fiscal Affairs
- (3) Executive
- (4) Consent Docket
- (5) Reports

(b) The order in which the items of business are listed may vary although academic items are normally considered first.

(c) Items requiring State Regents' action will generally be scheduled at the first of the agenda.

(d) Items of a routine nature that require State Regents' action and that are consistent with State Regents' policies and previous action will be placed on a Consent Docket. These items normally will be handled with one vote and little, if any, discussion.

(e) Items of a reporting nature requiring only general acknowledgement of receipt by the State Regents will generally be listed under "Reports" and scheduled at the end of the agenda for one general acknowledgement action by the Regents unless, for instance, their consideration is essential to the understanding of subsequent action items. The "Reports" section shall include such items as:

- (1) matters for study and consideration with action to be taken at some future meeting,
  - (2) routine periodic program/activity reports,
  - (3) special informational reports to the State Regents,
  - (4) published reports, and
  - (5) communications.
- (f) The Chairman may elect to receive oral presentations on all or selected reports prior to their general acknowledgement of receipt or may elect to proceed with acknowledgement of receipt and forego oral reports should additional clarification not be needed.

[Source: Amended at 10 Ok Reg 4603, eff 9-8-93 (emergency); Amended at 11 Ok Reg 1885, eff 5-12-94; Amended at 37 Ok Reg 2122, eff 9-11-20]

#### **610:1-7-15. Disposition of business**

- (a) **General guidelines.** Unless otherwise specified in their operations policy or unless contrary to state law, the State Regents will adhere to "Robert's Rules of Order, Newly Revised Edition."
- (b) **Quorum.** Meetings of the State Regents will be conducted only with a majority quorum of members present.
- (c) **Voting guidelines.** Guidelines for voting are as follows:
- (1) The vote of each member will be publicly cast and recorded.
  - (2) Aye votes may be made by group acclamation.
  - (3) Any nay votes will necessitate an individual roll call. The roll will commence with Position No. 1 and alternate through Position No. 9.
  - (4) A simple majority vote of those present for the meeting is required for action on an agenda item.
  - (5) Items on the agenda may be advanced by unanimous consent. If objection is voiced, the Chairman will call for a vote on the advancement motion which will require a two-thirds majority for passage.
  - (6) A majority vote of the quorum present is required to go into executive session. No vote or action may be taken in executive session; and action, if any, must be taken after returning to open meeting in the usual manner.

#### **610:1-7-16. Record of proceedings**

- (a) **Regular meetings.**
- (1) The proceedings of State Regents' meetings will be kept by a designated record keeper in the form of written minutes which shall be an official summary of the proceedings showing clearly those members present and absent, all matters considered and all actions taken by the State Regents.
  - (2) The minutes of each meeting will be open to public inspection and will reflect the manner and time of notice required by the Oklahoma Open Meeting Act [25 O.S., § 301 et seq.].
- (b) **Emergency meetings.** In the written minutes of an emergency meeting, the nature of the emergency and the proceedings occurring at such meeting, including reasons for declaring such emergency meeting, shall be included.
- (c) **Committee meetings.** A record of committee meetings will be kept by a designated record keeper and made available to all State Regents. The Chairman of the Committee will attest to the accuracy of the record.
- (d) **Executive sessions.**
- (1) Written minutes shall be kept of all executive sessions held by the State Regents.

- (2) Such minutes shall be prepared by the designated record keeper and transmitted in confidence to the State Regents for their review.
- (3) Minutes of executive sessions shall be approved in the same manner as the minutes of open sessions of the State Regents, except that minutes of executive sessions shall not be made available for general public review.
- (4) Written minutes of executive sessions are not public records and will not be made available for public review except as specifically authorized by the State Regents through the adoption of a formal resolution approving of such disclosure, or as ordered by a court of competent jurisdiction.
- (5) Written minutes of the State Regents shall be maintained by the Chancellor in a separate location from the minutes of the open sessions of the State Regents and in such manner so as to ensure their security and confidentiality.

**610:1-7-17. Review and approval of proceedings**

- (a) The summary of State Regents' meetings shall be transmitted to all Regents for their review as soon as possible following the meeting.
- (b) Should any Regent upon preliminary review of the minutes note the need for any factual correction, such shall immediately be called to the attention of the Chancellor or the individual designated by the Regents as official record keeper.
- (c) Minutes of all open meetings shall be included in the bound agenda sent to the State Regents prior to their next meeting.
- (d) State Regents, at their regular meeting, shall move approval, approval with amendment, or tabling of open meeting minutes for acceptance into the official records of the State Regents.
- (e) The Chairman and the Secretary shall attest pursuant to the Board's action regarding the true and accurate recording as these documents become part of the official records of the Oklahoma State Regents for Higher Education. In the absence, disqualification, or disability of the Chairman or Secretary, the Vice Chairman and Assistant Secretary shall so attest for such respective officers.

**610:1-7-18. Requests for records**

- (a) In accordance with the Open Records Act [51 O.S., §24A.1 et seq.], certain public records of the State Regents must be kept and maintained and open to any person for inspection, copying, and/or mechanical reproduction during business hours. Guidelines for requesting records are as follows:
  - (1) Requests for copies of materials from the official records of the State Regents may be made either in writing or by oral request to the Office of Chancellor.
  - (2) Requests may be received between the hours of 7:30 a.m. and 5:00 p.m. and will be met at the time of the request or within a reasonable period.
  - (3) If material requested is located at a remote storage location or would involve additional research time, an additional reasonable period of time will be required to meet the request.
  - (4) Where it does not conflict with other provisions outlined herein, requests for copies of materials, actions, reports, etc., presented for State Regents' action will be met only after these materials are made official by State Regents' action.
  - (5) Individuals wishing to be placed on the list to receive agenda listings or agendas for the State Regents' meetings must so notify the Office of the Chancellor in writing. These requests must be renewed at the beginning of

each calendar year as such mailing lists are reformulated. The Office of the Chancellor will so notify each requester of the annual need for request renewal.

(b) Because of the State Regents' desire to maintain a spirit of openness, to assist the public in its understanding of the workings of the higher education system, and to work cooperatively with its many constituencies, a no-charge policy will generally be observed with the following exceptions and clarifications:

(1) No charge will be assessed for the cost or postage expense incurred in mailing a single copy of publications in print prepared by the State Regents.

(2) A charge will be assessed for additional publications in print reflective of the actual document cost as posted in the inside front cover of the document as required by 70 O.S., §3206.

(3) The charge for out-of-print publications will be assessed as in (4) of this Paragraph.

(4) No copying charge will be assessed for the first 50 pages of any material requested from the official records. A copying charge of 25 cents per single page will be assessed beyond that amount.

(5) No search fee shall be charged when the release of said documents is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

(6) No copying or search fee will be assessed state and federal agencies.

(7) The schedule of copying charges and procedures shall be posted in accordance with 51 O.S., §24A.5.

(c) Materials exempt from the Open Records Act under 51 O.S., §§24A.5 and 24A.7 and under the Family Educational Rights and Privacy Act will not be provided.

[Source: Amended at 10 Ok Reg 4603, eff 9-8-93 (emergency); Amended at 11 Ok Reg 1885, eff 5-12-94]

#### **610:1-7-19. Compliance with the Administrative Procedures Act**

State Regents shall follow all applicable portions of the Administrative Procedures Act.

[Source: Amended at 10 Ok Reg 4603, eff 9-8-93 (emergency); Amended at 11 Ok Reg 1885, eff 5-12-94]

#### **610:1-7-20. Filing and publication of policy [REVOKED]**

[Source: Revoked at 10 Ok Reg 4603, eff 9-8-93 (emergency); Revoked at 11 Ok Reg 1885, eff 5-12-94]

#### **610:1-7-21. Public hearings [REVOKED]**

[Source: Revoked at 10 Ok Reg 4603, eff 9-8-93 (emergency); Revoked at 11 Ok Reg 1885, eff 5-12-94]

#### **610:1-7-22. Petition for adoption, change, or repeal of policy [REVOKED]**

[Source: Revoked at 10 Ok Reg 4603, eff 9-8-93 (emergency); Revoked at 11 Ok Reg 1885, eff 5-12-94]

#### **610:1-7-23. Petition requesting promulgation, amendment, or repeal of rules; form and procedure**

(a) Any interested persons may petition the OSRHE to request the promulgation, amendment, or repeal of an OSRHE rule. When filing such petition, the following requirements apply:

- (1) All petitions must be filed with OSRHE in typewritten form or in legible printed form and must be presented or delivered to the Chancellor's office of the OSRHE;
- (2) All petitions must clearly identify the party(s) submitting such petition and must include a statement reflecting the interest of the party(s) in submitting such petition, i.e., a showing that such petition is being submitted by an "interested person";
- (3) All petitions must clearly state that the petition is for the promulgation of a new rule, for the amendment of an existing rule, or separately, any combination of the above. In the instance of a requested promulgation of a new rule, a complete text of the requested rules(s) must be submitted. In the instance of a requested amendment to an existing rule(s), a complete text of the existing rule(s) requested for amendment must be submitted reflecting the existing rule language requested for change or deletion and/or such language as may be requested to be added. In the instance of a requested repeal of any rule(s) the petition must state the complete rule(s) requested for repeal;
- (4) All petitions must clearly and separately state the submitted basis, reason, grounds, or justification for each requested rule promulgation, amendment or repeal. Any and all supporting documents, records, statistics, studies, or information must be submitted with the petition, and the legality for such requested action, where deemed necessary or appropriate, shall be submitted by the petitioning party;
- (5) All petitions must be duly signed and endorsed by all petitioning parties or their designated representative(s); and the representative(s) must endorse and have notarized said petition representing such signatures;
- (6) Petitions will be reviewed within a reasonable time period, by staff assigned by the Chancellor
  - (A) to determine if they satisfy the requirements as set forth in this chapter;
  - (B) for substantive review of petitioner's request including consideration of any argument, written and/or oral, and any documentation included in support of the petition;
  - (C) and such review shall form the basis of a written recommendation to the Board.
- (7) Valid petitions, defined as those that satisfy the requirements, shall appear on the agenda for consideration of the recommendation at the next regularly scheduled Board meeting following the conclusion of the staff investigation and review.
- (8) The petitioning party shall be given notification of the recommended action and disposition prior to the matter of the petition being presented to the Board for its action and at the Board meeting, the petitioning party may appear and be heard concerning the action and disposition recommended.
- (9) Petitions that do not satisfy the requirements shall be duly noted in writing and be returned to the petitioner. Returned petitions must be brought into compliance with the requirements set forth in this chapter and resubmitted.

(b) Should any petition be granted by the OSRHE, in whole, or in part, the petition as granted shall thereafter be treated as in the case of all rule-making and the procedures of the Administrative Procedures Act shall thereupon become applicable in the further adoption of such rule promulgation, amendment, or repeal.

(c) For purposes of 75 O.S. §305, petitioner's "submission of a petition" shall mean submission of the petition to the Board via its appearance on the regularly scheduled meeting agenda. If within 30 calendar days after submission of a petition, the agency has not initiated rulemaking proceedings in accordance with the Administrative Procedures Act, the petition shall be deemed to have been denied.

(d) If the petition is denied, the petitioner retains the right to proper Judicial Review under 75 O.S. §318.

[Source: Added at 20 Ok Reg 2674, eff 7-25-03]

#### **610:1-7-24. Petitions for declaratory rulings; form and procedure**

(a) Any interested persons may petition the OSRHE for a declaratory ruling as authorized by 75 O.S., § 307 as to the applicability of any administrative rule of the OSRHE.

(1) All petitions must be filed with OSRHE in typewritten form or in legible printed form and must be presented or delivered to the Chancellor's office of the OSRHE;

(2) All petitions must clearly identify the party(s) submitting such petition and must include a statement reflecting the interest of the party(s) in submitting such petition, i.e., a showing that such petition is being submitted by an "interested person";

(3) All petitions must clearly state that the petition is for a declaratory ruling and cite the rule involved;

(4) All petitions must contain a brief statement of facts to which the ruling shall apply. Any and all supporting documents, records, statistics, studies, or information must be submitted with the petition, and the legality for such requested action, where deemed necessary or appropriate, shall be submitted by the petitioning party;

(5) All petitions must be duly signed and endorsed by all petitioning parties or their designated representative(s); and the representative(s) must endorse and have notarized said petition representing such signatures;

(6) Petitions will be reviewed, within a reasonable time period, by staff assigned by the Chancellor:

(A) to determine if they satisfy the requirements as set forth in this chapter;

(B) for substantive review of petitioner's request including consideration of any argument, written and/or oral, and any documentation included in support of the petition;

(C) and such review shall form the basis of a written recommendation to the Board.

(7) Valid petitions, defined as those that satisfy the requirements, shall appear on the agenda for consideration of the recommendation at the next regularly scheduled Board meeting following the conclusion of the investigation and review.

(8) The petitioning party shall be given notification of the recommended action and disposition prior to the matter of the petition being presented to the Board for its action and at the Board meeting, the petitioning party may appear and be heard concerning the action and disposition recommended.

(9) Petitions that do not satisfy the requirements shall be duly noted in writing and be returned to the petitioner. Returned petitions must be brought into compliance with the requirements set forth in this chapter and

resubmitted.

(b) Declaratory rulings shall be available for review by the public at the OSRHE office.

[Source: Added at 20 Ok Reg 2674, eff 7-25-03]

## **SUBCHAPTER 9. REGENTS EDUCATION PROGRAM [REVOKED]**

### **610:1-9-1. Purpose [REVOKED]**

[Source: Amended at 15 Ok Reg 2040, eff 5-26-98; Revoked at 21 Ok Reg 1768, eff 6-11-04]

### **610:1-9-2. Definitions [REVOKED]**

[Source: Amended at 15 Ok Reg 2040, eff 5-26-98; Revoked at 21 Ok Reg 1768, eff 6-11-04]

### **610:1-9-3. Administration of program [REVOKED]**

[Source: Amended at 15 Ok Reg 2040, eff 5-26-98; Revoked at 21 Ok Reg 1768, eff 6-11-04]

### **610:1-9-4. Participants in program [REVOKED]**

[Source: Amended at 15 Ok Reg 2040, eff 5-26-98; Revoked at 21 Ok Reg 1768, eff 6-11-04]

### **610:1-9-5. Delivery of courses [REVOKED]**

[Source: Amended at 15 Ok Reg 2040, eff 5-26-98; Revoked at 21 Ok Reg 1768, eff 6-11-04]

### **610:1-9-6. Program curriculum [REVOKED]**

[Source: Amended at 15 Ok Reg 2040, eff 5-26-98; Revoked at 21 Ok Reg 1768, eff 6-11-04]

### **610:1-9-7. Class schedule [REVOKED]**

[Source: Amended at 15 Ok Reg 2040, eff 5-26-98; Revoked at 21 Ok Reg 1768, eff 6-11-04]

### **610:1-9-8. Notification; certification [REVOKED]**

[Source: Amended at 15 Ok Reg 2040, eff 5-26-98; Revoked at 21 Ok Reg 1768, eff 6-11-04]

### **610:1-9-9. Cost of program [REVOKED]**

[Source: Amended at 15 Ok Reg 2040, eff 5-26-98; Revoked at 21 Ok Reg 1768, eff 6-11-04]

### **610:1-9-10. Contracting for assistance [REVOKED]**

[Source: Revoked at 21 Ok Reg 1768, eff 6-11-04]

### **610:1-9-11. Effective date [REVOKED]**

[Source: Revoked at 21 Ok Reg 1768, eff 6-11-04]

## **SUBCHAPTER 11. PURCHASING**

### **610:1-11-1. Purpose**

The Purchasing Department of the Oklahoma State Regents for Higher Education is responsible for the acquisition of all goods, equipment and services for the operation of the Oklahoma State Regents for Higher Education, authorized by 70 O.S. §3206. The State Regents is exempted from the provisions of the



Oklahoma Central Purchasing Act by 74 O.S. 85.3A. All acquisitions of the State Regents made pursuant to the State Regents' approved Purchasing Policy. The purposes of the policy are:

- (1) To establish consistent purchasing practices and procedures for operations of the Oklahoma State Regents for Higher Education;
- (2) To achieve economies and efficiencies and make the most effective use of public funds;
- (3) To encourage competition and ensure fair and equitable treatment among vendors; and
- (4) To insure the quality and integrity of the purchasing process.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03]

### **610:1-11-2. Purchasing authority for OneNet statewide contracts [RENUMBERED]**

[Source: Added at 20 Ok Reg 2149, eff 6-26-03; Renumbered to 610:1-11-20 at 23 Ok Reg 3038, eff 7-13-06]

### **610:1-11-3. Definitions**

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

**"Acquisition"** means all type of purchases and rental necessary to perform the duties assigned to the Oklahoma State Regents for Higher Education, whether bought or leased by contract or otherwise, and includes every means by which the Oklahoma State Regents for Higher Education obtains any materials, supplies, service or equipment.

**"Award"** means when the Authority, Chief Executive Officer, department, Purchasing Director, or other person authorized to make the acquisition, agree on a suitable vendor for a competitive bid and the Purchasing Director, or designee, notifies the successful vendor.

**"Bidders list"** means a list of individuals or business entities that desire notification of solicitations for specified commodity codes.

**"Chancellor"** means the Chief Executive Officer at the Oklahoma State Regents for Higher Education.

**"Commodity Code"** means a group of like products or services.

**"Competitive Bidding"** means a process of acquisition wherein bidders submit bids to the Purchasing Director pursuant to terms, conditions and other requirements of a solicitation.

**"Days"** means calendar days unless otherwise specified.

**"Department"** means a department within the Oklahoma State Regents for Higher Education

**"EEOC"** means Equal Employment Opportunity Commission.

**"Emergency acquisition"** means an acquisition made by the Purchasing Director without seeking competitive bids to relieve an unforeseen condition believed to endanger human life or safety or pose imminent danger to significant property.

**"Equipment"** means all personal property acquired for the Oklahoma State Regents for Higher Education's use which is in the nature of a tool, device, or machine and shall be deemed to include all personal property used or consumed by The Oklahoma State Regents for Higher Education and is not included within the category of materials and supplies.

**"Fiscal Year"** means the period of time from July 1 of a calendar year through June 30 of the succeeding calendar year.

**"Goods"** means products, material, supplies and includes all property except real property acquired by the Oklahoma State Regents for Higher Education for its use or consumption, except equipment.

**"Invitation to Bid"** or **"ITB"** means a document issued which describes the goods or services for which offers are being solicited.

**"Professional Services"** means services which are predominantly advisory or intellectual in character, or involve support rather than supplying equipment, supplies or other merchandise. Professional services include those services requiring special, usually advanced education or skill.

**"Purchasing"** means the Purchasing Department of the Oklahoma State Regents for Higher Education.

**"Purchasing Director"** means the Purchasing Director of the Oklahoma State Regents for Higher Education.

**"Request for proposal"** or **"RFP"** means a type of solicitation the Purchasing Director sends to suppliers requesting submission of proposal for acquisitions.

**"Request for quotation"** or **"RFQ"** means a simplified written or oral solicitation the Purchasing Director sends to suppliers requesting submission of a quote.

**"Services"** means labor rendered by a person to another as distinguished from providing tangible goods. It shall include any type of personal or professional service, employment or undertaking except the employment of regular officers and employees by a state agency or such extra seasonal help as is authorized by law and is regularly use.

**"Solicitation"** means a request or invitation by the Purchasing Director for a supplier to submit a priced offer to sell acquisitions to the state. A solicitation may be an invitation to bid, request for proposal or request for quotation.

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

**"Vendor registration"** means a process a supplier uses to register with the Purchasing Division to receive solicitations for specified commodities for a specified period of time.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03; Amended at 25 Ok Reg 2589, eff 7-11-08; Amended at 39 Ok Reg 2109, eff 9-11-22]

#### **610:1-11-4. General contracting and purchasing provisions**

(a) Acquisitions for the State Regents will be as follows:

- (1) Direct purchase order for goods and services to the vendor within the authorized dollar amounts and other limitations contained in this Chapter.
- (2) Formal bid process
- (3) Purchases may be made from purchase orders or purchase contracts or at a price equivalent to purchase order or purchase contracts that have been awarded to a vendor(s) on the basis of competitive bids by any of the following entities:

- (A) Oklahoma Department of Central Services;
- (B) Colleges, universities, and other entities within the state system;
- (C) General Services Administration; and
- (D) Educational purchasing consortia.

(b) Purchases exempt from competitive bidding requirements:

- (1) Emergency purchases
- (2) Memberships and Subscriptions
- (3) Services of Professionals per 610:1-11-16

- (4) Sole Source Purchases
- (5) Training
- (6) Utility Services per 610:1-11-19
- (7) Contract Renewals per 610: 1-11-21

[Source: Added at 20 Ok Reg 2149, eff 6-26-03; Amended at 23 Ok Reg 3038, eff 7-13-06]

#### **610:1-11-5. Vendor registration**

- (a) Any vendor wishing to do business with the State Regents should be on the vendor bidder list maintained by the Purchasing Department of the Oklahoma State Regents for Higher Education. Any vendor who wants to be on the bidder list must register with the Purchasing Division at the State Regents to receive copies of bids for the commodities or services that the vendor wishes to sell. All vendors are eligible for consideration.
- (b) Vendors wishing to be added to the bidder list should write, fax, or visit the Purchasing Department and provide information about the company and the products or services that the vendor is interested in providing to the Regents.
- (c) Upon receipt of information from the vendor, Purchasing personnel will ascertain the classification(s) the vendor has identified an interest in supplying and will then enter the information into the Purchasing Data System. As a service to the vendor, the vendor will be notified of the Invitation to Bid (ITB) or Request for Proposal (RFP) for those products and services for which the vendor is registered.
- (d) It is the responsibility of the vendor to update vendor's Purchasing Department file on an ongoing basis. Purchasing will retain all vendor information on file for three years.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03; Amended at 23 Ok Reg 3038, eff 7-13-06]

#### **610:1-11-6. Vendor retention and removal from bidder list**

- (a) The Purchasing Director may remove a vendor from the bidder list for the reasons identified in section (b).
- (b) Removal from the bidder list may be considered for the following:
  - (1) Failure to respond to an Invitation to Bid or Request for Proposal. (A "NO Bid" response is considered a response.)
  - (2) Repeated or unexplained failure on the part of the vendor to meet promised and/or required delivery dates and prices.
  - (3) Delivery by the vendor of substitutes in lieu of the items(s) specified on the approved bid and/or purchase order.
  - (4) Failure to meet EEOC and other requirements mandated by public legislation or the State Regents.
  - (5) Problems created by the vendor regarding incorrect or inappropriate billing adjustment for goods and/or services furnished.
  - (6) Failure to support purchase products by not supplying necessary information, required maintenance and/or parts.
  - (7) A conviction or plea of guilt to a felony involving fraud, bribery, corruption or sales to the state or to any of its political subdivisions.
- (c) Vendor may petition the Purchasing Director for reinstatement. A vendor who has been removed has the burden of demonstrating that the vendor has the capability to responsibly do business with the state, and the conditions leading to the vendor's removal have been remedied.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03; Amended at 23 Ok Reg 3038, eff 7-13-06]

### **610:1-11-7. Competitive bidding**

The competitive or formal bidding process requires that vendors submit sealed bids in accordance with detailed specifications of the goods or services to be purchased. Bids are to be awarded to the vendor who submits a bid meeting specifications and who offers the best value to the state.

#### **(1) Submission of bids.**

(A) If a vendor wishes to submit a bid in response to the solicitation, the vendor shall complete the bid according to the instructions provided with the solicitation. It is the vendor's responsibility to read and understand the instructions and terms and conditions provided with the solicitation. Failure to comply with the instructions and terms and conditions in the solicitation may disqualify the bid. Any questions should be directed to the Purchasing Director listed on the solicitation.

(B) If the vendor does not wish to bid, the vendor should provide written notification of a "No Bid" to the Purchasing Director.

(C) It is the responsibility of the vendor to ensure delivery of a bid to the Purchasing Director at or prior to the designated time on the solicitation. The Oklahoma State Regents for Higher Education will not be responsible for, or accept late bids.

#### **(2) Bid openings.**

(A) All sealed bids will be stamped with the time and date upon receipt at the office of the Purchasing Director. The bids will be placed in a secured bid file until time for the scheduled bid opening. Access to the file is limited to the Purchasing Director or designee until the bid opening.

(B) Bids will be opened at the designated date and time of closing by State Regents purchasing personnel. A bid opening record will be completed and maintained in the bid file.

(C) Prior to the bid opening, a vendor and/or interested parties may request a public opening.

(D) No award will be made at routine or public openings. Award recommendations are made in writing upon conclusion of the bid evaluation.

(E) All bids responses are open to the public during normal working hours, after the bid opening, and in accordance with 51 O.S., § 24A.1 et seq., as amended. Copies of bid responses may be requested in writing from the Purchasing Director.

#### **(3) Award of bid.**

(A) The Purchasing Director has the right to waive minor deficiencies or informalities in a bid provided that the best interest of the State would be served without prejudice to the rights of the other bidder(s).

(B) The award of a tie bid will be determined by a coin toss.

(C) Solicitations will be evaluated by applying the following criteria:

(i) Invitations to Bid (ITB) will be opened in public, and award will be made to the lowest price, responsible, responsive bidder meeting bid terms and specifications.

(ii) Requests for Proposals (RFP) will be evaluated, normally by committee, and award of a contract will be based on "best value."

(iii) Requests for Information (RFI) submittals will be evaluated, normally by committee, and the information may be utilized in drafting a formal solicitation.

(D) The State Regents reserve the right to accept by item, group of items, or by the total bid, as specified in the Solicitation.

(E) The State Regents reserve the right to reject in part or whole any bid.

(F) No award will be made if the State Regents determines the lowest bid totals more than the money available for purchase or if the lowest bid exceeds the reasonable market price.

(G) The State Regents will send a purchase order or a notice of award as acceptable notification of a valid and binding contract with a vendor.

(H) All awards will be made under the terms and conditions specified in the Solicitation .

(I) The Solicitation together with the successful vendor's responsive bid shall constitute a binding contract and will be interpreted under Oklahoma law.

(J) All ethics rules and laws related to conflicts of interest and doing business with public officials apply to any acquisition by the State Regents.

**(4) Award protests.**

(A) Any bidder may protest the award of a bid. A protest may be based upon, but is not limited to, the following:

(i) Error in the calculation of price;

(ii) The bid of the successful vendor did not meet the bid specifications;

(iii) The bidding procedure was done in violation of the State Regents' rules; or

(iv) State Regents' personnel handling the bidding procedure acted in a willful or capricious manner.

(B) After the award is made, the protesting bidder shall submit written notice to the State Regents' Purchasing Director, within seven (7) days of reasonable notice of contract award. The protest notice shall state supplier facts and basis for protest.

(C) The Purchasing Director shall review the protest and contract award documentation, and respond to the vendor.

**(5) Administrative review.**

(A) If the protesting bidder does not agree with the Purchasing Director's decision on the protest of award, the protesting bidder may request an administrative review. Any protesting bidder may appeal a decision by the Purchasing Director to the Chancellor. In order for the protest to be eligible for administrative review, the protest must have complied with 610:1-11-7(4).

(B) The protesting bidder must file a notice of appeal within seven (7) working days of the date of the letter notifying the bidder of the decision by the Purchasing Director to the protest of award, or of the postmark of such letter, whichever is later. The letter shall

contain the following:

- (i) The letter must state all the facts and arguments giving rise to the claim of controversy and the appeal.
- (ii) The letter must also state clearly and separately the alleged error by the Purchasing Director or other State Regents' personnel and the relief sought with the appeal to the Chancellor.
- (iii) The letter must clearly and separately state that the vendor is requesting an opportunity to be heard in pursuit of the appeal.

(C) Upon receipt of a properly perfected notice of appeal, the Chancellor shall review the appeal himself or appoint a designee to conduct the administrative review. The Chancellor may appoint any officer of State Regents or may appoint an attorney licensed to practice law to conduct the review. The person conducting the review shall promptly set a time period in which a review will be conducted that will not exceed forty-five (45) days from the date the notice is filed. The person conducting the administrative review will set a date on which the vendor must produce or identify all the documents or other supporting data (verbal or written) that supports his appeal, which date must be within the forty-five (45) day time period above. The person conducting the administrative review may schedule a meeting with the vendor to discuss the appeal and issues raised, and will examine all such documents and supporting data.

(D) Within twenty (20) working days after the administrative review period, the person conducting the administrative review shall make a written recommendation for decision to the Chancellor for contracts/purchases within the Chancellor's purchasing authority or to the State Regents for contracts/purchase exceeding that limit. For decisions that will be made by the Board, such matters shall appear on the agenda of the next regularly scheduled meeting. Either the Chancellor or the Board, given those parameters, shall render the final agency decision, and staff shall notify the protesting bidder and the apparent successful bidder of the decision by certified mail. The decision shall include findings of the fact and conclusions of law supporting the decision to uphold the award or set the award aside.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03; Amended at 23 Ok Reg 3038, eff 7-13-06]

#### **610:1-11-8. Request for Proposals process**

A Request for Proposal (RFP) process may be used when it is determined by the Chancellor or the Chancellor's designee that it is more practical and advantageous to receive proposals for services or goods rather than to invite competitive bids based on detailed specifications. The RFP process will ordinarily be limited to purchases, such as professional services, where the purchase award is based on qualitative factors most advantageous to the state.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03]

#### **610:1-11-9. Group purchasing acquisitions; Alternatives to the formal bid process [REVOKED]**

[Source: Added at 20 Ok Reg 2149, eff 6-26-03; Revoked at 23 Ok Reg 3038, eff 7-13-06]

#### **610:1-11-10. Sole source contracts**

When a contract for a particular acquisition for services or goods, which, by the contract specifications needed by the agency, restricts the contract to one vendor or to one brand name, the purchase can be made without informal quotations or formal bids. All sole source purchases are subject to the approval of the Chancellor or the Chancellor's designee, and must be supported by a written statement of justification from the requesting unit.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03]

#### **610:1-11-11. Emergency acquisition process**

The Chancellor or the Chancellor's designee may waive bidding requirements when an emergency exists that is a threat to public health, welfare, or safety of State Regents; operations and staff. In such event, documentation that is reasonable and sufficient under the circumstances should be maintained substantiating the basis for the emergency and justifying the selection of the vendor.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03]

#### **610:1-11-12. Purchases \$5,000 or less**

Purchases \$5,000 or less are not subject to competitive bidding and may be made from vendors capable of providing the required good(s) or services(s) in a quality and timely manner.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03; Amended at 39 Ok Reg 2109, eff 9-11-22]

#### **610:1-11-13. Purchases between \$5,001 and \$25,000**

Purchases between \$5,001 and \$25,000 may be made on the basis of an informal bid process. Purchases made on this basis require price solicitations from a minimum of three (3) vendors, with a documentation of emailed solicitations and responses, telephone solicitations or facsimile transmission from the vendors.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03; Amended at 23 Ok Reg 3038, eff 7-13-06; Amended at 39 Ok Reg 2109, eff 9-11-22]

#### **610:1-11-14. Purchases in excess of \$25,000**

Purchases in excess of \$25,000 must be reported to the Budget & Audit Committee. These purchases shall be made on the basis of one of the following processes:

- (1) Formal Solicitation process.
- (2) Alternatives to the formal bid process. Purchases may be made from purchase orders or purchase contracts or at a price equivalent to purchase order or purchase contracts that have been awarded to a vendor(s) on the basis of competitive bids by any of the following entities:
  - (A) The Office of Management and Enterprise Services;
  - (B) Colleges, universities, and other entities within the state system;
  - (C) General Services Administration; and
  - (D) Purchasing consortia.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03; Amended at 23 Ok Reg 3038, eff 7-13-06; Amended at 25 Ok Reg 2589, eff 7-11-08; Amended at 39 Ok Reg 2109, eff 9-11-22]

### **610:1-11-15. Purchases in excess of \$100,000**

Purchases in excess of \$100,000 require prior approval of the State Regents unless an emergency acquisition is deemed necessary. In such event, the Chancellor shall have authority to execute emergency acquisitions that exceed \$100,000. All emergency acquisitions shall be reported to the State Regents immediately, and shall also be reported to the State Regents for ratification at their first board meeting subsequent to the purchase. Documentation that is reasonable and sufficient under the circumstances substantiating the basis for the emergency should be maintained.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03; Amended at 25 Ok Reg 2589, eff 7-11-08]

### **610:1-11-16. Professional and Personal services contracts**

The following types of professional service contracts may be awarded without competitive bidding, except as may be otherwise provided by law applicable to the State Regents. All requests for the services must be supported by a written statement from the requesting unit justifying the selection. The requesting unit must consider the specific needs of the agency, the ability of the individual or firm to meet those needs in a timely manner, and the cost of the services. All contracts for professional services must be approved by the Chancellor or the Chancellor's designee.

- (1) A contract for the personal services of a physician, architect, attorney, certified public accountant, professional engineer, land surveyor, or other licensed professional as defined in 18 O.S., § 803(6).
- (2) Professional services of investment managers, investment consultants and actuary services.
- (3) Personal services of speakers, lecturers and education professionals.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03; Amended at 23 Ok Reg 3038, eff 7-13-06; Amended at 32 Ok Reg 1267, eff 8-27-15]

### **610:1-11-17. Training**

Employee training services may be acquired without competitive bidding if necessary to accommodate the needs of the agency. The requesting unit must provide written justification for an exemption from the competitive bidding requirements. The requesting unit should consider (1) employee work schedules, (2) potential for interruptions in service, (3) cost of interruptions in service, and (4) the number of employees already trained for the particular purpose. All acquisitions under this section must be approved by the Chancellor or the Chancellor's designee. The Chancellor will require a periodic review of all costs associated with employee training services, including any associated travel expenses, to ensure that the costs are reasonable.

[Source: Added at 20 Ok Reg 2149, eff 6-26-03; Amended at 23 Ok Reg 3038, eff 7-13-06]

### **610:1-11-18. Membership and Subscriptions**

Memberships in organizations and subscriptions to publications may be acquired without competitive bidding. The Chancellor or the Chancellor's designee must approve all requests. Periodically, the Chancellor will require a review of all memberships and subscriptions to ensure that they continue to serve the best interest of the agency.

[Source: Added at 23 Ok Reg 3038, eff 7-13-06]



### **610:1-11-19. Utilities**

Utility services where rates are regulated by a state or federal regulatory commission may be acquired without competitive bidding.

[Source: Added at 23 Ok Reg 3038, eff 7-13-06]

### **610:1-11-20. Purchasing Authority for OneNet Statewide contracts**

(a) The Office of Management and Enterprise Services shall recognize as a statewide contract an unencumbered contract consummated in behalf of the telecommunications network known as OneNet by the Oklahoma State Regents for Higher Education or any other state entity assigned responsibility for OneNet. The Office of Management and Enterprise Services shall not subject purchases pursuant to said contracts to any quantity limit. [62 O.S. §34.20.1.A]

(b) The Oklahoma State Regents for Higher Education and any other state entity assigned responsibility for OneNet are authorized to negotiate for education or government discounts from published price listings and to make contracts at such prices subject to adjustment for price increases nationally published. [62 O.S. §34.20.1 C]

[Source: Renumbered from 610:1-11-2 at 23 Ok Reg 3038, eff 7-13-06; Amended at 39 Ok Reg 2109, eff 9-11-22]

### **610:1-11-21. Contract Renewals**

The Chancellor or the Chancellor's designee may waive bidding requirements for renewals and renegotiations of contracts when the extension or reinstatement of an existing contract would prove more cost effective or beneficial. The requesting unit must provide a written statement of justification supporting that (1) the continuance of the existing business relationship remains advantageous to the State Regents and/or institutions; and (2) a conversion to a competing vendor would be financially impractical both in terms of the prohibitive cost of the conversion and the market place vulnerability that would likely result.

[Source: Added at 23 Ok Reg 3038, eff 7-13-06]

### **610:1-11-22. Negotiation Authority**

The Purchasing Director or Purchasing Director's designee may negotiate contracts on behalf of the Oklahoma State Regents and OneNet per 610:1-11-20 and 610:1-11-21. The Purchasing Director shall designate a negotiator or negotiation team, and will serve as the lead negotiator for the negotiation process.

[Source: Added at 23 Ok Reg 3038, eff 7-13-06]

### **610:1-11-23. Higher Education Purchasing Consortium**

The Oklahoma State Regents for Higher Education shall have the authority to issue competitive solicitations on behalf of the Oklahoma State System of Higher Education including institutions, centers, or other constituent agencies of The Oklahoma State Regents for Higher Education in an effort to obtain the maximum value and savings for the Oklahoma State System of Higher Education.

[Source: Added at 39 Ok Reg 2109, eff 9-11-22]

## **SUBCHAPTER 13. MINORITY TEACHER RECRUITMENT CENTER [REVOKED]**

### **610:1-13-1. Purpose [REVOKED]**

[Source: Added at 21 Ok Reg 1116, eff 5-13-04; Revoked at 29 Ok Reg 663, eff 5-25-12]

### **610:1-13-2. Minority Teacher Recruitment Center [REVOKED]**

[Source: Added at 21 Ok Reg 1116, eff 5-13-04; Revoked at 29 Ok Reg 663, eff 5-25-12]

### **610:1-13-3. Programs and services [REVOKED]**

[Source: Added at 21 Ok Reg 1116, eff 5-13-04; Amended at 24 Ok Reg 2716, eff 7-26-07; Revoked at 29 Ok Reg 663, eff 5-25-12]

## **CHAPTER 10. ACADEMIC AFFAIRS [RESERVED]**

[Source: Codified 1-27-92]

## **CHAPTER 15. EDUCATIONAL OUTREACH**

[Authority: 70 O.S., §§ 2166, 2167, 2252 and 3206(i)]

[Source: Codified 1-27-92]

### **SUBCHAPTER 1. USE OF TOWERS, FACILITIES AND COMMUNICATIONS SERVICES**

#### **610:15-1-1. Purpose**

The Oklahoma State Regents for Higher Education will make available the use of the towers and facilities of OneNet, the State of Oklahoma's official telecommunications and information network, to educational entities, governmental agencies and commercial businesses; provided, however, the proposed use does not interfere with the normal maintenance and operations of OneNet. Each request to utilize the towers and facilities must meet standard industry engineering requirements and must be consistent with state and federal laws and regulations.

[Source: Amended at 11 Ok Reg 1889, eff 5-12-94; Amended at 22 Ok Reg 2627, eff 7-11-05; Amended at 27 Ok Reg 1275, eff 5-27-10]

#### **610:15-1-2. Towers and facilities use**

(a) All proposed installations shall be in accordance with good engineering practices and shall be subject to the approval of the OneNet engineering staff. Requests for installation of microwave antennas on the OneNet towers shall be approved only after a tower wind load study is performed by an approved and qualified registered professional engineer. Costs of the study are to be paid for by the proposed user. Any structural modifications required to the tower resulting from the proposed antenna installation will be at the expense of the proposer. Generally, 2-way radio antenna installations will not require a tower analysis to be performed; however, it shall be at the discretion of the ETN engineering staff as to whether or not an analysis is required.

(b) The Oklahoma State Regents for Higher Education will develop a schedule of monthly rates for the use of OneNet's towers and facilities.

(c) The Chancellor or the Chancellor's designee may waive any or all monthly rates specified in the rate schedule if use of OneNet's towers and facilities is determined to be in the best interest of the State.

(d) The State Regents reserve the right to change the rates or cancel service with a 90-day advance notice to the user.

[Source: Amended at 11 Ok Reg 1889, eff 5-12-94; Amended at 22 Ok Reg 2627, eff 7-11-05; Amended at 27 Ok Reg 1275, eff 5-27-10]

#### **610:15-1-3. Communications services use**

(a) The Oklahoma State Regents for Higher Education will make OneNet's voice, data and video communications services and infrastructure available to educational entities, governmental agencies and commercial businesses; provided, however, that the proposed use does not interfere with the normal maintenance and operation of OneNet. Each request to utilize the voice, data and/or video communications services will be reviewed on an individual basis to ensure it is consistent with state and federal laws and regulations. The State Regents will develop a schedule of rates to be utilized for the services provided and shall have the ability to offer discounted rates on a case-by-case basis if it is determined to be in the best interest of the State.

(b) The State Regents reserve the right to change the rates or cancel service with a 90-day advance notice to the user.

[Source: Amended at 11 Ok Reg 1889, eff 5-12-94; Amended at 22 Ok Reg 2627, eff 7-11-05; Amended at 27 Ok Reg 1275, eff 5-27-10]

### **SUBCHAPTER 3. ROBERT S. KERR CONFERENCE CENTER [REVOKED]**

#### **610:15-3-1. Purpose [REVOKED]**

[Source: Revoked at 31 Ok Reg 2373, eff 9-12-14]

#### **610:15-3-2. Utilization policy [REVOKED]**

[Source: Revoked at 31 Ok Reg 2373, eff 9-12-14]

#### **610:15-3-3. Administration and management of Center [REVOKED]**

[Source: Revoked at 31 Ok Reg 2373, eff 9-12-14]

#### **610:15-3-4. Operating budget [REVOKED]**

[Source: Revoked at 31 Ok Reg 2373, eff 9-12-14]

#### **610:15-3-5. Financial and program reports [REVOKED]**

[Source: Revoked at 31 Ok Reg 2373, eff 9-12-14]

#### **610:15-3-6. Internal control and accounting procedures [REVOKED]**

[Source: Revoked at 31 Ok Reg 2373, eff 9-12-14]

#### **610:15-3-7. Changes in policy and procedures [REVOKED]**

[Source: Revoked at 31 Ok Reg 2373, eff 9-12-14]

### **CHAPTER 20. FISCAL AFFAIRS**

[Authority: 70 O.S., §§ 3206 and 3951 et seq.]

[Source: Codified 1-27-92]

## SUBCHAPTER 1. REGENTS' ENDOWMENT FUND PROGRAM

### **610:20-1-1. Purpose**

(a) House Bill No. 1581 of the 1988 Oklahoma Legislature appropriated \$15 million to the Oklahoma State Regents for Higher Education for the purpose of establishing an endowment program to support the establishment of faculty chairs and professorships, and to carry out other related activities to improve the quality of instruction and research at colleges and universities of The Oklahoma State System of Higher Education. Examples of instruction- related projects eligible to participate in the endowment program upon approval of the State Regents are visiting professorships, artist in residence, lectureships and other such support activities.

(b) In 70 O.S., §§ 3951, 3952, and 3954, the Oklahoma Legislature provides the statutory framework for the endowment program that includes the fiduciary responsibility of the trustees and permissible investments for the endowment.

(c) Endowed chairs and distinguished professorships should be established in academic areas which will contribute to the enhancement of the overall cultural, business, scientific, and/or economic development of Oklahoma. Endowed chairs and professorships must be established in areas for which the institution has ongoing, approved academic programs.

### **610:20-1-2. Administration of Endowment Fund**

(a) The Endowment Trust Fund shall be administered by the State Regents in their role as trustees. The Endowment Fund shall be a permanent fund and shall be used for the purposes of establishing and maintaining endowed chairs and professorships at institutions in The Oklahoma State System of Higher Education, and for any other related activities approved by the State Regents to improve the quality of higher education instruction at State System institutions.

(b) Upon authorization of the State Regents, an endowment fund will be established in the State Regents' Agency Special Account or in a custodian bank or trust company to receive monies appropriated by the Legislature, as well as any monies or assets contributed from any source, public or private.

(c) No earnings of the trust fund shall be used for the administrative expenses of the office of the State Regents for Higher Education; expenses incurred by the State Regents in the administration of the trust fund and of the endowment program shall be paid from monies appropriated for the general operating budget of the coordinating board.

[Source: Amended at 11 Ok Reg 1485, eff 3-24-94 (emergency); Amended at 12 Ok Reg 1475, eff 5-25-95]

### **610:20-1-3. Establishment and operation of endowment accounts**

(a) **Principal.** The principal held in the Regents' Endowment Fund shall be used for the establishment of and allocated to endowment accounts within the Regents' Endowment Fund for the benefit of public institutions of higher education within the State of Oklahoma.

(b) **Investment return.**

(1) The investment return on the principal of the Regents' Endowment Fund shall be allocated for the benefit of individual institutions for which the accounts are respectively designated and shall be remitted to such institution for the support of endowed chairs and professorships approved by the State Regents, together with other activities approved by the State

Regents to improve the quality of instruction and/or research at State System institutions.

(2) The investment income approved by the State Regents for distribution to an institution shall be deposited in the institution's operating revolving fund (Fund 290).

(3) Any investment income not designated for remittance to an institution shall become part of the principal of the Endowment Fund.

(c) **Account levels.** The levels indicated for each category are the amounts of private donations required to establish an account. The private donation will be matched dollar for dollar with public monies for those private donations \$250,000 or less and at 25 cents of public monies for every private dollar received at \$250,001 and above.

(1) Endowed chair accounts may be established at the comprehensive universities with a minimum private donation of \$500,000; at other institutions, the minimum required is \$250,000.

(2) At the comprehensive universities, professorship accounts may be established with a minimum private donation of \$250,000. At other institutions, professorships may be established with a minimum private donation of \$125,000. Thus, when fully funded with both private and public matching monies, professorships at comprehensive universities will be endowed with a minimum of \$500,000 and professorships at other institutions will be endowed with a minimum of \$250,000.

(3) Lectureships, artist-in-residence, and similar accounts may be established with a minimum private donation of \$25,000 only at regional and special purpose universities and two-year colleges. Thus, when fully funded with both private and public matching monies, said accounts will be endowed with a minimum of \$50,000.

(4) To be initially eligible for an endowment account within the Regents' Endowment Fund, an institution must request an account and must have on deposit as provided in (f) of this Section an amount equal to at least one-half (50%) of the requested account with a written commitment that the balance will be contributed within a thirty-six (36) month period.

(d) **Time limitations.** The total matching requirements shall be equal to the amount of the requested endowment account in each instance and shall be deposited within a period of thirty-six (36) months from the date of approval of the account by the State Regents. Provided, an institution may deposit in an endowment account matching funds in an amount which exceeds the required matching amount. Any endowment account for which the institution fails to provide the full matching amount within the time established shall be available to be awarded to another public institution of higher education. No investment return shall be remitted to any institution from an endowment account before the institution has deposited the total required match for the endowment account as provided in (f) of this Section.

(e) **Private sources of matching monies.** Funds that an institution provides for matching purposes must originate from monies contributed to the institution after July 1, 1988 from private sources specifically designated by the donor to be used for purposes specified in this program. Monies provided for matching purposes may not be drawn from regularly allocated funds from the Oklahoma State Regents for Higher Education, proceeds of fees or charges authorized by the State Regents for Higher Education, or from federal grants or reimbursements. In instances where the qualifications of all or a portion of the amount of matching monies are questionable, the institution shall request express approval of the State Regents to

apply that amount toward the matching requirement. Monies for matching purposes may be contributed to and retained by a foundation for which the sole beneficiary is the respective institution. The foundation must demonstrate that the funds are being held on behalf of the institution as outlined in (f) of this Section; provided, monies contributed by a foundation whose sole beneficiary is an institution may qualify as private matching monies only if the monies are transferred from the foundation to the State Regents for deposit in the State Regents' Endowment Fund. Private matching monies contributed by the foundation may not be retained in that foundation, but must be deposited in the State Regents' Endowment Fund.

**(f) Deposit of private matching monies.**

(1) Any institution that receives matching monies shall deposit the matching funds to one of the following:

(A) The State Regents' Endowment Fund

(B) The institution's endowment matching fund

(C) A fund of a foundation whose sole beneficiary is that institution.

(2) If such matching monies are not deposited in the Regents' Endowment Fund, the net investment return on matching monies shall be retained in the fund.

**(g) Ownership of private matching monies.** Ownership of private matching monies transferred by an institution to the State Regents' Endowment Fund for investment shall remain with the institution. Upon request, the monies may be returned to the institution for deposit in item (f) (2) of this Section.

[Source: Amended at 11 Ok Reg 1485, eff 3-24-94 (emergency); Amended at 12 Ok Reg 1475, eff 5-25-95; Amended at 27 Ok Reg 1276, eff 5-27-10]

**610:20-1-4. Report on activities supported by Endowment Fund**

Each participating institution shall submit reports as requested to the State Regents in which the investments of the matching funds, earned interest income (including capital gains and losses) and the costs of managing the investments are presented in detail. The report shall also include a full accounting of the expenditures of earnings of both the public monies and the private matching monies. Diminution of the original private matching amount may, at the discretion of the State Regents, constitute a forfeiture of the Regents' Endowment Funds which the institutional monies were to match.

[Source: Amended at 27 Ok Reg 1276, eff 5-27-10]

**610:20-1-5. Application procedures**

(a) All institutions in The Oklahoma State System of Higher Education are eligible to apply for an endowed chair, professorship, or other related projects under the Regents' Endowment Fund Program. State System institutions desiring to participate in the Regents' Endowment Fund Program shall make application to the State Regents upon meeting requirements for establishing an endowment account as set forth in this Subchapter.

(b) The application shall include certification of deposited private matching monies by the president of the institution, including the date of receipt, the repository, and the name of the donor(s). Names of donors will be held in confidence by the State Regents, upon request.

[Source: Amended at 11 Ok Reg 1485, eff 3-24-94 (emergency); Amended at 12 Ok Reg 1475, eff 5-25-95]

**SUBCHAPTER 3. [RESERVED]**

## CHAPTER 25. STUDENT FINANCIAL AID AND SCHOLARSHIPS

[Authority: 59 O.S., § 161.16; 70 O.S., §§ 623, 623.1, 626.1 et seq., 698.1, 698.3, 2282, 2292, 2401 et seq., 2601 et seq., 2620 et seq., 2630 et seq., 3206, 3218.12, and 3953 through 3955; Higher Education Act of 1965, as amended]  
[Source: Codified 1-27-92]

### SUBCHAPTER 1. ACADEMIC SCHOLARS PROGRAM

#### 610:25-1-1. Purpose

The Oklahoma State Regents Academic Scholars Program was created and funded by the Oklahoma Legislature and is administered by the Oklahoma State Regents as an incentive for students of high academic ability to attend both public and private higher education institutions in Oklahoma. The specific goals are:

- (1) To retain top-ranked students from Oklahoma in Oklahoma colleges and enable these institutions to compete aggressively for top Oklahoma scholars;
- (2) To attract high caliber out-of-state students to attend Oklahoma colleges and universities; and
- (3) To enhance the academic quality in Oklahoma colleges and universities.

[Source: Amended at 17 Ok Reg 196, eff 10-12-99 (emergency); Amended at 17 Ok Reg 3055, eff 7-13-00]

#### 610:25-1-2. Definitions [REVOKED]

[Source: Revoked at 17 Ok Reg 196, eff 10-12-99 (emergency); Revoked at 17 Ok Reg 3055, eff 7-13-00]

#### 610:25-1-3. General principles for operation of program

- (a) Recipients of award must attend a regionally or State Regents' accredited public, independent or proprietary higher education institution in Oklahoma.
- (b) The program is designed to adhere to the State Regents' Policy on Social Justice by encouraging all potential applicants to the Oklahoma State Regents' Academic Scholars Program to enter national scholarship competition.
- (c) Concurrently enrolled high school students are not eligible for this program.
- (d) Only ACT test scores reported by ACT prior to college entry, excluding concurrently enrolled students and students enrolled for the summer term following high school graduation, will be considered for admission to the program. Scores from ACT residual tests will not be considered except under extraordinary circumstances as determined and approved by the Chancellor. SAT test scores will be considered in a manner comparable to ACT test scores. Qualifying test scores obtained after college enrollment are invalid for applying to the program. Until August 31, 2020, partial scores from more than one examination will not be considered. Beginning September 1, 2020, all test scores reported by ACT, including "superscores" as defined by ACT, will be considered.
- (e) A student must enter the program the fall semester immediately after his/her class graduates from high school, except for students admitted under the State Regents' Opportunity Admission Category. The Chancellor may approve exceptions to this requirement for extraordinary circumstances.
- (f) Disability Provision. Provisions contained in this section are consistent with 70 O.S. 1991, Section 2403, as amended, and federal legislation affecting disabled persons. If a person identifies himself or herself as a student with a disability and requests consideration for a scholarship under the Academic Scholars Program by means other than standard testing procedures, the State Regents shall permit the

student to be examined under the special testing arrangements provided by either ACT or The College Board provided that he or she meets the qualifications specified by ACT and SAT respectively to be examined. Performance percentile requirements for participation in the Academic Scholars Program remain the same as for other students. Students taking such tests and receiving Academic Scholarship awards will be expected to meet the same retention standards as other students. Special provisions may be considered in determining full-time enrollment for students falling in this category.

[Source: Amended at 9 Ok Reg 3401, eff 7-9-92 (emergency); Amended at 10 Ok Reg 3231, eff 6-25-93; Amended at 17 Ok Reg 196, eff 10-12-99 (emergency); Amended at 17 Ok Reg 3055, eff 7-13-00; Amended at 18 Ok Reg 1770, eff 5-25-01; Amended at 19 Ok Reg 1498, eff 5-28-02; Amended at 20 Ok Reg 2570, eff 7-11-03; Amended at 34 Ok Reg 1985, eff 9-11-17; Amended at 37 Ok Reg 417, eff 2-10-20 (emergency); Amended at 37 Ok Reg 2123, eff 9-11-20; Amended at 38 Ok Reg 2494, eff 9-11-21]

#### **610:25-1-4. Eligibility Requirements and Term of Scholarship Award**

(a) There are five avenues by which to qualify for the Academic Scholars Program. Each is defined below:

- (1) An Individual Applicant Qualified Student, which shall mean a student who is a resident of the State of Oklahoma whose ACT test score or whose Scholastic Aptitude Test score falls within the 99.5 to 100.0 percentile levels as administered in the State of Oklahoma and whose grade-point average and/or class rank is exceptional, as determined by the State Regents,
- (2) A Presidential Scholar, which shall mean a student selected by the Commission on Presidential Scholars pursuant to the Presidential Scholars Program administered by the United States Department of Education,
- (3) A National Merit Scholar, which shall mean a student designated as a National Merit Scholar by the National Merit Scholarship Corporation,
- (4) A National Merit Finalist, which shall mean a student designated as a National Merit Finalist by the National Merit Scholarship Corporation.
- (5) An Institutional Nominee, which shall mean a student nominated by an institution in The Oklahoma State System of Higher Education whose ACT test score or whose Scholastic Aptitude Test score falls within the 95.0 to 99.49 percentile levels, or who shows exceptional academic achievement as evidenced by factors including but not limited to grade point average, class rank, national awards, scholastic achievements, honors, and who shows exceptional promise based on documentation that may include but not be limited to teacher recommendations, extracurricular activities, and evidence of overcoming economic and social obstacles as determined by the State Regents. The State Regents shall ensure that standards of high academic ability are documented. Scholarship awards to institutional nominees become effective when appropriate documentation is verified by the State Regents.

(A) Effective with the Fall 2020 semester, Institutional Nominees are required to meet at least one of the three minimum criteria outlined below to be considered eligible for application as an Institutional Nominee:

(i) Research universities:

(I) ACT: 32 or SAT equivalent

(II) GPA 3.9 and either Top 2% Class Rank or rank of first or second in their graduating class

(III) GPA 3.9 and 30 ACT or SAT equivalent



- (ii) Regional universities:
  - (I) ACT: 30 or SAT equivalent
  - (II) GPA 3.8 and either Top 4% Class Rank or rank of first or second in their graduating class
  - (III) GPA 3.8 and 28 ACT or SAT equivalent

- (iii) Two-year colleges:
  - (I) ACT: 29 or SAT equivalent
  - (II) GPA 3.7 and either Top 5% Class Rank or rank of first or second in their graduating class
  - (III) GPA 3.7 and 26 ACT or SAT equivalent

(B) Home-educated students shall be considered for eligibility as an Institutional nominee based on minimum criteria (I) and (III) in sections (a)(5)(A)(i), (a)(5)(A)(ii), and (a)(5)(A)(iii), above.

(C) Students are eligible for consideration as an Institutional Nominee no later than the fall semester immediately following the graduation of their high school class. The Chancellor may approve exceptions to this requirement for extraordinary circumstances.

(D) Institutional Nominees may be Oklahoma residents or nonresidents.

(E) Students receiving the scholarship as an Institutional Nominee of a two-year college are eligible for transfer to a four-year public or private Oklahoma institution after completion of an associate's degree or the accumulation of at least 48 credit hours. In addition, the Institutional Nominee of a two-year college must attend the nominating institution for the first year.

(F) Students receiving the scholarship as an Institutional Nominee of a four-year university are eligible for transfer to another Oklahoma institution after one year of attendance at the nominating institution.

(G) For any year that the State Regents provide less than full funding of the total cost of all awards for nonresident students participating in the program, nonresident students may transfer the scholarship to another institution only upon approval of the institution to which they intend to transfer.

(H) Students who fail to enroll the first semester upon nomination forfeit their scholarship eligibility.

(I) Institutions may not replace students who forfeit their scholarship or are removed from the program due to failure to meet continuing eligibility requirements with another nominee.

(b) Students receiving the scholarship are eligible for eight semesters of scholarship at Oklahoma colleges and universities. Additional semesters of award, up to ten semesters, are available upon approval by the President or appropriate academic officer of the institution and the Chancellor. Additional semesters are intended only for extraordinary circumstances or for undergraduate academic programs that cannot be completed within eight semesters.

[Source: Amended at 9 Ok Reg 3401, eff 7-9-92 (emergency); Amended at 10 Ok Reg 3231, eff 6-25-93; Amended at 17 Ok Reg 196, eff 10-12-99 (emergency); Amended at 17 Ok Reg 3055, eff 7-13-00; Amended at 17 Ok Reg 3363, eff 8-17-00 (emergency); Amended at 18 Ok Reg 1770, eff 5-25-01; Amended at 19 Ok Reg 1498, eff 5-28-02; Amended at 19 Ok Reg 3053, eff 7-23-02 (emergency); Amended at 20 Ok Reg 2570, eff 7-11-03; Amended at 23 Ok Reg 1968, eff 6-11-06; Amended at 34 Ok Reg 1985, eff 9-11-17; Amended at 35 Ok Reg 1980, eff 9-14-18; Amended at 37 Ok Reg 417, eff 2-10-20 (emergency); Amended at 37 Ok Reg 2123, eff 9-11-20; Amended at 38 Ok Reg 2494, eff 9-11-21]

### **610:25-1-5. Criteria for Annual Renewal**

(a) Participants awarded a scholarship under the Academic Scholars Program shall maintain a 3.25 cumulative or retention grade-point average. The cumulative grade point average will include all courses attempted in high school for college credit. For the purpose of this policy, a fiscal year begins in the fall semester and continues through the summer term. The cumulative grade-point average will be determined between the summer and fall term.

(b) Participants awarded a scholarship under the Academic Scholars Program must enroll full-time each semester (as defined by the State Regents) for continuation in the program. In this context, "full-time" means a minimum of 12 hours per semester. A total of 24 hours must be earned for the program year to retain eligibility for the next program year. Students who, due to extraordinary circumstances during the semester, drop below the minimum of 12 hours of initial enrollment, must earn 24 credit hours for the program year to retain eligibility for the next program year. Students will be eligible for summer support if they have earned 24 semester credit hours in the preceding two regular semesters. Students who receive part-time awards for summer must enroll in at least 6 credit hours and must complete a total of at least 30 credit hours during the full academic year (fall, spring, summer). Students who receive full-time awards for summer must enroll in at least 12 credit hours and must complete a total of at least 36 credit hours during the full academic year (fall, spring, summer). Hours of enrollment required for summer support may consist of a combination of summer and intersession enrollment. Part-time awards, for enrollment of 6 to 11 credit hours, made for the summer term will count as one-half of a semester used in the program and will be in the amount of one-half of a semester award. Full time awards, for enrollment of 12 or more credit hours, made for the summer term will count as a full semester used in the program and will be in the amount of one semester award.

(c) In order to receive a payment for enrollment in a summer term, the student must submit the summer term application to the State Regents' office by the specified deadline.

(d) Credit by examination, the practice of granting students credit for passing tests based on the subject matter of college courses in which they have not enrolled, audited courses and correspondence courses will not be considered toward meeting the full-time enrollment requirement or the requirement to earn 24 hours for the program year.

(e) A student beginning in the program for the first time in the summer must have achieved a 3.25 cumulative grade-point average at the end of the one year and the summer. The student is not required to meet the 3.25 grade-point average at the end of the first summer.

[Source: Amended at 9 Ok Reg 3401, eff 7-9-92 (emergency); Amended at 10 Ok Reg 3231, eff 6-25-93; Amended at 12 Ok Reg 1477, eff 5-25-95; Amended at 17 Ok Reg 196, eff 10-12-99 (emergency); Amended at 17 Ok Reg 3055, eff 7-13-00; Amended at 18 Ok Reg 1770, eff 5-25-01; Amended at 19 Ok Reg 1498, eff 5-28-02; Amended at 31 Ok Reg 2375, eff 9-12-14]

### **610:25-1-6. Reinstatement; leave of absence**

(a) A student who fails to meet the continued eligibility requirements will be removed from the program without academic scholarship assistance. A student may be reinstated to the program:

(1) If the student achieves a 3.25 cumulative grade-point average at the end of the following fall or spring semester or summer term; or

(2) If the student in the following fall or spring semester remedies the credit-hour deficiency by earning 12 credit hours in addition to the number of hours by which the student is deficient; or if the student earns the deficient credits in the following summer term.

(3) If the student is deficient in the number of credit hours earned for the academic year due to a grade of Incomplete, the student will be eligible for the following fall award if the Incomplete is remedied by a deadline determined by the State Regents.

(b) A student who is removed from the program may petition to the State Regents for reinstatement into the program. Reinstatement will only occur when the circumstance is covered in this policy or under unusual and compelling circumstances as determined by the State Regents. Scholarship assistance will not be awarded to students who fail to meet continuing eligibility requirements. Any semesters during which the student receives no award due to grade-point average or credit hour deficiency will be subtracted from the available semesters on the program. Likewise, any period of enrollment, except intersession and summer terms, for which the student does not accept a scholarship award will be subtracted from the available semesters in the program.

(c) A student may be reinstated only one time and has one year to remedy the grade-point-average or credit-hour deficiency. Maintaining eligibility and familiarity with State Regents' and institutional policy is the responsibility of the student.

(d) Participants may take a leave of absence from the program for a period of time during which the student is not enrolled, unless the student is studying abroad. Participants may either take a leave of absence or request scholarship assistance for study abroad. Program recipients who elect to study abroad with scholarship assistance are required to meet all enrollment and grade point average requirements as specified in this policy for students attending Oklahoma colleges and universities. Leaves of absence may not be used to remedy grade-point-average or credit hour deficiency.

[Source: Amended at 9 Ok Reg 3401, eff 7-9-92 (emergency); Amended at 10 Ok Reg 3231, eff 6-25-93; Amended at 12 Ok Reg 1477, eff 5-25-95; Amended at 17 Ok Reg 196, eff 10-12-99 (emergency); Amended at 17 Ok Reg 3055, eff 7-13-00; Amended at 18 Ok Reg 1770, eff 5-25-01]

### **610:25-1-7. Fiscal aspects of program**

(a) **Award limits.** Academic Scholarship awards to qualified nonresident students attending Oklahoma institutions shall not exceed 25 percent of the greater of the number of awards of the preceding year or the amount of the previous year's funding for certified awards for the program.

(b) **Additional aid.** Students receiving this scholarship may also receive additional state-supported financial aid, but not in excess of the student's cost of attendance as determined by the institution consistent with regulations for federal financial aid. Likewise, a student may enhance the Academic Scholars award by accepting grants and scholarships from private sources.

(c) **Funding priorities.** The Oklahoma State Regents will, as soon as fiscally feasible, set aside in the Oklahoma State Regents' Academic Trust funds for the full scholarship commitment. Funding priority will be given first to prior years' recipients, and secondly, to any students applying for the scholarship for the first-time. For first-time students, priority will be given to Individual Applicant Qualified Students, Presidential Scholars, National Merit Scholars, and National Merit Finalists, and secondly, to Institutional Nominees.

(d) **Amount of Scholarship.** The program shall provide participants a scholarship in an amount not to exceed the average costs of tuition and other fees, room and board, and required textbooks or materials for undergraduate and graduate study for students attending regionally accredited public institutions of higher education in Oklahoma.

(1) The institution shall provide the student a tuition waiver that, when combined with the scholarship award, will not exceed the costs described in paragraph (d) above.

(2) Students who do not meet the continuing eligibility requirements for the scholarship may be eligible for the tuition waiver if they meet the standard tuition waiver criteria determined by the institution.

(3) Transfer students are eligible for the same level of tuition waiver as all other Academic Scholars.

(4) Institutions may elect to award nonresident students a resident and/or nonresident tuition waiver.

(e) **Payment of funds.** Funds made available to students as part of the Oklahoma State Regents Academic Scholars Program shall be paid directly to the institution in which the student is enrolled, in trust for the student, and on the student's behalf and shall contain appropriate restrictions and conditions that such monies are expended only for the purposes authorized by the State Statute authorizing this program.

(f) **Private institutions.** For students attending private Oklahoma institutions, the award amount will be the same as the student attending a similar type of public institution as defined by the State Regents.

[Source: Amended at 9 Ok Reg 3401, eff 7-9-92 (emergency); Amended at 10 Ok Reg 3231, eff 6-25-93; Amended at 12 Ok Reg 1477, eff 5-25-95; Amended at 17 Ok Reg 196, eff 10-12-99 (emergency); Amended at 17 Ok Reg 3055, eff 7-13-00; Amended at 18 Ok Reg 1770, eff 5-25-01; Amended at 19 Ok Reg 3053, eff 7-23-02 (emergency); Amended at 20 Ok Reg 2570, eff 7-11-03; Amended at 31 Ok Reg 2375, eff 9-12-14]

### **610:25-1-8. Requirements for graduate and professional study**

The requirements for graduate and professional-study participants in the Academic Scholars Program are as follows:

(1) Eligible participants moving from undergraduate to graduate or professional schools shall have achieved a cumulative grade-point average of 3.25 and earned at least 24 credit hours, unless provided for in paragraph five of this section, during the preceding year of undergraduate school enrollment.

(2) Post-baccalaureate students must be enrolled in a degree program at graduate/professional schools and are required to meet the academic standards in effect at the graduate or professional school.

(3) The dean of the graduate college/professional school or his/her designee will certify to the State Regents' office that the student is enrolled full time and making satisfactory progress at the outset of each academic year as defined in 610:25-1-6(a).

(4) The number of awards a graduate/professional student may receive while doing graduate/professional study shall be determined by the unused portion of the award entitlement. A student may take no more than a one-year leave of absence between completion of undergraduate work and enrollment in a graduate or professional program.

(5) Students who require less than 12 credit hours for graduation purposes during the last semester of undergraduate enrollment may request payment of their scholarship in the amount of 1/2 semester award for at least six

hours of enrollment. The term will count as 1/2 semester used in the program.

[Source: Added at 9 Ok Reg 3401, eff 7-9-92 (emergency); Added at 10 Ok Reg 3231, eff 6-25-93; Amended at 11 Ok Reg 1478, eff 5-25-95; Amended at 17 Ok Reg 196, eff 10-12-99 (emergency); Amended at 17 Ok Reg 3055, eff 7-13-00; Amended at 18 Ok Reg 1770, eff 5-25-01]

### **SUBCHAPTER 3. CHANCELLOR HANS BRISCH SCHOLARSHIP PROGRAM**

#### **610:25-3-1. Purpose**

The purpose of the Chancellor's Scholarship Program is to strengthen the academic quality of Oklahoma higher education by attracting top scholars to Oklahoma campuses.

#### **610:25-3-2. Criteria for selection of recipients**

(a) A Chancellor's Scholar shall be an entering freshman in college who meets the following criteria:

- (1) high academic achievement in high school,
- (2) outstanding leadership characteristics, and
- (3) a commitment to the enhancement of the community as evidenced by his or her involvement in the initiation of a program or project in his/her school or community which resulted in an improvement of the learning environment of the school or the social betterment of the community.

(b) While the controlling criteria for this award shall be as stated in (a) of this Section, the program will include students with a diversity of geographic, ethnic and economic background and who plan to pursue a variety of programs of study in institutions across the state.

#### **610:25-3-3. General principles for operation of program**

The Chancellor Hans Brisch Scholarship Program will operate under the following general principles:

- (1) Only students attending Oklahoma public institutions of higher education are eligible.
- (2) The program will be funded through accrued interest on private donations.
- (3) The funds will be held within the State Regents' Trust for Academic Scholars.
- (4) The scholarship program will not start until sufficient accrued interest has accumulated.
- (5) The scholarship will be a one-time award.

[Source: Amended at 23 Ok Reg 3042, eff 7-13-06]

### **SUBCHAPTER 5. WILLIAM P. WILLIS SCHOLARSHIP PROGRAM**

#### **610:25-5-1. Purpose**

The 1986 Oklahoma Legislature authorized the Oklahoma State Regents for Higher education to establish and maintain the William P. Willis Scholarship Program" *..for the purpose of providing scholarships to low-income, full-time undergraduates attending institutions in The Oklahoma State System of Higher Education.*" [70 O.S., § 2292]

**610:25-5-2. Eligibility**

- (a) Individuals who are residents of the State of Oklahoma shall be eligible to apply for assistance under the William P. Willis Scholarship Program.
- (b) Individuals who are enrolled full time in an undergraduate program at a member institution of The Oklahoma State System of Higher Education shall be eligible for assistance under the program.
- (c) Individuals who meet low-income criteria as established by the Oklahoma State Regents for Higher Education shall be eligible for admission to the program.
- (d) Certification of applicant eligibility must be provided by a participating institution.

**610:25-5-3. Nomination and selection of recipients**

Presidents of Oklahoma State System institutions of higher education will be invited to submit a William P. Willis Scholarship nominee and an alternate candidate for consideration of award prior to the beginning of the academic year. An advisory committee appointed by the Oklahoma State Regents for Higher Education will review the application and make the announcement of awards.

**610:25-5-4. Maximum limitations**

William P. Willis Scholarships will be awarded on a yearly basis, renewable for up to three (3) additional years, in an amount equivalent to the average costs by sector of all general enrollment fees, books, materials and institutional services (including room and board) or, if sufficient monies are not available, a proportional amount thereof.

**610:25-5-5. Study load requirements**

Students participating in the William P. Willis Scholarship Program must be enrolled as full-time students at one of Oklahoma's public colleges or universities and must maintain satisfactory progress toward the completion of their baccalaureate degree program as certified by institutional officials in order to continue their eligibility.

**610:25-5-6. Scholarship apportionment**

No more than one William P. Willis Scholarship recipient shall attend each institution in The Oklahoma State System of Higher Education; provided that one recipient, apart from the others, majoring in the field of history, shall attend Northeastern State University.

**610:25-5-7. Certification of compliance**

Certification that William P. Willis Scholarship recipients have met the study load requirements must be received by the Oklahoma State Regents for Higher Education prior to the issuance of each payment. The program certification forms will be furnished to the scholarship recipients by the Oklahoma State Regents for Higher Education. It will be the individual recipient's responsibility to ensure that the forms are signed by the proper institutional official and returned to the Oklahoma State Regents for Higher Education no later than the third week of September and January for payments for the fall and spring semesters, respectively.

**SUBCHAPTER 7. OKLAHOMA TUITION AID GRANT PROGRAM**

### **610:25-7-1. Program purpose**

(a) The purpose of the Oklahoma Tuition Aid Grant Program is to provide need-based grant assistance to eligible Oklahoma resident students and to serve the state's most needy students in a fair and equitable fashion using funds made available pursuant to the Oklahoma Higher Education Tuition Aid Act.

(b) The Oklahoma Tuition Aid Grant Program was established to assist Oklahoma college students with demonstrated financial need to meet the cost of attendance at postsecondary institutions in Oklahoma through reimbursement of a portion of their costs of attendance.

[Source: Amended at 17 Ok Reg 3060, eff 7-13-00; Amended at 39 Ok Reg 2111, eff 9-11-22]

### **610:25-7-2. Legislative authority [REVOKED]**

[Source: Amended at 17 Ok Reg 3060, eff 7-13-00; Amended at 20 Ok Reg 2676, eff 7-25-03; Revoked at 39 Ok Reg 2111, eff 9-11-22]

### **610:25-7-3. Administration of grants and payments [REVOKED]**

[Source: Amended at 20 Ok Reg 2676, eff 7-25-03; Revoked at 38 Ok Reg 2496, eff 9-11-21]

### **610:25-7-4. Maximum limitations [REVOKED]**

[Source: Revoked at 38 Ok Reg 2496, eff 9-11-21]

### **610:25-7-5. Non-discrimination provision [REVOKED]**

[Source: Revoked at 38 Ok Reg 2496, eff 9-11-21]

### **610:25-7-6. Eligibility; amount of grant; application procedures and deadlines; disbursement of funds**

(a) *A college tuition aid grant may be awarded annually to each eligible, qualified full-time or part-time undergraduate or graduate student enrolled in a curriculum leading to a degree or certificate in an institution of collegiate grade or postsecondary institution providing a program of training to prepare students for employment in a recognized occupation in Oklahoma approved or accredited by the Oklahoma State Regents for Higher Education or appropriate postsecondary agency in accordance with the following [70 O.S. § 626.7]:*

#### **(1) Eligibility.**

(A) Each full-time or part-time resident student's financial eligibility will be based on their Expected Family Contribution (EFC) calculated for federal Title IV student financial aid eligibility. A resident student is one who meets the current Policy on Residence Status of Enrolled Students in the Oklahoma State System of Higher Education.

(B) *The Oklahoma State Regents for Higher Education shall determine by rules and regulations the maximum number of semesters a student may be eligible for grants. [70 O.S. § 626.7]* An otherwise eligible undergraduate student can continue to receive awards as long as they are eligible for funding from the federal Pell grant program. Graduate students can receive a maximum of eight full-time disbursements.

(C) *No student shall be eligible for grants unless he maintains such minimum standards of academic performance as are required by the*

*institution in which the student is enrolled.* [70 O.S. § 626.7] The minimum standards of academic performance shall be those required by the institution for federal Title IV financial aid recipients.

(D) Students who are incarcerated are not eligible to receive tuition aid grants. Incarceration will be defined in accordance with the current definition for federal Pell grant eligibility.

(E) Students must be enrolled in a postsecondary institution eligible to participate in the federal Title IV student financial aid programs.

(F) Students must meet all general eligibility requirements for recipients of federal Title IV student financial aid. The school of attendance will report each student's completed application status through a reporting system provided by the Oklahoma State Regents for Higher Education.

(G) *In the event a student for any reason ceases to continue to be enrolled during the course of an academic year, the student shall cease to be eligible for tuition aid.* [70 O.S. § 626.7]

(2) Amount of grant.

(A) *The amount of tuition aid grant to any student under this act [70 O.S. § 626.1 et seq.] for any semester shall represent a percentage not greater than seventy-five percent (75%) of the tuition and enrollment fees normally charged to residents of the State of Oklahoma by the institution of attendance.* [70 O.S. § 626.7]

(B) *The percentage of aid awarded shall be based on a need analysis system that is consistent with federal student financial aid regulations.* [70 O.S. § 626.7]

(C) *The Oklahoma State Regents for Higher Education shall determine by rules the annual maximum award based on an annual assessment of funds availability.* [70 O.S. § 626.7]

(D) The minimum amount of grant to be awarded is \$200 per academic year or \$100 per semester or other enrollment period.

(E) The award must be included in the student's financial aid package managed by the institution. If the inclusion of the tuition aid grant award results in the student receiving more financial assistance than is needed to meet their cost of education as determined by the institution, the institution will resolve the over-award in accordance with federal Title IV student financial aid regulations. The institution may reduce or revoke the award if necessary to resolve the over-award.

(3) *Application procedures and deadlines. The Oklahoma State Regents for Higher Education may adopt rules and regulations, prescribe and provide appropriate forms for application and employ such persons, contract for such services and make such additional expenditures as may be necessary or appropriate for effectuating the provisions of this act.* [70 O.S. § 626.7]

(A) Students will apply for tuition aid grant award consideration by completing the federal student financial aid application. A separate application may be provided for students eligible for state financial aid under 70 O.S. § 3242. The Oklahoma State Regents for Higher Education will receive application data from the federal Title IV student financial aid application system for those students who



indicate their legal state of residence is Oklahoma. Applications with at least one eligible Oklahoma institution selected by the student will be processed for tuition aid grant award consideration. (B) If necessary, the application receipt deadline will be reflected in the application document provided annually by the federal Title IV student financial aid application system.

(4) Disbursement of funds.

(A) Funds will be disbursed to students after the institution confirms enrollment status and eligibility in each semester or other enrollment period.

(B) Funds for eligible students will be delivered to the institution for disbursement to students in accordance with the institution's student financial aid disbursement policies.

(b) The Oklahoma State Regents for Higher Education are hereby authorized to determine priorities for participation in this tuition aid program based on factors including, but not limited to, full-time or part-time enrollment status, undergraduate or graduate enrollment status, unmet financial need, continuous enrollment, nearness to completion of a degree or certificate, state employment needs, eligibility for other state or institutional student financial aid and available state funding. [70 O.S. § 626.8]

[Source: Amended at 17 Ok Reg 3060, eff 7-13-00; Amended at 20 Ok Reg 2676, eff 7-25-03; Amended at 23 Ok Reg 1969, eff 6-11-06; Amended at 24 Ok Reg 2717, eff 7-26-07; Amended at 25 Ok Reg 2590, eff 7-11-08; Amended at 34 Ok Reg 1986, eff 9-11-17; Amended at 39 Ok Reg 2111, eff 9-11-22]

**610:25-7-7. Grant program not to influence institution's policies [REVOKED]**

[Source: Revoked at 38 Ok Reg 2496, eff 9-11-21]

**610:25-7-8. Funding [REVOKED]**

[Source: Revoked at 38 Ok Reg 2496, eff 9-11-21]

**610:25-7-9. Authorized institutional representative**

Each institution's president or chief administrator may designate one or more bonded staff members as authorized officials to make certifications as to the eligibility of tuition aid grant applicants, to verify enrollments and attendance, to receive and disburse funds, and to perform such other duties as may be necessary for the proper administration of tuition aid grant funds. A signed Authorized Institutional Representative form must be on file in the offices of the Oklahoma State Regents for Higher Education for each authorized official.

[Source: Added at 20 Ok Reg 2676, eff 7-25-03]

**610:25-7-10. Refunds and institutional liability**

An authorized institutional representative will report to the Oklahoma State Regents for Higher Education any awards that the institution is aware are based on inaccurate application data. If funds have been disbursed to a student, and the student reported incorrect data unknown to the institution at the time of eligibility certification, the student is responsible for the return of any funds for which he/she is not eligible to receive. All refunds will be coordinated by the institution for return to the Oklahoma State Regents for Higher Education. The institution will place holds as allowed on other financial aid disbursements, future enrollments, release of transcripts, etc. in an effort to collect refunds if necessary. In the event

tuition aid grant funds are disbursed to a student as a result of erroneous action by the institution, the institution is financially liable for the return of the ineligible funds. An institution's failure to submit refunds for which the institution is liable within a reasonable period of time could result in suspension or termination of the institution's eligibility for participation in the tuition aid grant program. Thirty days is considered to be a reasonable period of time. The institution may appeal a finding of institutional liability.

[Source: Added at 20 Ok Reg 2676, eff 7-25-03]

## **SUBCHAPTER 9. FUTURE TEACHERS' SCHOLARSHIP PROGRAM [REVOKED]**

### **610:25-9-1. Program purpose [REVOKED]**

[Source: Amended at 10 Ok Reg 4045, eff 6-16-93 (emergency); Amended at 11 Ok Reg 1891, eff 5-12-94; Revoked at 40 Ok Reg 1198, eff 8-11-23]

### **610:25-9-2. Eligibility [REVOKED]**

[Source: Amended at 10 Ok Reg 4045, eff 6-16-93 (emergency); Amended at 11 Ok Reg 1891, eff 5-12-94; Amended at 20 Ok Reg 2678, eff 7-25-03; Revoked at 40 Ok Reg 1198, eff 8-11-23]

### **610:25-9-3. Grants and payments [REVOKED]**

[Source: Amended at 10 Ok Reg 4045, eff 6-16-93 (emergency); Amended at 11 Ok Reg 1891, eff 5-12-94; Revoked at 40 Ok Reg 1198, eff 8-11-23]

### **610:25-9-4. Maximum limitations [REVOKED]**

[Source: Amended at 10 Ok Reg 4045, eff 6-16-93 (emergency); Amended at 11 Ok Reg 1891, eff 5-12-94; Revoked at 40 Ok Reg 1198, eff 8-11-23]

### **610:25-9-5. Study load requirements [REVOKED]**

[Source: Revoked at 10 Ok Reg 4045, eff 6-16-93 (emergency); Revoked at 11 Ok Reg 1891, eff 5-12-94]

### **610:25-9-6. Certifications of compliance [REVOKED]**

[Source: Revoked at 10 Ok Reg 4045, eff 6-16-93 (emergency); Revoked at 11 Ok Reg 1891, eff 5-12-94]

### **610:25-9-7. Nomination procedures [REVOKED]**

[Source: Added at 10 Ok Reg 4045, eff 6-16-93 (emergency); Added at 11 Ok Reg 1891, eff 5-12-94; Revoked at 40 Ok Reg 1198, eff 8-11-23]

## **SUBCHAPTER 11. PAUL DOUGLAS TEACHER SCHOLARSHIP PROGRAM [REVOKED]**

### **610:25-11-1. Purpose [REVOKED]**

[Source: Amended at 9 Ok Reg 2223, eff 5-14-92 through 5-28-93 (emergency); Amended at 11 Ok Reg 551, eff 11-15-93 (emergency); Amended at 11 Ok Reg 1893, eff 5-12-94; Revoked at 38 Ok Reg 2496, eff 9-11-21]

### **610:25-11-2. Requirements [REVOKED]**

[Source: Amended at 9 Ok Reg 2223, eff 5-14-92 through 5-28-93 (emergency); Amended at 11 Ok Reg 551, eff 11-15-93 (emergency); Amended at 11 Ok Reg 1893, eff 5-12-94; Revoked at 38 Ok Reg 2496, eff 9-11-21]

### **610:25-11-3. Application procedure [REVOKED]**

[Source: Amended at 9 Ok Reg 2223, eff 5-14-92 through 5-28-93 (emergency); Revoked at 11 Ok Reg 551, eff 11-15-93 (emergency); Revoked at 11 Ok Reg 1893, eff 5-12-94]

#### **610:25-11-4. Selection procedure [REVOKED]**

[Source: Amended at 9 Ok Reg 2223, eff 5-14-92 through 5-28-93 (emergency); Revoked at 11 Ok Reg 551, eff 11-15-93 (emergency); Revoked at 11 Ok Reg 1893, eff 5-12-94]

#### **610:25-11-5. Grants and payments [REVOKED]**

[Source: Amended at 9 Ok Reg 2223, eff 5-14-92 through 5-28-93 (emergency); Revoked at 11 Ok Reg 551, eff 11-15-93 (emergency); Revoked at 11 Ok Reg 1893, eff 5-12-94]

#### **610:25-11-6. Terms and conditions of scholarship [REVOKED]**

[Source: Amended at 9 Ok Reg 2223, eff 5-14-92 through 5-28-93 (emergency); Revoked at 11 Ok Reg 551, eff 11-15-93 (emergency); Revoked at 11 Ok Reg 1893, eff 5-12-94]

#### **610:25-11-6.1. Eligibility to remain in program [EXPIRED]**

[Source: Amended and renumbered from 610:25-11-8 at 9 Ok Reg 2223, eff 5-14-92 through 5-28-93 (emergency)]<sup>1</sup>

*EDITOR'S NOTE: <sup>1</sup>This emergency action expired without being superseded by a permanent action. Upon expiration of an emergency action amending and renumbering a Section, the last permanent text of the Section that was renumbered is reinstated. Therefore, on 5-29-93 (after the 5-28-93 expiration of the emergency action), Section 610:25-11-6.1 was no longer effective and Section 610:25-11-8 was reinstated. For further information, see Editor's Note1 at 610:25-11-8.*

#### **610:25-11-7. Failure to meet commitment/repayment; required documentation [REVOKED]**

[Source: Amended at 9 Ok Reg 2223, eff 5-14-92 through 5-28-93 (emergency); Revoked at 11 Ok Reg 551, eff 11-15-93 (emergency); Revoked at 11 Ok Reg 1893, eff 5-12-94]

#### **610:25-11-8. Eligibility to remain in program [REVOKED]**

[Source: Amended and renumbered to 610:25-11-6.1 at 9 Ok Reg 2223, eff 5-14-92 through 5-28-93 (emergency)]<sup>1</sup>; Revoked at 11 Ok Reg 551, eff 11-15-93 (emergency); Revoked at 11 Ok Reg 1893, eff 5-12-94]

*EDITOR'S NOTE: <sup>1</sup>This emergency action expired without being superseded by a permanent action. Upon expiration of an emergency action amending and renumbering a Section, the last effective permanent text of the renumbered Section is reinstated. Therefore, on 5-29-93 (after the 5-28-93 expiration of the emergency action), Section 610:25-11-6.1 was no longer effective and the text of this Section (610:25-11-8) reverted back to the permanent text that was effective prior to prior to enactment of the emergency action on 5-14-92, and remained as such until the section was revoked by emergency action on 11-15-93.*

#### **610:25-11-9. Appeal procedure for noncompliance [REVOKED]**

[Source: Amended at 9 Ok Reg 2223, eff 5-14-92 through 5-28-93 (emergency); Amended at 11 Ok Reg 551, eff 11-15-93 (emergency); Amended at 11 Ok Reg 1893, eff 5-12-94; Revoked at 38 Ok Reg 2496, eff 9-11-21]

### **SUBCHAPTER 13. OKLAHOMA TEACHER EDUCATION LOAN PROGRAM [REVOKED]**

#### **610:25-13-1. Purpose [REVOKED]**

[Source: Revoked at 20 Ok Reg 1353, eff 5-27-03]

#### **610:25-13-2. Eligibility [REVOKED]**

[Source: Revoked at 20 Ok Reg 1353, eff 5-27-03]

#### **610:25-13-3. Application procedure [REVOKED]**

[Source: Revoked at 20 Ok Reg 1353, eff 5-27-03]

#### **610:25-13-4. Terms and conditions of loans [REVOKED]**

[Source: Revoked at 20 Ok Reg 1353, eff 5-27-03]

#### **610:25-13-5. Annual loan limit [REVOKED]**

[Source: Revoked at 20 Ok Reg 1353, eff 5-27-03]

#### **610:25-13-6. Aggregate loan limit [REVOKED]**

[Source: Revoked at 20 Ok Reg 1353, eff 5-27-03]

#### **610:25-13-7. Study load requirements [REVOKED]**

[Source: Revoked at 20 Ok Reg 1353, eff 5-27-03]

#### **610:25-13-8. Certification of compliance [REVOKED]**

[Source: Revoked at 20 Ok Reg 1353, eff 5-27-03]

### **SUBCHAPTER 15. DOCTORAL STUDY GRANT PROGRAM [REVOKED]**

#### **610:25-15-1. Purpose [REVOKED]**

[Source: Revoked at 18 Ok Reg 1774, eff 5-25-01]

#### **610:25-15-2. Eligibility and priority [REVOKED]**

[Source: Revoked at 18 Ok Reg 1774, eff 5-25-01]

#### **610:25-15-3. Application procedure [REVOKED]**

[Source: Revoked at 18 Ok Reg 1774, eff 5-25-01]

#### **610:25-15-4. Fee waivers [REVOKED]**

[Source: Revoked at 18 Ok Reg 1774, eff 5-25-01]

#### **610:25-15-5. Assistantship/apprenticeship [REVOKED]**

[Source: Revoked at 18 Ok Reg 1774, eff 5-25-01]

#### **610:25-15-6. Stipends and payments [REVOKED]**

[Source: Amended at 16 Ok Reg 2022, eff 6-11-99; Revoked at 18 Ok Reg 1774, eff 5-25-01]

#### **610:25-15-7. Maximum limitations [REVOKED]**

[Source: Revoked at 18 Ok Reg 1774, eff 5-25-01]

#### **610:25-15-8. Study load requirements; certification of compliance [REVOKED]**

[Source: Amended at 16 Ok Reg 2022, eff 6-11-99; Revoked at 18 Ok Reg 1774, eff 5-25-01]

#### **610:25-15-9. Schedule of payments [REVOKED]**

[Source: Amended at 16 Ok Reg 2022, eff 6-11-99; Revoked at 18 Ok Reg 1774, eff 5-25-01]

## **SUBCHAPTER 17. PROFESSIONAL DEGREE ASSISTANCE GRANT: ASSISTING MINORITY STUDENTS IN PROFESSIONAL DEGREE PROGRAMS [REVOKED]**

### **610:25-17-1. Purpose [REVOKED]**

[Source: Amended at 16 Ok Reg 2022, eff 6-11-99; Revoked at 18 Ok Reg 1776, eff 5-25-01]

### **610:25-17-2. Eligibility [REVOKED]**

[Source: Amended at 16 Ok Reg 2022, eff 6-11-99; Revoked at 18 Ok Reg 1776, eff 5-25-01]

### **610:25-17-3. Application procedure [REVOKED]**

[Source: Revoked at 19 Ok Reg 1501, eff 5-28-02]

### **610:25-17-4. Grants and payments [REVOKED]**

[Source: Amended at 16 Ok Reg 2022, eff 6-11-99; Revoked at 18 Ok Reg 1776, eff 5-25-01]

### **610:25-17-5. Maximum limitations [REVOKED]**

[Source: Revoked at 19 Ok Reg 1501, eff 5-28-02]

### **610:25-17-6. Study load requirements; certification of compliance [REVOKED]**

[Source: Amended at 16 Ok Reg 2022, eff 6-11-99; Revoked at 18 Ok Reg 1776, eff 5-25-01]

## **SUBCHAPTER 19. CHIROPRACTIC EDUCATION ASSISTANCE PROGRAM**

### **610:25-19-1. Purpose**

The Oklahoma State Regents Chiropractic Education Scholarship Program was created and funded by the Oklahoma Legislature and is administered by the Oklahoma State Regents and the Oklahoma State Board of Chiropractic Examiners. The scholarship is an incentive for residents of the State who are pursuing the study of chiropractic at accredited colleges and making satisfactory progress in their study.

[Source: Amended at 11 Ok Reg 1487, eff 3-24-94 (emergency); Amended at 12 Ok Reg 1479, eff 5-25-95; Amended at 17 Ok Reg 3364, eff 8-17-00 (emergency); Amended at 18 Ok Reg 1777, eff 5-25-01]

### **610:25-19-2. Application procedure**

Applications for scholarships must be submitted to the office of the Oklahoma State Regents for Higher Education, by the specified deadline. The applications will be forwarded by the State Regents to the Oklahoma State Board of Chiropractic Examiners for approval of awards. A renewal application each year is not required.

[Source: Amended at 11 Ok Reg 1487, eff 3-24-94 (emergency); Amended at 12 Ok Reg 1479, eff 5-25-95; Amended at 17 Ok Reg 3364, eff 8-17-00 (emergency); Amended at 18 Ok Reg 1777, eff 5-25-01]

#### **610:25-19-2.1. Eligibility**

Preference in the granting of scholarships shall be given to those individuals with the highest weighted scholastic averages, provided the individuals are found to

have those qualities and attributes that give a reasonable assurance of completion of the course of study required for a degree of doctor of chiropractic. To be eligible for the Chiropractic Education Assistance Program an applicant must:

- (1) be a legal resident of the State of Oklahoma for not less than five (5) years prior to the date of application,
- (2) be enrolled in or have been accepted to an accredited chiropractic college,
- (3) be making satisfactory progress in the study of chiropractic as defined by the Oklahoma State Board of Chiropractic Examiners.
- (4) meet all requirements and academic standards established by the Oklahoma State Board of Chiropractic Examiners; and
- (5) have earned a 3.00 cumulative grade point average if the individual is a continuing student.

(A) Scholarship awardees under this program shall maintain a 3.00 cumulative grade point average. The cumulative grade-point average will be determined after the summer trimester for fall scholarship eligibility, and after the fall trimester for spring scholarship eligibility.

(B) Awardees who fail to meet the 3.00 cumulative grade point average requirement will be removed from the program without scholarship assistance.

(C) Reinstatement to the program will be granted if the student achieves a 3.00 trimester grade point average within the following three trimesters. The student must submit a letter of appeal to the Oklahoma State Board of Chiropractic Examiners in order to be considered for reinstatement. A participant may be reinstated only one time.

(D) The Oklahoma State Board of Chiropractic Examiners will submit to the State Regents' Office notification in writing of any student reinstatement and authorization for payment of scholarship awards.

[Source: Amended and renumbered from 610:25-19-4 at 11 Ok Reg 1487, eff 3-24-94 (emergency); Amended and renumbered from 610:25-19-4 at 12 Ok Reg 1479, eff 5-25-95; Amended at 17 Ok Reg 3364, eff 8-17-00 (emergency); Amended at 18 Ok Reg 1777, eff 5-25-01]

### **610:25-19-3. Notice of approval**

The Oklahoma State Regents for Higher Education shall forward all applications to the Oklahoma State Board of Chiropractic Examiners and, upon their recommendation, shall notify each applicant of the disposition of his or her application for assistance for the fiscal year.

[Source: Amended at 11 Ok Reg 1487, eff 3-24-94 (emergency); Amended at 12 Ok Reg 1479, eff 5-25-95; Amended at 17 Ok Reg 3364, eff 8-17-00 (emergency); Amended at 18 Ok Reg 1777, eff 5-25-01]

### **610:25-19-4. Eligibility [AMENDED AND RENUMBERED TO 610:25-19-2.1]**

[Source: Amended and renumbered to 610:25-19-2.1 at 11 Ok Reg 1487, eff 3-24-94 (emergency); Amended and renumbered to 610:25-19-2.1 at 12 Ok Reg 1479, eff 5-25-95]

### **610:25-19-5. Amount of assistance**

Funds available for the Chiropractic Education Scholarship Program will be awarded to qualified students each fiscal year as follows: 17% to be divided equally among first year students; 17% to be divided equally among second year students;

33% to be divided equally among third year students and 33% to be divided equally among fourth year students. Annual awards may not exceed \$6,000 per student. Upon certification of renewal eligibility, payment of the scholarship award will be sent to the college in direct payment to the student.

[Source: Amended at 11 Ok Reg 1487, eff 3-24-94 (emergency); Amended at 12 Ok Reg 1479, eff 5-25-95; Amended at 17 Ok Reg 3364, eff 8-17-00 (emergency); Amended at 18 Ok Reg 1777, eff 5-25-01]

#### **610:25-19-6. Payments [REVOKED]**

[Source: Amended at 11 Ok Reg 1487, eff 3-24-94 (emergency); Amended at 12 Ok Reg 1479, eff 5-25-95; Revoked at 17 Ok Reg 3364, eff 8-17-00 (emergency); Revoked at 18 Ok Reg 1777, eff 5-25-01]

#### **610:25-19-7. Notification of change of address [REVOKED]**

[Source: Revoked at 11 Ok Reg 1487, eff 3-24-94 (emergency); Revoked at 12 Ok Reg 1479, eff 5-25-95]

### **SUBCHAPTER 21. HEARTLAND SCHOLARSHIP PROGRAM**

#### **610:25-21-1. Purpose**

The Heartland Scholarship Program was established on April 28, 1995, by the Oklahoma State Regents for Higher Education in the aftermath of the April 19, 1995, bombing of the Alfred P. Murrah Federal Building in downtown Oklahoma City. The bombing took the lives of 168 individuals and injured more than 400. Many young children perished in the Federal Building day care center. For the children in the Federal Building day care center who survived and for dependent children of individuals killed as a result of the April 19, 1995, bombing, the Heartland Scholarship Program was established. The program consists of two funds:

- (1) The Heart of the Heartland Fund which is funded from state revenues generated from sales of the Heart of the Heartland license tags and
- (2) The Heartland Fund which is funded from private, corporate, civic, religious and other governmental agency donations.

[Source: Added at 12 Ok Reg 3588, eff 7-14-95 (emergency); Added at 13 Ok Reg 3077, eff 7-11-96]

#### **610:25-21-2. Definitions**

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

**"Accredited Institution"** means any college or university having regional accreditation.

**"Dependent Child"** includes any son, daughter, stepchild, or adopted child, who as of April 19, 1995, could lawfully be claimed as a dependency exemption for federal income tax purposes by his/her parents or guardian, or who could have been so claimed but for the fact that the parent killed in the Murrah Building bombing was prohibited from claiming that exemption by a court-ordered divorce decree or separation agreement. The term "dependent child" also includes any child conceived but not yet born as of April 19, 1995.

**"Full-time Student"** means an enrolled student who is carrying a full-time academic workload, other than by correspondence, as determined by the institution under a standard applicable to all students enrolled in a particular educational program measured in terms of

- (A) course work or other required activities including any combination of courses, work experience, research or special

studies which the institution requires of the student to consider him or her as being engaged in full-time study, and which amounts to the equivalent of a minimum of 12 undergraduate credit hours or nine graduate credit hours per academic semester, trimester, or quarter and  
(B) the enrollment fees customarily charged for full-time study by the institution.

[Source: Added at 12 Ok Reg 3588, eff 7-14-95 (emergency); Added at 13 Ok Reg 3077, eff 7-11-96]

### **610:25-21-3. Eligibility requirements**

(a) **General eligibility requirements.** Individuals eligible for the Scholarships must be

- (1) dependent children of individuals killed as a result of the April 19, 1995, bombing of the Alfred P. Murrah Federal Building, or
- (2) surviving dependent children who were injured in the Federal Building day care center.

(b) **Separate fund accounts.** Separate fund accounts will be established within the Heartland Scholarship Program to provide separate receipt, accounting, administration, and disbursement of funds for:

(1) **Heartland Scholarship.**

- (A) Recipients must be enrolled full-time in an undergraduate program at any accredited college or university. Recipients may petition the State Regents for an exception to the full-time requirement for just cause shown.
- (B) Scholarship awards will be made for a time period not to exceed five continuous years. Recipients may petition the State Regents for an exception due to extenuating circumstances.
- (C) Scholarships may be for a specified group of bombing victim dependents so long as the designated group is not described or defined in a way that would jeopardize the tax deductibility of contributions to the Fund and/or to the recipients of scholarship awards by the beneficiaries. To the maximum degree possible, the Trustees will consult with donors to ascertain ways and means by which their designation objectives can be reconciled with the Fund's goals pertaining to tax deductibility.

(2) **Heart of the Heartland Scholarship.**

- (A) Recipients may attend only a state higher education institution in Oklahoma.
- (B) Recipients must be enrolled full-time in an undergraduate or graduate program.

[Source: Added at 12 Ok Reg 3588, eff 7-14-95 (emergency); Added at 13 Ok Reg 3077, eff 7-11-96]

### **610:25-21-4. Principles for awards, continuation of awards, disbursements, refunds, and applications**

(a) **Award amounts.**

- (1) Scholarship awards will be made annually. Awards will be made after the campus financial aid package has been calculated (grants and scholarships and excluding loans) and in coordination with other disaster relief financial aid. Awards will be made up to an amount not exceeding the cost (fees and tuition, special fees, books, room and board) of five continuous years of postsecondary education at any accredited college or



university of an individual's choosing.

(2) The award amount shall not exceed the average cost of enrollment fees, tuition and other fees, room and board, and all required textbooks or materials for the type of institution in which the student is enrolled in The Oklahoma State System of Higher Education. The award amount for a student enrolled in a private or out-of-state institution shall not exceed the award for an Oklahoma public institution of comparable type.

(b) **Award continuation.** Continued awards will be made to individuals who are making satisfactory progress toward a degree as defined by the financial aid office of the institution in which the student is enrolled.

(c) **Disbursement.** Funds may be disbursed by check to the institution at which the student is enrolled during the first six weeks of each semester and upon receipt of a net billing from the bursar of the institution. Funds may also be disbursed to the entity responsible for coordinating the payment of scholarships from all available sources. The State Regents shall verify documentation for scholarship disbursements to the coordinating entity in a similar manner to that required for disbursements directly to institutions.

(d) **Refunds.** Refunds resulting from student withdrawal will be remitted to the State Regents.

(e) **Application.**

(1) Before April 19, 1996, the State Regents will make every effort to contact guardians of all dependent children eligible for the Heartland Scholarship.

(2) Guardians and eligible recipients will be responsible for timely notification to the State Regents of address changes.

[Source: Added at 12 Ok Reg 3588, eff 7-14-95 (emergency); Added at 13 Ok Reg 3077, eff 7-11-96; Amended at 19 Ok Reg 1502, eff 5-28-02]

#### **610:25-21-5. Trust funds**

(a) The Oklahoma State Regents for Higher Education will serve as the Board of Trustees for the Heartland Scholarship Trust and the Heart of the Heartland Scholarship Trust. The Board will invest the trust corpus in a reasonable and prudent manner, subject to further limitations and safeguards provided in existing, applicable State Regents' investment policies.

(b) Both the trust capital and earnings income for the trust funds will accrue to the fund and be used for the scholarship awards.

[Source: Added at 12 Ok Reg 3588, eff 7-14-95 (emergency); Added at 13 Ok Reg 3077, eff 7-11-96]

#### **610:25-21-6. Administration**

(a) The Heartland Scholarship Fund shall be administered by the Oklahoma State Regents for Higher Education.

(b) Trust capital or income remaining in the Heartland Scholarship Fund after scholarships have been awarded to all eligible individuals, if any, shall be transferred to the Chancellor's Scholarship Fund which makes one-time \$1,000 awards to graduating high school students demonstrating community service and public leadership.

(c) Trust capital or income remaining after July 1, 2025, in the Heart of the Heartland Scholarship Fund established by the Legislature will be transferred and deposited into the General Revenue Fund.

[Source: Added at 12 Ok Reg 3588, eff 7-14-95 (emergency); Added at 13 Ok Reg 3077, eff 7-11-96]

### **610:25-21-7. Coordination**

The Heartland Scholarship Fund will coordinate with other disaster relief funds for the purpose of assisting victims with postsecondary financial assistance.

[Source: Added at 12 Ok Reg 3588, eff 7-14-95 (emergency); Added at 13 Ok Reg 3077, eff 7-11-96]

## **SUBCHAPTER 23. OKLAHOMA HIGHER LEARNING ACCESS PROGRAM**

### **610:25-23-1. Purpose**

The Oklahoma Higher Learning Access Program, created by the Oklahoma Higher Learning Access Act passed in 1992 (70 O.S. § 2601 et seq.), is designed to help provide access to postsecondary education opportunities for students with financial need who have demonstrated a commitment to academic success in high school. The program shall also be known as "Oklahoma's Promise." The Act identifies two primary purposes:

(1) The first is to ensure that students who satisfy the requirements of the program, and who pursue an associate or baccalaureate degree in Oklahoma at an accredited public or private institution, or pursue studies in a postsecondary career technology program that meets the requirements to be eligible for federal student aid and is offered by a technology center school supervised by the State Board of Career and Technology Education, are relieved of the burden of paying:

(A) undergraduate resident nonguaranteed tuition at institutions of The Oklahoma State System for Higher Education;

(B) tuition for enrollment in postsecondary programs or courses of a public technology center, not to exceed the amount the student would have received for comparable enrollment at a two-year institution within The Oklahoma State System of Higher Education;

or

(C) some portion of fees or tuition at a private institution of higher education in Oklahoma accredited pursuant to 70 O.S. § 4103.

(2) The further purpose of the program is to establish and maintain a variety of support services whereby a broader range of the general student population of this state will be prepared for success in postsecondary endeavors. [70 O.S. § 2602]

[Source: Added at 13 Ok Reg 767, eff 10-24-95 (emergency); Added at 13 Ok Reg 1377, eff 5-13-96; Amended at 17 Ok Reg 3062, eff 7-13-00; Amended at 18 Ok Reg 1779, eff 5-25-01; Amended at 25 Ok Reg 2592, eff 7-11-08; Amended at 27 Ok Reg 334, eff 11-10-09 (emergency); Amended at 27 Ok Reg 1278, eff 5-27-10; Amended at 35 Ok Reg 1981, eff 9-14-18]

### **610:25-23-2. Eligibility of participants**

Eligibility to participate in the program must be established by both the student and his/her parent(s), custodial parent(s), or guardian(s). Students enrolled in the eighth, ninth, tenth, or eleventh grade at a public or private school and whose parents' income meets the financial need criteria are eligible to apply to become a program participant. Students educated by other means who are between the ages of thirteen (13) and sixteen (16) are eligible to apply to become a program participant. Eligibility requirements to participate in the program include the following:

(1) The student must be a resident of the state of Oklahoma or be 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 Section 5-117.1 of Title 70 of the Oklahoma Statutes; and

(2) The student's parent(s), custodial parent(s), or guardian(s) must establish financial need.

(A) Beginning in the 2022-2023 school year, the federal adjusted gross income of the student's parent(s) shall not exceed the following amounts at the time the student applies for participation in the program:

(i) \$60,000 per year for parents who have one or two dependent children,

(ii) \$70,000 per year for parents who have three or four dependent children, or

(iii) \$80,000 per year for parents who have five or more dependent children.

(B) A student 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 not be subject to the determination of financial qualification at the time the student applies for participation in the program.

(C) Parents of students making application to the program must use one of the following options to establish financial need eligibility:

(i) Documentation of their most recent calendar (tax) year income. Parents of eleventh-grade applicants may use the calendar (tax) year income that coincides with the spring semester of the eleventh grade if the application is submitted by the required deadline; or

(ii) Documentation of current yearly income from an officially approved application for free or reduced price school meals or other state or federal means-tested programs as determined by the State Regents. The State Regents may limit use of this option to pilot projects as determined by the State Regents. If requested by the State Regents, parents may be required to provide additional documentation of income.

(iii) The Oklahoma State Regents for Higher Education shall review the determination of financial need eligibility of the student as set forth in section (2)(A) above if the income from taxable and nontaxable sources of the student's parent(s) includes income received from nontaxable military benefits or income received from the federal Social Security Administration due to the death or disability of the student's parent(s). If the income of the student's parent(s), excluding income received from nontaxable military benefits or income received from the federal Social Security Administration due to the death or disability of the student's parent(s), does not exceed the limitations set forth in section (2)(A) above, the student shall be determined to have met

the financial need eligibility [70 O.S. § 2605(D)(7)]  
(D) For students that are subject to court-ordered joint custody arrangements, the OSRHE shall use guidelines consistent with regulations for federal Title IV student financial aid programs to determine which parent(s) shall meet the financial need criteria.

[Source: Added at 13 Ok Reg 767, eff 10-24-95 (emergency); Added at 13 Ok Reg 1377, eff 5-13-96; Amended at 14 Ok Reg 164, eff 10-15-96 (emergency); Amended at 14 Ok Reg 1419, eff 5-12-97; Amended at 17 Ok Reg 3062, eff 7-13-00; Amended at 18 Ok Reg 1779, eff 5-25-01; Amended at 19 Ok Reg 2962, eff 7-23-02 (emergency); Amended at 20 Ok Reg 2572, eff 7-11-03; Amended at 21 Ok Reg 1428, eff 5-27-04; Amended at 22 Ok Reg 2628, eff 7-11-05; Amended at 25 Ok Reg 2592, eff 7-11-08; Amended at 26 Ok Reg 1325, eff 5-25-09; Amended at 27 Ok Reg 334, eff 11-10-09 (emergency); Amended at 27 Ok Reg 1278, eff 5-27-10; Amended at 29 Ok Reg 677, eff 5-25-12; Amended at 33 Ok Reg 1827, eff 9-11-16; Amended at 35 Ok Reg 1981, eff 9-14-18; Amended at 39 Ok Reg 2113, eff 9-11-22; Amended at 40 Ok Reg 1661, eff 8-25-23]

### **610:25-23-3. Applications**

(a) Students and their parent(s), custodial parent(s), or guardian(s) must complete fully an application form provided by the Oklahoma State Regents for Higher Education (OSRHE). 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 guardian(s). The application will be treated as an incomplete application per section (h) below until the student's legal custody is determined.

(b) The application shall include either:

- (1) an agreement form upon which the school site contact person (see rule 610:25-23-8 for policies related to the contact person) shall certify that the student meets the financial need criteria and which verifies that the student and his/her parent(s), custodial parent(s), or guardian(s) agree to the program's requirements. The agreement form shall be retained in the student's permanent record and a copy forwarded to the OSRHE. A copy of the agreement form must be received by the OSRHE for the student to be considered enrolled in the program; or
- (2) an agreement form submitted directly to the OSRHE by the student and their parent(s), custodial parent(s), or guardian(s), which shall be processed and verified by the OSRHE.

(c) Students participating in the Oklahoma Higher Learning Access Program shall provide their social security number, or their student identification number used by their local school, to the OSRHE. The OSRHE shall keep the numbers confidential and use them only for administrative purposes.

(d) Any falsified or incomplete information on the application forms may result in the student's disqualification from the program.

(e) Applications will be accepted throughout the school year.

(f) Contact persons should forward copies of agreement forms to the OSRHE monthly, but not later than June 30 of each school year.

(g) Persons applying directly to the OSRHE must submit agreement forms to the OSRHE no later than June 30. If June 30 is not a business day, agreement forms shall be submitted no later than the first business day thereafter. Applications mailed to the OSRHE must be postmarked by June 30, or the next business day if applicable, to be considered timely submitted to the OSRHE.

(h) Applicants submitting incomplete applications shall be provided an opportunity to provide the required documentation to complete their application. Applicants must submit the required documentation no later than December 31 immediately prior to the student's graduation from high school. Exceptions to the December 31 submission date may be approved by the Chancellor for extraordinary

circumstances. An application that remains incomplete after the student's official date of high school graduation will not be accepted.

[Source: Added at 13 Ok Reg 767, eff 10-24-95 (emergency); Added at 13 Ok Reg 1377, eff 5-13-96; Amended at 14 Ok Reg 164, eff 10-15-96 (emergency); Amended at 14 Ok Reg 1419, eff 5-12-97; Amended at 17 Ok Reg 3062, eff 7-13-00; Amended at 18 Ok Reg 1779, eff 5-25-01; Amended at 19 Ok Reg 2962, eff 7-23-02 (emergency); Amended at 20 Ok Reg 2572, eff 7-11-03; Amended at 21 Ok Reg 1428, eff 5-27-04; Amended at 24 Ok Reg 2718, eff 7-26-07; Amended at 25 Ok Reg 2592, eff 7-11-08; Amended at 29 Ok Reg 677, eff 5-25-12; Amended at 38 Ok Reg 2497, eff 9-11-21]

#### **610:25-23-4. Program requirements**

(a) Students shall agree to abide by the following provisions throughout the remainder of their school years or educational program:

- (1) Attend school regularly and to do homework regularly, meaning the student was in attendance at least eighty percent (80%) of each school year, excluding absences excused by the school;
- (2) Refrain from substance abuse, meaning the student was not adjudicated delinquent as a juvenile nor convicted of a crime as an adult by a court of law for an offense involving a controlled dangerous substance, as defined by 63 O.S. § 2-101(8);
- (3) Refrain from commission of crimes or delinquent acts, meaning the student was not adjudicated delinquent as a juvenile nor convicted of a crime as an adult by a court of law;
- (4) Have school work and school records reviewed by mentors designated pursuant to the program;
- (5) Provide information requested by the Oklahoma State Regents for Higher Education [OSRHE] or the State Board of Education; and
- (6) Participate in program activities. [70 O.S. § 2605]

(b) The student's parent(s), custodial parent(s), or guardian(s) shall witness the student's agreement and further agree to:

- (1) Assist the student in achieving compliance with the agreements;
- (2) Confer, when requested to do so, with the school contact person, other school personnel, and program mentors;
- (3) Provide information requested by the OSRHE or the State Board of Education; and
- (4) 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. [70 O.S. § 2605]

(c) Students must complete the following 17-unit core curriculum with a minimum 2.50 grade-point-average (GPA) on a 4.00 grading scale, by the time they graduate from high school. For the purpose of calculating the required core curriculum GPA, core courses in English, lab science, mathematics, history and citizenship skills, foreign or non-English language, computer technology, or "additional" subject areas must be transcribed with a letter grade that has a corresponding numerical value. If the school district assigns a course a grade of "pass" without a numerical value, the OSRHE will assign a letter grade of "D" or the lowest passing grade that the high school assigns to courses. If the required one unit, year, or set of competencies in fine arts (music, art, or drama) or speech is fulfilled on a pass/fail or competency basis, the course(s) will be accepted and excluded from the required core curriculum GPA calculation. The Chancellor may approve exceptions to the grading policy for pass/fail courses for extraordinary circumstances.

- (1) Four units, or years, of English (grammar, composition, literature; should include an integrated writing component);

- (2) Three units, or years, of lab science (biology, chemistry, physics, or any lab science certified by the school district; general science with or without a lab may not be used to meet this requirement);
- (3) Three units, or years, of mathematics (Algebra I, Algebra II, geometry, trigonometry, math analysis, pre-calculus, statistics and probability [must have completed geometry and Algebra II], calculus, Advanced Placement Statistics);
- (4) Three units, or years of history and citizenship skills (1 unit of American history and 2 units from the subjects of history, economics, geography, government and/or non-Western culture):
- (5) Two units, or years, of a foreign or non-English language (both units, or years, of the same language), or Two units, or years, of computer technology (courses in programming, hardware, and business computer applications such as word processing, databases, spreadsheets and graphics will qualify; keyboarding and typing classes do not qualify);
- (6) One additional unit, or year, of subjects listed above, or any Advanced Placement course, psychology, sociology, or any concurrent liberal arts and sciences course at a State System institution that is not being used to fulfill any curricular requirement previously listed.;
- (7) One unit, year, or set of competencies of fine arts (music, art, or drama) or speech.

(d) The program curricular requirements for English, science, mathematics, history and citizenship skills are identical with the curricular requirements for college admission set by the OSRHE. Any change by the OSRHE to the curricular requirements for college admission shall also apply to the program curricular requirements.

(e) Advanced students who complete core courses in earlier grades will not be required to take additional courses for purposes of the requirements of this program.

(f) Strict parameters regulate the substitution of applied courses (OSRHE policy on Institutional Admission and Retention).

(g) Exceptions to the required core curriculum will be considered according to the following:

(1) Students attending schools, or homeschool students participating in other educational programs, which do not offer all the core curriculum courses will be allowed to satisfy the requirements subject to the following provisions:

(A) Core curriculum requirements which are also required for regular college admission (OSRHE policy on Institutional Admission and Retention) will be subject to the OSRHE Policy on Remediation and Removal of High School Curricular Deficiencies.

(B) Any other core curriculum requirements must be satisfied during the first twenty-four (24) hours of college coursework. Any exceptions to the twenty-four (24) hour limitation must be requested in writing and shall be subject to approval by the Chancellor.

(2) Students who have documented proficiency in a non-English language equivalent to at least two (2) units of high school study may be exempted from the requirement of two (2) units of a foreign or non-English language.

(3) Any other requests for exceptions to the core curriculum requirement must be submitted in writing to the Chancellor. Upon approval of the

exception, the student may be eligible for program benefits; provided, such approval may require the satisfaction of any core curriculum requirements omitted in high school or other educational program.

(h) Students must attain a minimum 2.50 cumulative GPA on a 4.00 grading scale for all work attempted in grades nine through twelve.

(i) Homeschool students and students graduating from a high school not accredited by the State Board of Education must achieve a composite score of 22 or higher on the ACT test or the equivalent SAT test score. Only ACT scores reported by ACT for tests administered prior to the student's high school graduation will be considered. Beginning September 1, 2020, all test scores reported by ACT, including "superscores" as defined by ACT, will be considered. Scores from ACT residual tests will not be considered except under extraordinary circumstances as determined and approved by the Chancellor. SAT test scores will be considered in a manner comparable to ACT test scores.

[Source: Added at 13 Ok Reg 767, eff 10-24-95 (emergency); Added at 13 Ok Reg 1377, eff 5-13-96; Amended at 14 Ok Reg 164, eff 10-15-96 (emergency); Amended at 14 Ok Reg 1419, eff 5-12-97; Amended at 17 Ok Reg 3062, eff 7-13-00; Amended at 18 Ok Reg 1779, eff 5-25-01; Amended at 19 Ok Reg 2962, eff 7-23-02 (emergency); Amended at 20 Ok Reg 2572, eff 7-11-03; Amended at 21 Ok Reg 1428, eff 5-27-04; Amended at 22 Ok Reg 2628, eff 7-11-05; Amended at 23 Ok Reg 1971, eff 6-11-06; Amended at 24 Ok Reg 2718, eff 7-26-07; Amended at 25 Ok Reg 2592, eff 7-11-08; Amended at 29 Ok Reg 677, eff 5-25-12; Amended at 31 Ok Reg 2376, eff 9-12-14; Amended at 34 Ok Reg 1988, eff 9-11-17; Amended at 35 Ok Reg 423, eff 2-15-18 (emergency); Amended at 36 Ok Reg 1179, eff 8-11-19; Amended at 38 Ok Reg 2497, eff 9-11-21; Amended at 39 Ok Reg 2115, eff 9-11-22]

#### **610:25-23-5. Securing Program benefits**

(a) To qualify for the program benefits for the first semester or other academic unit of postsecondary enrollment, the participant must:

(1) Be a resident of this state both at the time of application to the program and at the time the student graduates from high school, or have been 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 Section 5-117.1 of Title 70 of the Oklahoma Statutes.

(2) Have graduated within the previous three (3) calendar years from a high school or other educational program if homeschooled. The Oklahoma State Regents for Higher Education (OSRHE) may award benefits for a student's first semester or other academic unit of postsecondary enrollment taken more than three (3) calendar years after the student graduates from high school, or other educational program if homeschooled, if the student is a member of the Armed Forces of the United States, the Reserve Corps of the Armed Forces of the United States, or the Oklahoma National Guard, and is ordered to active duty or active duty for special work or training and due to the duty commitment the student is unable to enroll prior to the end of the three-year period. Such three-year period shall be extended by the length of the term of duty.

(3) Have a record of satisfactory compliance with the agreements and program requirements described in 610:25-23-4. Students failing to comply with the agreement and program requirements shall not be eligible for awards. Compliance shall be verified by the local contact person upon a form provided by the OSRHE. Final verification of compliance shall be determined by the OSRHE. A copy of the student's final high school transcript shall be submitted by the local contact person with the student's verification form.

(4) Have satisfied admission standards as established by the OSRHE for first-time-entering students for the appropriate type of institution (OSRHE

policy on Institutional Admission and Retention) or, if attending a private institution, satisfy the admission standards determined by the private institution; provided, that no student participating in the program shall be admitted into an institution of higher education by special admission standards.

(5) Have secured admission to, and enrolled in, an institution which is a member of The Oklahoma State System of Higher Education, a postsecondary career technology 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, or a private institution of higher learning located within this state and accredited pursuant to Section 4103 of Title 70 of the Oklahoma Statutes.

(6) Be a United States citizen or lawfully present in the United States. This provision shall not apply to any student that was enrolled in the program prior to the end of 2006-2007 school year.

(b) For students receiving the program benefit award for the first time in 2012-2013 through 2017-2018, at the time the student begins postsecondary education and prior to receiving any program benefit award, the federal adjusted gross income of the student's parent(s) shall not exceed \$100,000 per year. Beginning with the 2018-2019 academic year, prior to receiving any Oklahoma Higher Learning Access Program benefit award for any year during which the student is enrolled in an eligible institution, the federal adjusted gross income of the student's parent(s) shall not exceed \$100,000 per year. The determination of financial qualification as set forth in this paragraph shall be based on the income of the student, not the income of the parent(s), if the student:

(1) is determined to be independent of the student's parents for federal financial aid purposes,

(2) was in the permanent custody of the Department of Human Services at the time the student enrolled in the program, or

(3) was in the court-ordered custody of a federally-recognized Indian tribe, as defined by the federal Indian Child Welfare Act, at the time the student enrolled in the program.

(c) A student 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 qualification at the time the student begins postsecondary education and 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.

(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).

(d) Award recipients shall apply for financial aid at the institution in which they enroll.



(e) Beginning in 2018-2019 and thereafter, all students eligible to receive the program benefit award must complete an application for federal student financial aid (Free Application for Federal Student Aid or FAFSA) each year the student is enrolled in postsecondary education. Students not eligible to complete the FAFSA may be provided an alternate method by the OSRHE. Income information submitted through the FAFSA shall be used to determine compliance with the income limits described in sections (b) and (c) above. Any falsified or incomplete information submitted by the student or parent(s) may result in the student's disqualification from the program.

(f) Any person incarcerated in a state, federal, or private correctional facility shall not be eligible to receive program benefits.

[Source: Added at 13 Ok Reg 767, eff 10-24-95 (emergency); Added at 13 Ok Reg 1377, eff 5-13-96; Amended at 14 Ok Reg 164, eff 10-15-96 (emergency); Amended at 14 Ok Reg 1419, eff 5-12-97; Amended at 18 Ok Reg 1779, eff 5-25-01; Amended at 19 Ok Reg 2962, eff 7-23-02 (emergency); Amended at 20 Ok Reg 2572, eff 7-11-03; Amended at 21 Ok Reg 1428, eff 5-27-04; Amended at 22 Ok Reg 2628, eff 7-11-05; Amended at 24 Ok Reg 2718, eff 7-26-07; Amended at 25 Ok Reg 2592, eff 7-11-08; Amended at 26 Ok Reg 201, eff 10-17-08 (emergency); Amended at 26 Ok Reg 1325, eff 5-25-09; Amended at 27 Ok Reg 334, eff 11-10-09 (emergency); Amended at 27 Ok Reg 1278, eff 5-27-10; Amended at 29 Ok Reg 677, eff 5-25-12; Amended at 31 Ok Reg 2376, eff 9-12-14; Amended at 35 Ok Reg 1981, eff 9-14-18]

#### **610:25-23-6. Retaining eligibility in postsecondary education**

(a) To retain eligibility for program benefits while pursuing a program of higher learning in an institution of The Oklahoma State System of Higher Education, the student shall maintain good academic standing and satisfactory academic progress according to standards of the Oklahoma State Regents for Higher Education (OSRHE). Students attending an eligible private institution shall maintain good academic standing and satisfactory academic progress according to the standards of the institution in which they are enrolled. [70 O.S. § 2603; OSRHE policy on Institutional Admission and Retention]

(b) Effective January 1, 2008, any student receiving the program benefit award that is expelled or suspended for more than one semester from an institution of higher education for conduct reasons shall permanently lose eligibility for program benefits.

(c) Students shall meet the requirements for retention and degree completion as established by the institution in which the student is enrolled. [70 O.S. § 2603]

(d) Beginning in 2012-2013, all Oklahoma's Promise students receiving the award in college will be required to meet federal satisfactory academic progress (SAP) standards as defined by the institution in which they are enrolled. This requirement will apply to all Oklahoma's Promise award recipients whether or not they are receiving federal student financial aid. Any Oklahoma's Promise student that is ineligible to receive federal financial aid due to failure to meet SAP standards will also be ineligible to receive the Oklahoma's Promise award.

[Source: Added at 13 Ok Reg 767, eff 10-24-95 (emergency); Added at 13 Ok Reg 1377, eff 5-13-96; Amended at 25 Ok Reg 2592, eff 7-11-08; Amended at 26 Ok Reg 201, eff 10-17-08 (emergency); Amended at 26 Ok Reg 1325, eff 5-25-09; Amended at 29 Ok Reg 677, eff 5-25-12; Amended at 31 Ok Reg 2376, eff 9-12-14; Amended at 35 Ok Reg 1981, eff 9-14-18]

#### **610:25-23-7. Payment of awards; policies and limitations**

(a) 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 Trust Fund [70 O.S. § 3953.1];

(b) Eligible students enrolled in a duly accredited private Oklahoma institution of higher education [70 O.S. § 4103] shall have awards paid to the institution on the

student's behalf by an allocation from the Oklahoma Higher Learning Access Trust Fund in an amount equivalent to the average undergraduate resident nonguaranteed tuition if the student were enrolled in a comparable institution of The Oklahoma State System of Higher Education. Comparability of institutions shall be determined by the OSRHE;

(c) Eligible students enrolled in a postsecondary career technology 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, not exceeding the average amount the student would have received for comparable enrollment at a two-year institution within The Oklahoma State System of Higher Education, to the school or institution on the student's behalf by an allocation from the Oklahoma Higher Learning Access Trust Fund;

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

(e) Payment will not be allowed for courses taken in excess of those required for a baccalaureate degree;

(f) Beginning with students graduating high school in 2017-2018 and thereafter, payment will be limited to 129 semester credit hours, or the equivalent, except as provided in the following. Students enrolled in a baccalaureate degree program that requires in excess of 129 semester credit hours or the equivalent, may receive payment for the number of semester credit hours required by the degree program. Students without a baccalaureate degree who are enrolled in a first professional degree program that does not require completion of a baccalaureate degree and that requires in excess of 129 semester credit hours or the equivalent, may receive payment for the number of semester credit hours required by the degree program up to a maximum of 150 semester credit hours or the equivalent. The Chancellor may approve exceptions to the limit for extraordinary or hardship circumstances including, but not limited to, sickness and injury.

(g) Students will be eligible for the benefits outlined in this policy for five (5) years from the first date of postsecondary enrollment. The Oklahoma State Regents for Higher Education may award the Oklahoma Higher Learning Access Program benefits for courses of 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 Higher Learning Access Program participant may receive benefits beyond a cumulative time period of five (5) years [70 O.S. § 2604]. 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;

(h) There will be no limit to the number of awards other than the amount of funds available or the number of eligible students. If sufficient funds are not available to provide awards for all eligible applicants, the OSRHE shall make awards on the basis of need;

(i) Students who have previously received awards shall have priority over students applying for initial awards;

(j) The Oklahoma State Regents for Higher Education shall take into consideration other grants and scholarships received by an eligible applicant when making awards [70 O.S. § 2604]. Award recipients may not receive financial aid in excess of his/her cost of attendance as determined by the institution in which the student is enrolled. The cost of attendance determined by the institution shall be consistent

with regulations for federal Title IV student financial aid programs. If necessary, an award shall be reduced by an amount which makes the student's total financial aid equivalent to the student's identified cost of attendance.

(k) Beginning with the 2018-2019 academic year, an award shall not include payment for non-credit remedial courses.

(l) If a student withdraws from a class in which he or she has received an award from the Oklahoma Higher Learning Access Program, the awarded funds shall be returned to the Oklahoma Higher Learning Access Program. This provision shall only apply to awarded funds when the student withdraws prior to the end of the add/drop period for the session in which the student is enrolled.

[Source: Added at 13 Ok Reg 767, eff 10-24-95 (emergency); Added at 13 Ok Reg 1377, eff 5-13-96; Amended at 14 Ok Reg 164, eff 10-15-96; Amended at 14 Ok Reg 1419, eff 5-12-97; Amended at 17 Ok Reg 3062, eff 7-13-00; Amended at 18 Ok Reg 1779, eff 5-25-01; Amended at 21 Ok Reg 1428, eff 5-27-04; Amended at 23 Ok Reg 1971, eff 6-11-06; Amended at 24 Ok Reg 2718, eff 7-26-07; Amended at 25 Ok Reg 2592, eff 7-11-08; Amended at 27 Ok Reg 334, eff 11-10-09 (emergency); Amended at 27 Ok Reg 1278, eff 5-27-10; Amended at 35 Ok Reg 1981, eff 9-14-18; Amended at 36 Ok Reg 1179, eff 8-11-19; Amended at 39 Ok Reg 2115, eff 9-11-22]

### **610:25-23-8. Administrative responsibilities**

The Oklahoma Higher Learning Access Act established administrative roles and responsibilities for the Oklahoma State Regents for Higher Education (OSRHE) and the State Board of Education.

(1) Every public school district shall designate at least one contact person at each Oklahoma public school site in which eighth, ninth-, tenth- or eleventh-grade classes are taught. When requested by the OSRHE, the State Board of Education shall assist the OSRHE to ensure the designation of contact persons. Private schools shall also designate at least one school official as a contact person. For students who are educated by other means, a parent or guardian or other person approved by the OSRHE shall be designated as the contact person. [70 O.S. § 2605]

(A) The contact person shall be responsible for processing student applications for the program according to the rules and regulations established by the OSRHE.

(B) The contact person shall maintain the agreements, which shall be executed on forms provided by the OSRHE.

(C) The local contact person shall:

(i) monitor the student's compliance with the terms of the agreement;

(ii) document transfer out of state, death, and other conditions; and

(iii) report on circumstances of noncompliance to the OSRHE.

(D) Compliance or noncompliance with the program requirements for attending school regularly [610:25-23-4(a)(1)], refraining from substance abuse [610:25-23-4(a)(2)], and refraining from criminal or delinquent acts [610:25-23-4(a)(3)] shall be reported to the OSRHE by the local school district.

(E) The local district contact person shall report program participants who transfer into or out of the district to the OSRHE and identify the local education agency (LEA) and site from which or to which the student transferred.

(F) Beginning in April of the student's year of graduation, the local contact person shall gather from the program participants and

his/her records, information which substantiates whether or not the program requirements have been met.

(G) The student's program verification form should be completed, signed, dated, and forwarded to the OSRHE as soon after the student's graduation as possible.

(2) The local school district where an Oklahoma Higher Learning Access Program student is attending when the student begins participation in the program and any subsequent school district where the student attends shall forward information regarding the student's participation in the program to a school to which the student transfers upon the school's request for the student's records. [70 O.S. § 2605]

(3) The Oklahoma State Regents for Higher Education shall:

(A) designate personnel to coordinate tracking of program records for the years when students participating in the program are still in the public schools, provide staff development for contact persons in the public schools, and provide liaison with the State Board of Education and local organizations and individuals participating in the program [70 O.S. § 2605];

(B) coordinate and develop policies and procedures to implement the Oklahoma Higher Learning Access Act;

(C) coordinate the publication and distribution of program awareness information and materials;

(i) Each school year, every fifth- through eleventh-grade student in the public and private schools of Oklahoma and students educated by other means who are in the equivalent of the fifth through eleventh grade shall be apprised, together with his/her parents, custodial parent, or guardian, of the student's opportunity for access to higher learning under the Oklahoma Higher Learning Access Program [70 O.S. § 2605];

(ii) The OSRHE and the State Board of Education shall develop, promote, and coordinate a public awareness program to be utilized in making students and parents aware of the program [70 O.S. § 2605];

(D) coordinate the provision of technical assistance to local school districts and individual participants;

(E) administer the Oklahoma Higher Learning Access Trust Fund;

(F) process applications submitted directly to the OSRHE;

(G) determine final eligibility for the program award.

[Source: Added at 13 Ok Reg 767, eff 10-24-95; Added at 13 Ok Reg 1377, eff 5-13-96; Amended at 14 Ok Reg 164, eff 10-15-96 (emergency); Amended at 14 Ok Reg 1419, eff 5-12-97; Amended at 17 Ok Reg 3062, eff 7-13-00; Amended at 18 Ok Reg 1779, eff 5-25-01; Amended at 19 Ok Reg 2962, eff 7-23-02 (emergency); Amended at 20 Ok Reg 2572, eff 7-11-03; Amended at 25 Ok Reg 2592, eff 7-11-08; Amended at 29 Ok Reg 677, eff 5-25-12; Amended at 35 Ok Reg 423, eff 2-15-18 (emergency); Amended at 36 Ok Reg 1179, eff 8-11-19; Amended at 39 Ok Reg 2115, eff 9-11-22]

### **610:25-23-9. "Heroes Promise"**

HB 1343 of the 2011 Oklahoma legislative session amended the Oklahoma Higher Learning Access Act to authorize certain persons to participate in the Oklahoma Higher Learning Access Program and to qualify for the program benefits. This category of program participation shall be referred to as the "Heroes Promise" program. Except as otherwise provided in this section, the administrative rules of the Oklahoma Higher Learning Access Program shall apply to participants

in the Heroes Promise program.

(1) Eligibility: A student shall be eligible to participate in the Heroes Promise program if the student meets the following criteria:

(A) The student is a child of any person killed after January 1, 2000, in the line of duty in any branch of the United States Armed Forces or who died after January 1, 2000, as a result of an injury sustained while in the line of duty in any branch of the United States Armed Forces and the person who was killed or died filed an individual or joint Oklahoma income tax return for the tax year prior to the year during which the person was killed or died.

(B) The student is a resident of Oklahoma or is 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 Section 5-117.1 of Title 70 of the Oklahoma Statutes.

(C) The student executes an agreement to participate in the program.

(2) Application and Enrollment:

(A) Eligible students enrolled in a public or private school in the eighth-, ninth-, tenth-, or eleventh-grade and eligible students educated by other means between the ages of thirteen (13) and seventeen (17) may apply to participate in the program.

(B) Eligible students who have completed the eleventh grade or who have reached age seventeen (17) shall be given the opportunity to apply to participate in the program prior to reaching the age of twenty-one (21).

(C) An eligible student shall not be required to establish financial need as described in 610:25-23-2(2).

(D) To apply, the student and/or their parent, custodial parent, or guardian shall submit appropriate documentation of eligibility including, but not limited to:

(i) A copy of an individual or joint Oklahoma income tax return filed by the parent of the student for the tax year prior to the year during which the parent was killed or died.

(ii) Documentation of the parent's death after January 1, 2000 while in the line of duty or as a result of injury sustained while in the line of duty in any branch of the United States Armed Forces.

(iii) Documentation that the student is a resident of Oklahoma or is 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 Section 5-117.1 of Title 70 of the Oklahoma Statutes.

(3) Exemption from Oklahoma Higher Learning Access Program Requirements: Students eligible for the Heroes Promise program shall not be subject to the program requirements contained in 610:25-23-4 (Program requirements).

(4) Securing Program Benefits: An eligible student may qualify for a Heroes Promise award which includes payment of an amount equivalent to resident tuition or other tuition pursuant to Section 2604 of Title 70 of the Oklahoma Statutes for the first semester or other academic unit of postsecondary enrollment if the student meets the following criteria:

(A) The student has satisfied admission standards as determined by the Oklahoma State Regents for Higher Education for first-time-entering students for the appropriate type of institution, or, if attending a private institution, has satisfied admission standards as determined by the private institution. No student participating in the Heroes Promise program shall be admitted into an institution of higher education by special admission standards.

(B) The student has secured admission to, and, prior to reaching the age of twenty-one (21), has enrolled in an institution which is a member of The Oklahoma State System of Higher Education, a postsecondary career technology 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, or a private institution of higher learning located within this state and accredited pursuant to Section 4103 of Title 70 of the Oklahoma Statutes. The Oklahoma State Regents for Higher Education may award the Heroes Promise benefit for a student's first semester or other academic unit of postsecondary enrollment taken after the student turns twenty-one (21) years of age if the student is a member of the Armed Forces of the United States, the Reserve Corps of the Armed Forces of the United States, or the Oklahoma National Guard, and is ordered to active duty or active duty for special work or training and due to the duty commitment the student is unable to enroll before the student reaches twenty-one (21) years of age. The period of the extension shall be the length of the term of duty.

(C) Except as otherwise provided in this section, students eligible for the Heroes Promise award benefits shall not be subject to the provisions of 610:25-23-5 (Securing Program benefits).

(D) Except as otherwise provided in this section, the payment of Heroes Promise award benefits shall be subject to the provisions of 610:25-23-7 (Payment of awards; policies and limitations).

(E) A student that qualifies for the Oklahoma Higher Learning Access Program benefit based on both their Heroes Promise eligibility and completion of the regular program requirements shall only receive a single program benefit.

(5) Retaining Eligibility in Postsecondary Education: To retain eligibility for the Heroes Promise award while pursuing a program of higher learning at an eligible Oklahoma institution, the student must maintain compliance with the provisions of 610:25-23-6 (Retaining eligibility in postsecondary education).

[Source: Added at 29 Ok Reg 677, eff 5-25-12; Amended at 35 Ok Reg 1981, eff 9-14-18; Amended at 39 Ok Reg 2115, eff 9-11-22]

## **SUBCHAPTER 25. SUSPENSION OR NON-RENEWAL OF PROFESSIONAL OR COMMERCIAL DRIVER LICENSES [REVOKED]**

### **610:25-25-1. Purpose [REVOKED]**

[Source: Added at 14 Ok Reg 168, eff 10-15-96 (emergency); Added at 14 Ok Reg 1424, eff 5-12-97; Revoked at 35 Ok Reg 1987, eff 9-14-18]

### **610:25-25-2. Definitions [REVOKED]**

[Source: Added at 14 Ok Reg 168, eff 10-15-96; Added at 14 Ok Reg 1424, eff 5-12-97; Revoked at 35 Ok Reg 1987, eff 9-14-18]

### **610:25-25-3. Notification procedure [REVOKED]**

[Source: Added at 14 Ok Reg 168, eff 10-15-96 (emergency); Added at 14 Ok Reg 1424, eff 5-12-97; Revoked at 35 Ok Reg 1987, eff 9-14-18]

### **610:25-25-4. Written repayment agreement executed subsequent to final notice [REVOKED]**

[Source: Added at 14 Ok Reg 168, eff 10-15-96 (emergency); Added at 14 Ok Reg 1424, eff 5-12-97; Revoked at 35 Ok Reg 1987, eff 9-14-18]

### **610:25-25-5. Repayment agreement default [REVOKED]**

[Source: Added at 14 Ok Reg 168, eff 10-15-96 (emergency); Added at 14 Ok Reg 1424, eff 5-12-97; Revoked at 35 Ok Reg 1987, eff 9-14-18]

### **610:25-25-6. Hearing procedure [REVOKED]**

[Source: Added at 14 Ok Reg 168, eff 10-15-96 (emergency); Added at 14 Ok Reg 1424, eff 5-12-97; Revoked at 35 Ok Reg 1987, eff 9-14-18]

### **610:25-25-7. Procedure for notification of licensing board to suspend and not renew [REVOKED]**

[Source: Added at 14 Ok Reg 168, eff 10-15-96 (emergency); Added at 14 Ok Reg 1424, eff 5-12-97; Revoked at 35 Ok Reg 1987, eff 9-14-18]

### **610:25-25-8. Procedure for appeal of hearing official's decision [REVOKED]**

[Source: Added at 14 Ok Reg 168, eff 10-15-96 (emergency); Added at 14 Ok Reg 1424, eff 5-12-97; Revoked at 35 Ok Reg 1987, eff 9-14-18]

### **610:25-25-9. Procedure for notification of licensing board to renew or terminate suspension [REVOKED]**

[Source: Added at 14 Ok Reg 168, eff 10-15-96 (emergency); Added at 14 Ok Reg 1424, eff 5-12-97; Revoked at 35 Ok Reg 1987, eff 9-14-18]

## **SUBCHAPTER 27. TEACHER SHORTAGE EMPLOYMENT INCENTIVE PROGRAM**

### **610:25-27-1. Purpose**

(a) The Teacher Shortage Employment Incentive Program (TSEIP) was created by Senate Bill 1393 during the 200 legislative session.

(b) The bill, as amended by Section 5, Chapter 201, O.S.L. 2001, expressed the legislative intent that beginning with the 2001-2002 school year, the Oklahoma State Regents for Higher Education (OSRHE) establish a teacher shortage employment incentive program providing *for students enrolled in a major course of study in mathematics or science at the undergraduate level or graduate level who declare an intention to serve and who subsequently serve this state by teaching in a secondary level public school of this state for a minimum of five (5) years in the subject areas of mathematics or science.* [70 O.S §698.3(A)].

(c) The implied purpose of this legislation is to provide an incentive for students who major in mathematics or science to serve as teachers of mathematics and science in Oklahoma public secondary schools for at least five (5) years.

[Source: Added at 18 Ok Reg 2773, eff 6-25-01; Amended at 18 Ok Reg 3559, eff 8-8-01 (emergency); Amended at 19 Ok Reg 248, eff 10-23-01 (emergency); Amended at 19 Ok Reg 1503, eff 5-28-02]

#### **610:25-27-2. Eligible student loans**

(a) Eligible student loans under the TSEIP are those educational loans that were obtained by the participant to defray the cost of obtaining a baccalaureate degree or graduate degree in a science or mathematics teacher education program. The specific loans include:

- (1) Stafford Student Loans/Guaranteed Student Loans
- (2) Perkins/National Direct Student Loans
- (3) Loans made to students made pursuant to the federal Supplemental Loans for Students program including CLAS
- (4) Consolidation Loan Program loans
- (5) Privately funded educational loans issued to students through institutions of higher education
- (6) Graduate PLUS Loan

(b) Ineligible student loans include Parent loans for students (PLUS).

[Source: Added at 18 Ok Reg 2773, eff 6-25-01; Amended at 18 Ok Reg 3559, eff 8-8-01 (emergency); Amended at 19 Ok Reg 248, eff 10-23-01 (emergency); Amended at 19 Ok Reg 1503, eff 5-28-02; Amended at 24 Ok Reg 2722, eff 7-26-07]

#### **610:25-27-3. Application procedure**

(a) OSRHE is authorized to distribute TSEIP Participation Agreement forms to postsecondary institutions in the State System of Higher Education that are eligible to participate in state and federal financial aid programs and have an approved program of professional teacher preparation.

(b) TSEIP Participation Agreement forms may be obtained from TSEIP coordinator in each post-secondary institution or from the OSRHE. The student is responsible for the completeness of the application.

(c) A Participation Agreement must be signed by a student while enrolled in a mathematics or science major course of study at the undergraduate or graduate level.

(d) The completed Participation Agreement must be submitted to the TSEIP coordinator no later than the date of their graduation.

(e) Post-secondary institutions TSEIP coordinators will submit copies of the TSEIP Participation Agreements to the State Regents' office within 10 days of their submission.

(f) The State Regents will notify each applicant of the receipt of his/her application in the program, the educational loan obligation, and the disbursement benefits under the TSEIP.

(g) If an eligible student failed to enroll in TSEIP before graduation, he/she can file for late enrollment into the program within one year from date of graduation. The late enrollment process is as follows:

- (1) A candidate must obtain a TSEIP Participation Late Agreement Form from the college of education (COE) which recommended licensure in undergraduate or graduate education degree in secondary mathematics or science. The participant must provide explanation for the late enrollment.



- (2) The form must be signed by the TSEIP coordinator of the respective COE.
- (3) All documents must be submitted to the OSRHE for consideration as soon as the candidate learns about TSEIP but no later than **one year** from his/her graduation date.
- (4) Additional documentation may be requested by the OSRHE before determining the eligibility of the late enrollees.

[Source: Added at 18 Ok Reg 2773, eff 6-25-01; Amended at 22 Ok Reg 2630, eff 7-11-05; Amended at 25 Ok Reg 800, eff 3-11-08 (emergency); Amended at 26 Ok Reg 1327, eff 5-25-09]

#### **610:25-27-4. Coursework requirements for participant eligibility**

In order to satisfy the coursework requirements of the program, the participant must:

- (1) Declare an intention to teach in Oklahoma and graduate from an Oklahoma teacher education program.
- (2) Maintain satisfactory progress in an academic program leading to an undergraduate or graduate degree with a major in a mathematics or science teacher education program.
- (3) Complete coursework and training necessary to obtain a teaching certificate, which requires a baccalaureate degree or graduate degree and completion of an approved program of professional teacher preparation. The teacher preparation program shall include a student teaching requirement and authorize service for the secondary level.
- (4) Participant must not have been certified to teach mathematics or science prior to signing the Participation Agreement.

[Source: Added at 18 Ok Reg 2773, eff 6-25-01; Amended at 19 Ok Reg 248, eff 10-23-01 (emergency); Amended at 19 Ok Reg 1503, eff 5-28-02; Amended at 23 Ok Reg 1114, eff 5-11-06; Amended at 24 Ok Reg 2722, eff 7-26-07]

#### **610:25-27-5. Educational loan obligations for participant(s) with outstanding student loan debt**

In order to satisfy the educational loan obligation of the program, the Participant with outstanding student loan debt must:

- (1) Not rely on any TSEIP benefit disbursement to replace any scheduled student loan payment that is due and owing to any student loan holder.
- (2) Provide written notification to OSRHE of change of status on student loans, including notice of delinquency/default and the sale, transfer or consolidation of student loans to another lender or servicer.
- (3) Be free of any obligation to repay any state or federal educational grant and not be delinquent or in default on any state or federally insured educational loan. If, at any time, it is determined that a participant owes a grant refund or is in default on a loan, and has not made satisfactory payment arrangements, Participant may be withdrawn from the TSEIP.

[Source: Added at 18 Ok Reg 2773, eff 6-25-01; Amended at 25 Ok Reg 800, eff 3-11-08 (emergency); Amended at 26 Ok Reg 1327, eff 5-25-09]

#### **610:25-27-6. Participant eligibility for benefits of the TSEIP**

In order to qualify to receive disbursement benefits under the TSEIP, the Participant must have:

- (1) Obtained an initial teaching license and then a certificate and provided eligible full-time teaching service under a regular teaching contract at an Oklahoma public school:

- (A) at the secondary level,
  - (B) for five (5) consecutive school years,
  - (C) in the mathematics or science subject areas.
- (2) Completed the five years of teaching, as required, with not less than seventy-five percent (75%) of the teaching assignment meeting the criteria set forth in paragraph (1) herein.
- (3) Completed the first full year of eligible full-time teaching service, as described above, within twenty-five (25) months from the date of graduation from a four-year institution in Oklahoma.
- (4) Notwithstanding the provisions of this subparagraph, Participants may apply to the employing school for a leave of absence when a serious illness, pregnancy or other natural cause prevents the Participant from continuing the coursework requirements or from providing consecutive full-time teaching service.
- (A) Leaves of absence may not exceed more than one academic year and will not be included for the purpose of calculating the consecutive five (5) years of teaching service.
  - (B) Participants must present official school documentation to the OSRHE that a leave of absence was granted which meets the provisions of these rules. Official notification must be given within one year that the teacher has resumed the teaching duties or Participant may be withdrawn from the program.
- (5) A Reduction in Force will not eliminate a Participant from fulfilling the consecutive five-year obligation if the following provisions are met:
- (A) Participant must provide to the OSRHE official documentation of the Reduction in Force.
  - (B) Participant must resume teaching mathematics or science at the secondary level at an Oklahoma public school within eighteen (18) months after the Reduction in Force.

[Source: Added at 18 Ok Reg 2773, eff 6-25-01; Amended at 19 Ok Reg 248, eff 10-23-01 (emergency); Amended at 19 Ok Reg 1503, eff 5-28-02; Amended at 23 Ok Reg 1114, eff 5-11-06; Amended at 25 Ok Reg 800, eff 3-11-08 (emergency); Amended at 26 Ok Reg 1327, eff 5-25-09]

**610:25-27-7. Benefits to be disbursed under the program**

- (a) Under the provisions of the TSEIP, the OSRHE, *are authorized to make the employment incentive payments to persons who actually render a minimum of five (5) years of service as teachers in the public schools of this state if not less than seventy-five percent (75%) of the teaching assignment meets the criteria [70 O.S. §698.3(B)], specified above.*
- (b) An Employment Compliance Form must be submitted to OSRHE upon completion of the 5th year of eligible teaching service. An authorized school official must complete the form.
- (c) Depending on the June 30 student loan balance of any qualifying Participant, as of the year that all program requirements are satisfied, and contingent upon the availability of funds, OSRHE will issue disbursements of program benefits directly to the qualifying participants for the repayment of eligible student loans.
- (d) *The total amount of employment incentive payments for any qualified person shall not exceed an amount equal to three times the average annual cost of undergraduate resident tuition and fees for full-time enrollment at institutions which offer teacher education programs within The Oklahoma State System of Higher Education, as defined by the State Regents. [70 O.S. § 698.3(B)]*

- (e) Eligible loans will be repaid by the Participant in the following priority:
- (1) First, all loans guaranteed by OSRHE, ranked first by rate of interest (highest to lowest) and secondly, by loan disbursement date (oldest to newest).
  - (2) Second, all other eligible loans ranked first by rate of interest (highest to lowest) and secondly, by loan disbursement date (oldest to newest).
- (f) Any amount of excess of the Participant's outstanding student loan balance, or the entire benefit amount for the participants with no outstanding student loan balance, shall be paid directly to any person otherwise eligible for employment incentive payments pursuant to this section.
- (g) If OSRHE determines that any TSEIP disbursement was authorized based on misleading or incorrect information, the Participant must reimburse such payment to OSRHE.

[Source: Added at 18 Ok Reg 2773, eff 6-25-01; Amended at 18 Ok Reg 3559, eff 8-8-01 (emergency); Amended at 19 Ok Reg 248, eff 10-23-01 (emergency); Amended at 19 Ok Reg 1503, eff 5-28-02; Amended at 25 Ok Reg 800, eff 3-11-08 (emergency); Amended at 26 Ok Reg 1327, eff 5-25-09]

#### **610:25-27-8. Fiscal limitations of the program**

- (a) *If insufficient funds are available for employment incentive payments to qualified persons during any fiscal year, the Chancellor may make reductions in the payments made to those qualifying.* [70 O.S. §698.3(D)].
- (b) Each year the benefit to all eligible teachers will be determined on, or as of June 30, for the group of teachers that achieved eligibility for TSEIP benefits (having satisfied all program requirements) by the end of that school year. If, in any given year, funds are not available for employment incentive payments at the maximum amount, due to a reduction in employment incentive payments as determined by the Chancellor, the amount to be disbursed to all eligible participants will be reduced uniformly. Upon distribution of that amount, the obligation of the program to those eligible teachers shall be satisfied. The foregoing is true even if no funds are available for disbursement.

[Source: Added at 18 Ok Reg 2773, eff 6-25-01; Amended at 18 Ok Reg 3559, eff 8-8-01 (emergency); Amended at 19 Ok Reg 248, eff 10-23-01 (emergency); Amended at 19 Ok Reg 1503, eff 5-28-02]

#### **610:25-27-9. Verification and notification requirements**

- (a) Verification requirements which must be satisfied prior to disbursement of program benefits include:
- (1) An Employment Compliance Form submitted to OSRHE after the fifth year of eligible teaching service. An authorized school official must complete the form.
  - (2) The Loan Balance Verification Form must be submitted to OSRHE in the fifth year. The lender(s) must certify that the loans are in good standing and provide a June 30 balance.
- (b) Until all mutual obligations of the Participation Agreement are satisfied, Participant must respond to all communications and requests from OSRHE within the time indicated.
- (c) Until all mutual obligations of the Participation Agreement are satisfied, Participant must provide written notification to OSRHE of any change in legal name or address of any change in status, which affects TSEIP eligibility.

[Source: Added at 18 Ok Reg 2773, eff 6-25-01; Amended at 25 Ok Reg 800, eff 3-11-08 (emergency); Amended at 26 Ok Reg 1327, eff 5-25-09]

## SUBCHAPTER 29. TULSA RECONCILIATION EDUCATION AND SCHOLARSHIP ACT

### 610:25-29-1. Purpose

(a) The Tulsa Reconciliation Education and Scholarship Program was established by HB 1178, the "1921 Tulsa Race Riot Reconciliation Act of 2001", which was signed into law on June 1st 2001. The Act was amended by HB 2238 of the 2002 legislative session.

(b) The purpose of the program is to make available a maximum of 300 scholarships to residents of the Tulsa School District, which was greatly impacted both socially and economically by the civil unrest that occurred in the city during 1921. The program is to begin with the 2002-03 school year or as soon thereafter as practicable, subject to the availability of funds.

(c) *The further purpose of the program is to establish and maintain a variety of educational support services whereby residents who qualify for the program will be prepared for success in postsecondary endeavors.* [70 O.S. §2621]

[Source: Added at 19 Ok Reg 1505, eff 5-28-02; Amended at 20 Ok Reg 2679, eff 7-25-03]

### 610:25-29-2. Definitions

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

*"Postsecondary career technology education program" means a postsecondary vocational-technical program or course that is eligible for Title IV federal student aid and is offered through a technology center school.* [70 O.S. §2622]

*"Private Institution", means a private institution of higher learning located within this state which is accredited pursuant to Section 4103 of Title 70 of the Oklahoma Statutes.* [70 O.S. §2622]

*"Resident", means a person of any age who has resided within the Tulsa School District, for not less than two (2) years prior to applying for participation in the Tulsa Reconciliation Education and Scholarship Program.* [70 O.S. §2622]

[Source: Added at 19 Ok Reg 1505, eff 5-28-02; Amended at 20 Ok Reg 2679, eff 7-25-03]

### 610:25-29-3. Eligibility requirements

(a) **General eligibility requirements.** To be eligible to participate in the Program, individuals must be residents of the Tulsa School District who are intending to pursue studies at an institution of higher education in the Oklahoma State System of Higher Education, a private institution or in a postsecondary career technology education program.

(b) **Additional eligibility requirements.**

(1) Individuals must have secured admission to, and be enrolled in, an institution which is a member of the Oklahoma State System of Higher Education, a private institution of higher education, or a post-secondary career technology education program, and must have secured such admission by regular admission standards. Participants may not be admitted by special admission standards.

(2) To retain eligibility, individuals must maintain good academic standing at the institution in which the student is enrolled.

(c) **High school scholarship eligibility requirements.** The State Regents may also annually award scholarships to a maximum of two graduating students from each high school in the Tulsa School District for the purpose of *preserving awareness of the history and meaning of the civil unrest that occurred in Tulsa in 1921. The State Regents shall involve the administration of the Tulsa School District in the selection process.* [70 O.S. §2623] Eligibility requirements for the high school scholarships shall include:

- (1) *enrollment in the appropriate high school,*
- (2) *family income of the applicant from taxable sources not to exceed Seventy Thousand Dollars (\$70,000.00) per year.*
- (3) satisfaction of the criteria in paragraph (b) of this section.

[Source: Added at 19 Ok Reg 1505, eff 5-28-02; Amended at 20 Ok Reg 2679, eff 7-25-03]

#### **610:25-29-4. Principles for awards, continuation of awards, disbursements, refunds, and applications**

(a) **Award amounts.** Subject to the availability of funds, the State Regents shall award:

- (1) For participants enrolled in an institution in the Oklahoma State System of Higher Education, an amount not to exceed the equivalent of the average dollar amount of undergraduate resident tuition that the eligible Program participant is obligated to pay.
- (2) For participants enrolled in a private institution of higher education, an amount not to exceed the equivalent of the average dollar amount of undergraduate resident tuition that the eligible Program participant would receive if enrolled in a school within the Oklahoma State System of Higher Education.
- (3) For participants enrolled in a postsecondary career technology education program, an amount not to exceed the equivalent of the dollar amount that the eligible program participant is obligated to pay, which amount shall not exceed the amount the participant would have received for comparable enrollment at a two-year institution within the Oklahoma State System of Higher Education. An award to an eligible participant who is enrolled in a postsecondary vocational-technical program may be used to pay for both vocational-technical and college work if both are required by the academic program.

(b) **Award limitations.**

- (1) Program benefits will not be awarded for courses or other postsecondary units taken by the participant:
  - (A) That are in excess of the requirements for completion of a baccalaureate program.
  - (B) That are taken more than five (5) years after the student's first semester of participation in the program, except in hardship circumstances as determined by the State Regents. Even when such a hardship is found to exist, in no event shall the participant receive benefits after the participant has been enrolled for a five (5) year cumulative time period.
- (2) Program benefits shall be awarded to *not more than 300 eligible participants annually, subject to the amount of funds available for the program and the number of eligible participants.* [70 O.S. §2625(E)]
- (3) If sufficient funds to provide awards to the maximum number of eligible participants are not available, the State Regents shall make awards based

upon need.

(A) For all academic years, participants who have previously received awards shall be given an absolute priority for continued financial support by the Program, superior to any residents who are applying for such benefits for the first time.

(B) Thereafter, the order of preference of the applicants for awards based upon need shall be determined by the State Regents using the following factors:

(i) the family income of the applicant from taxable sources is not more than Seventy Thousand Dollars (\$70,000.00 per year),

(ii) the applicant attended a Tulsa public school where seventy-five percent (75%) or more of the students enrolled in school qualify for the free and reduced lunch program, and

(iii) the applicant resides in a census block area within the Tulsa School District where thirty percent (30%) or more of the residents are at or below the poverty level established by the United States Bureau of the Census. [70 O.S. §2623]

(C) When the factors listed above prove inadequate to narrow the pool of applicants sufficiently, the State Regents may consider, as an additional order of preference factor, whether the applicant is a direct lineal descendant of a person who resided in the Greenwood Area in the City of Tulsa between April 30, 1921 and June 1, 1921.

(i) Except for the absolute priority given to eligible participants who have already received an award(s) under the Program, this factor shall be applied to all applicants regardless of race when utilized by the State Regents.

(ii) The Oklahoma Historical Society shall verify all applicant claims of lineal descent.

(D) When making awards, the State Regents shall take other grants and scholarships received by the eligible participant into consideration. In such cases, the Program benefit may be used to cover additional educational costs not covered by the other grants and scholarships.

(4) The award for the high school scholarships *shall be limited to a one-year full-time-equivalent period. Following successful completion of such award, recipients who meet the criteria provided in 610:25-29-4(b)(3)(B) shall be eligible to apply and be considered for continued participation in the full Tulsa Reconciliation Education and Scholarship Program. Any student subsequently awarded such scholarship shall have the duration of the high school scholarship deducted from five-year limit on scholarship eligibility.* [70 O.S. 2623]

(c) **Disbursement.** Funds will be disbursed from the Tulsa Reconciliation Education and Scholarship Trust Fund to the institution at which the student is enrolled. The high school scholarship *award may only be funded with state funds appropriated to the Tulsa Reconciliation Education and Scholarship Trust Fund and income therefrom, and shall be made subject to the availability of such funds.* [70 O.S. 2623]

(d) **Refunds.** Refunds resulting from student withdrawal will be remitted to the State Regents.

**(e) Application.**

- (1) Students must fully complete an application form provided by the State Regents.
- (2) Applications will be processed by the State Regents according to deadlines established annually.
- (3) Any falsified or incomplete information on the application form may result in disqualification from the Program.

[Source: Added at 19 Ok Reg 1505, eff 5-28-02; Amended at 20 Ok Reg 2679, eff 7-25-03]

**610:25-29-5. Trust funds**

- (a) The Oklahoma State Regents for Higher Education will serve as the Board of Trustees for the Tulsa Reconciliation Education and Scholarship Trust Fund. The Board will invest the trust corpus in a reasonable and prudent manner, subject to further limitations and safeguards provided in existing, applicable State Regents' investment policies.
- (b) *The Trust Fund capital shall consist of monies the Legislature appropriates or transfers to the Oklahoma State Regents for Higher Education for the Trust Fund, monies transferred from donations from taxpayers pursuant to Section 2627 of Title 70, and any monies or assets contributed to the Trust Fund from any other source, public or private.* [70 O.S. §2626(C)]
- (c) Both the trust capital and earnings income for the trust funds will accrue to the fund and may be used only for the scholarship awards.
- (d) The State Regents may, at the time an award is made on behalf of a Tulsa Reconciliation Education and Scholarship Program participant, set aside in the Trust Fund funds for the full commitment made to such participant.

[Source: Added at 19 Ok Reg 1505, eff 5-28-02; Amended at 20 Ok Reg 2679, eff 7-25-03]

**SUBCHAPTER 31. OKLAHOMA TUITION EQUALIZATION GRANT PROGRAM**

**610:25-31-1. Purpose**

- (a) The Oklahoma Tuition Equalization Grant was established by SB 520, creating the Oklahoma Tuition Equalization Grant Act of 2003, which was signed into law on May 12, 2003.
- (b) The purpose of this program is to provide grant assistance to Oklahoma residents enrolled as undergraduate students in a private or independent institution of higher education in Oklahoma.

[Source: Added at 21 Ok Reg 1432, eff 5-27-04]

**610:25-31-2. Definitions**

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

***"Private or Independent institution," means an institution of higher learning that is not a public institution within the Oklahoma State System of Higher Education. The institution must be a not-for-profit entity, domiciled within Oklahoma, accredited by the Oklahoma State Regents for Higher Education, and fully accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools or a national accrediting body recognized by the United States Department of Education.*** [70 O.S., § 2632]

[Source: Added at 21 Ok Reg 1432, eff 5-27-04; Amended at 26 Ok Reg 1329, eff 5-25-09]

### **610:25-31-3. Eligibility Requirements**

To be eligible for the Oklahoma Tuition Equalization Grant, an applicant shall:

- (1) Be an Oklahoma resident.
- (2) Have enrolled full-time as an undergraduate at an eligible private or independent institution. For regular fall and spring semesters, full-time enrollment shall be considered a minimum of 12 semester credit hours or its equivalent.<sup>5</sup>
- (3) Meet the family income eligibility level of not more than \$50,000 from both taxable and non-taxable sources for the most recently completed calendar/tax year.
- (4) Pay more tuition than is required at a comparable public institution of higher education.
- (5) Maintain the minimum standard of academic performance as required by the enrolling private or independent institution.

[Source: Added at 21 Ok Reg 1432, eff 5-27-04; Amended at 33 Ok Reg 1828, eff 9-11-16]

### **610:25-31-4. Fiscal Policies**

- (a) The enrolling private or independent institution shall forward a completed student application, documentation of full-time enrollment status, and certification of resident status to the State Regents no later than October 15 for the fall semester and March 15 for the spring semester of each academic year.
- (b) Subject to the availability of funds in the Oklahoma Tuition Equalization Grant Trust Fund, an applicant is eligible to receive an award up to \$2,000 per academic year, or \$1,000 per academic semester.
- (c) Students receiving this grant may also receive additional state-supported financial aid, but not in excess of the student's cost of attendance as determined by the institution consistent with regulations for federal financial aid.
- (d) Grants are not approved for summer or intersession enrollments.
- (e) A student may be awarded a grant for a period of five (5) consecutive years of study in a baccalaureate program beginning when the student first receives the grant, or until the student is granted a baccalaureate degree, whichever occurs first. Exceptions to this requirement may be considered for hardship circumstances; however, no recipient may receive benefits beyond a cumulative period of five (5) years.
- (f) If funds are not sufficient in the Oklahoma Tuition Equalization Grant Trust Fund to provide grants for all eligible applicants, the State Regents shall award grants on the basis of need. If necessary, the private or independent institution shall provide to the State Regents the Expect Family Contribution (EFC) calculated for each eligible student for federal financial aid purposes. Institutions may also be required to provide the amount of unmet financial need calculated for each student's financial aid package. Students who have previously received a grant and who continue to meet the requirements for eligibility shall have absolute priority over any student who is applying for a grant for the first time.

[Source: Added at 21 Ok Reg 1432, eff 5-27-04; Amended at 26 Ok Reg 1329, eff 5-25-09]

### **610:25-31-5. Refunds, institutional liability and complaint process**

- (a) Institutions will report to the Oklahoma State Regents for Higher Education any awards that the institution is aware are based on inaccurate application data. If



funds have been disbursed to a student, and the student reported incorrect data unknown to the institution at the time of eligibility certification, the student is responsible for the return of any funds for which he/she is not eligible to receive. All refunds will be coordinated by the institution for return to the Oklahoma State Regents for Higher Education. The institution will place holds as allowed on other financial aid disbursements, future enrollments, release of transcripts, etc. in an effort to collect refunds if necessary. In the event Oklahoma Tuition Equalization Grant funds are disbursed to a student as a result of erroneous action by the institution, the institution is financially liable for the return of the ineligible funds. An institution's failure to submit refunds for which the institution is liable within a reasonable period of time could result in suspension or termination of the institution's eligibility for participation in the Oklahoma Tuition Equalization Grant program. Thirty days is considered to be a reasonable period of time. The institution may appeal a finding of institutional liability.

(b) Eligible institutions shall adhere to the complaint process policies and procedures administered by the State Regents. The State Regents shall review and take action, as authorized, on complaints concerning eligible institutions.

[Source: Added at 26 Ok Reg 1329, eff 5-25-09; Amended at 33 Ok Reg 1828, eff 9-11-16]

### **SUBCHAPTER 33. REGIONAL UNIVERSITY BACCALAUREAT SCHOLARSHIP PROGRAM**

#### **610:25-33-1. Purpose**

The purpose of the Regional University Baccalaureate Scholarship Program is:

- (1) To enable public regional universities to provide up to four years of scholarship support to academically promising Oklahoma students enrolled in a baccalaureate program.
- (2) To enhance academic quality in public regional universities.

[Source: Added at 21 Ok Reg 1433, eff 5-27-04]

#### **610:25-33-2. Definitions**

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

**"Public Regional University"** as defined by the State Regents' policy in Section 3.2.4.

[Source: Added at 21 Ok Reg 1433, eff 5-27-04; Amended at 31 Ok Reg 2380, eff 9-12-14]

#### **610:25-33-3. General Provisions**

(a) Each regional university will receive an annual allocation to support scholarships to be awarded to students who meet the eligibility criteria in 610:25-33-4, and continuing students who meet the criteria in 610:25-33-5. The university may establish additional eligibility criteria. The scholarship award shall be used at the university making the award. The scholarship may be transferred to another regional university participating in the program only for extraordinary circumstances as determined by the Chancellor. The transfer must be approved by the Chancellor and have the consent of both the university initially awarding the scholarship and the university to which the scholarship will be transferred.

(b) Funding for the awards shall be made in a special allocation of state appropriated monies to the regional universities. The regional universities shall

make tuition waiver scholarships available to each student. The allocation, tuition waiver, and any other state or federal financial aid for which the student qualifies shall comprise a scholarship amount not to exceed the costs of tuition and fees, room and board, and books and supplies required for courses. A student participating in the Regional University Baccalaureate Scholarship Program may not also participate simultaneously in the State Regents' Academic Scholars Program.

(c) Provisions contained in this section are consistent with 70 O.S. 1991, Section 2403, as amended, and federal legislation affecting disabled persons. If a person identifies himself or herself as a student with a disability and requests consideration for a scholarship under the Regional University Baccalaureate Scholarship Program by means other than standard testing procedures, the State Regents shall permit the student to be examined under the special testing arrangements provided by either ACT or The College Board provided that he or she meets the qualifications specified by ACT and The College Board, respectively, to be examined. Performance requirements for participation in the Regional University Baccalaureate Scholarship Program remain the same as for other students. Students taking such tests and receiving Regional University Baccalaureate Scholarship awards will be expected to meet the same retention standards as other students. Special provisions may be considered in determining full-time enrollment for students in this category.

[Source: Added at 21 Ok Reg 1433, eff 5-27-04; Amended at 24 Ok Reg 2723, eff 7-26-07; Amended at 31 Ok Reg 2380, eff 9-12-14; Amended at 38 Ok Reg 2500, eff 9-11-21]

#### **610:25-33-4. Eligibility Requirements**

(a) Applicants shall be Oklahoma residents.

(b) Applicants must meet one of the following criteria defined below:

(1) An ACT qualified student, which shall mean a student whose ACT composite score is at least 30 and whose grade point average and class rank are exceptional, as determined by the institution;

(2) A National Merit Semifinalist or Commended Student, which shall mean a student designated as a National Merit Semifinalist or National Merit Commended Student by the National Merit Scholarship Corporation;

(c) Only ACT test scores reported by ACT, including "superscores" as calculated by ACT, will be considered for admission to the program. Scores from ACT on-campus (residual) tests will not be considered except for extraordinary circumstances as determined and approved by the Chancellor.

[Source: Added at 21 Ok Reg 1433, eff 5-27-04; Amended at 34 Ok Reg 1990, eff 9-11-17; Amended at 38 Ok Reg 2500, eff 9-11-21]

#### **610:25-33-5. Criteria for Continued Eligibility**

(a) Participants awarded a scholarship must maintain a 3.25 cumulative or retention/graduation grade-point-average. A program year is defined as beginning in the fall semester and continuing through the summer term. The cumulative or retention/graduation grade-point-average will be determined at the end of the program year, i.e., between the summer and fall terms.

(b) Scholarship recipients must maintain full-time enrollment each semester. Full-time enrollment shall mean a minimum of 12 hours per semester and 24 hours in the two regular semesters. Students who, due to extraordinary circumstances during the semester, drop below the minimum of 12 hours of initial enrollment, must earn 24 credit hours for the two regular semesters to retain eligibility for the next

program year. Students will be eligible for summer awards if they have earned 24 semester credit hours in the preceding two regular semesters. Students who receive part-time awards for summer must enroll in at least 6 credit hours and must complete a total of at least 30 credit hours during the full academic year (fall, spring, summer). Students who receive full-time awards for summer must enroll in at least 12 credit hours and must complete a total of at least 36 credit hours during the full academic year (fall, spring, summer). Hours of enrollment required for summer awards may consist of a combination of summer and intersession enrollment. Part-time awards, for enrollment of 6 to 11 credit hours, made for the summer term will count as one-half of a semester used in the program and will be in the amount of one-half of a semester award. Full time awards, for enrollment of 12 or more credit hours, made for the summer term will count as a full semester used in the program and will be in the amount of one semester award. Students who require less than 12 credit hours for graduation purposes during the last semester of undergraduate enrollment may request payment of their scholarship in the amount of a one-half semester award for at least six hours of enrollment. The term will count as one-half semester used in the program.

(c) A student who fails to meet the continued eligibility requirements will be removed from the program without academic scholarship assistance the following semester. Any semester during which the student does not receive an award due to failure to meet the continuing eligibility requirements is counted as a semester used in the program and is deducted from the eight semesters allotted for the program. A student may be reinstated to the program:

(1) If the student achieves a 3.25 cumulative or retention/graduation grade-point average at the end of the following fall or spring semester or summer term;

(2) If the student in the following fall or spring semester remedies the credit-hour deficiency by earning twelve credit hours in addition to the number of hours by which the student is deficient; or if the student earns the deficient credits in the following summer term.

(d) In summary, a student may be reinstated only one time and has one year to remedy the grade-point average or credit-hour deficiency. Maintaining eligibility and familiarity with State Regents' and institutional policy is the responsibility of the student.

(e) Participants may take a leave of absence from the program by petition to the Oklahoma State Regents for Higher Education. Leaves of absence may not be used to remedy grade-point average or credit-hour deficiency.

[Source: Added at 21 Ok Reg 1433, eff 5-27-04; Amended at 31 Ok Reg 2380, eff 9-12-14; Amended at 34 Ok Reg 1990, eff 9-11-17]

### **610:25-33-6. Fiscal Policies**

(a) Students may be awarded additional state-supported financial aid, such as fee waiver scholarships and Oklahoma Tuition Aid Grants, but not in excess of the student's cost of attendance as determined by the institution consistent with regulations for federal financial aid.

(b) Students may accept scholarships and grants from non-state sources.

(c) A student may be awarded a scholarship for up to 8 semesters of study in a baccalaureate program at a regional university or until the student is granted a baccalaureate degree, whichever occurs first.

(d) The allocation of appropriated funds to the regional university shall be on the student's behalf and shall contain appropriate restrictions and conditions that such

monies be expended only for the purposes authorized.

(e) Subject to approval by the Chancellor and contingent upon sufficient program funding, if a student fails to meet the requirements for continued eligibility, the university may award the remainder of the student's scholarship to another qualified student.

(f) Unused scholarship awards may be reallocated by the Chancellor to other universities. The reallocation of the unused scholarship funds shall be on the basis of the number of qualified students.

[Source: Added at 21 Ok Reg 1433, eff 5-27-04; Amended at 27 Ok Reg 1281, eff 5-27-10]

## **SUBCHAPTER 35. OKLAHOMA MONEY MATTERS AMERICORPS EDUCATION AWARD PROGRAM [REVOKED]**

### **610:25-35-1. Purpose [REVOKED]**

[Source: Added at 22 Ok Reg 522, eff 1-24-05 (emergency); Added at 22 Ok Reg 2631, eff 7-11-05; Revoked at 26 Ok Reg 1330, eff 5-25-09]

### **610:25-35-2. Definitions [REVOKED]**

[Source: Added at 22 Ok Reg 522, eff 1-24-05 (emergency); Added at 22 Ok Reg 2631, eff 7-11-05; Revoked at 26 Ok Reg 1330, eff 5-25-09]

### **610:25-35-3. Program Information [REVOKED]**

[Source: Added at 22 Ok Reg 522, eff 1-24-05 (emergency); Added at 22 Ok Reg 2631, eff 7-11-05; Revoked at 26 Ok Reg 1330, eff 5-25-09]

### **610:25-35-4. Field Site Selection [REVOKED]**

[Source: Added at 22 Ok Reg 522, eff 1-24-05 (emergency); Added at 22 Ok Reg 2631, eff 7-11-05; Revoked at 26 Ok Reg 1330, eff 5-25-09]

### **610:25-35-5. Member Candidacy [REVOKED]**

[Source: Added at 22 Ok Reg 522, eff 1-24-05 (emergency); Added at 22 Ok Reg 2631, eff 7-11-05; Revoked at 26 Ok Reg 1330, eff 5-25-09]

### **610:25-35-6. Grievance Procedures [REVOKED]**

[Source: Added at 22 Ok Reg 522, eff 1-24-05 (emergency); Added at 22 Ok Reg 2631, eff 7-11-05; Revoked at 26 Ok Reg 1330, eff 5-25-09]

### **610:25-35-7. Program Capacity [REVOKED]**

[Source: Added at 22 Ok Reg 522, eff 1-24-05 (emergency); Added at 22 Ok Reg 2631, eff 7-11-05; Revoked at 26 Ok Reg 1330, eff 5-25-09]

## **SUBCHAPTER 37. CHANCELLOR GLEN D. JOHNSON SCHOLARSHIP IN LEADERSHIP AND PUBLIC SERVICE**

### **610:25-37-1. Purpose**

The Chancellor Glen D. Johnson Scholarship in Leadership and Public Service honors Chancellor Johnson's commitment to increasing the number of college graduates in Oklahoma to meet the state's current and future workforce needs in today's knowledge-based, global economy. The scholarship is awarded each year to outstanding college students attending one of Oklahoma's public

colleges or universities who demonstrate strong leadership potential, a significant commitment to community engagement activities, and interest in pursuing a career in public service.

[Source: Added at 39 Ok Reg 2118, eff 9-11-22]

#### **610:25-37-2. Eligibility Requirements**

Recipients of the Chancellor Glen D. Johnson Scholarship in Leadership and Public Service shall meet the following eligibility requirements:

- (1) Oklahoma resident.
- (2) Enrolled full-time (minimum of 12 credit hours per semester) at a public institution within the Oklahoma State System of Higher Education.
- (3) In good academic standing with a minimum GPA of 3.0 at the time of nomination.
- (4) Completed at least 30 hours of college coursework/credits and will be classified as a sophomore, junior, or senior for the academic year in which the scholarship will be received.

[Source: Added at 39 Ok Reg 2118, eff 9-11-22]

#### **610:25-37-3. Award Process**

(a) **Number of Scholarships Awarded Annually.** Each year, a total of six scholarships will be awarded through the Chancellor Glen D. Johnson Scholarship in Leadership and Public Services as follows:

- (1) Two (2) scholarships to students attending Oklahoma's public two-year colleges;
- (2) Two (2) scholarships to students attending Oklahoma's public regional universities (including the University of Science and Arts of Oklahoma); and
- (3) Two (2) scholarships to students attending Oklahoma's public research universities.

(b) **Selection Process.** Recipients of the award will be selected from nominations received from Oklahoma's state system institutions.

(c) **Call for Nominations.** A call for nominations and application materials will be sent to institutions no later than November 30th each year. Nominations must be received by the Oklahoma State Regents for Higher Education by February 28th each year.

(d) **Institutional Submissions.**

- (1) Two-year community colleges and regional universities may submit only 1 nomination each year. Nominations must be submitted by the institution's president.
- (2) Oklahoma State University and the University of Oklahoma may submit up to 2 nominations each for the 2 scholarships to be awarded to the research institutions.

(e) **Evaluation Criteria.** Recipients will be selected from the nominations received from Presidents by a committee appointed by the State Regents based on the following criteria:

- (1) Leadership experience;
- (2) Demonstrated interest in public service, community engagement and civic participation;
- (3) A short essay on the importance and value of public service; and
- (4) A letter of recommendation from an individual who can attest to the student's leadership potential and commitment to public service (e.g.,

professor, dean, advisor, president, community leader, etc.).

[Source: Added at 39 Ok Reg 2118, eff 9-11-22]

#### **610:25-37-4. Fiscal Aspects of the Program**

(a) **Fund Establishment.** The State Regents are allocating one-time funds in the amount of \$100,000 to establish the Chancellor Glen D. Johnson Scholarship in Leadership and Public Service fund.

(b) **Donations.** Private donations to the Chancellor Glen D. Johnson Scholarship in Leadership and Public Service will be added to the fund's corpus.

(c) **Award Amount.** Each year, the scholarship award amount will be determined by the State Regents based on prior year's investment earnings from the Chancellor Glen D. Johnson Scholarship fund.

(d) **Disbursement.** Funds made available to the student as part of the Chancellor Glen D. Johnson Scholarship in Leadership and Public Service will be paid directly to the student's institution on behalf of the student. Disbursement of funds will occur the first week of August, prior to the start of the fall semester.

[Source: Added at 39 Ok Reg 2118, eff 9-11-22]

### **SUBCHAPTER 39. OKLAHOMA NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM**

#### **610:25-39-1. Purpose**

The purpose of the Oklahoma National Guard Educational Assistance Program is to provide postsecondary educational benefits to eligible Oklahoma National Guard members who enroll in an institution of higher education within the Oklahoma State System of Higher Education.

[Source: Added at 40 Ok Reg 1662, eff 8-25-23]

#### **610:25-39-2. Eligibility and applications**

(a) **Initial Eligibility.** To be eligible for the Oklahoma National Guard Educational Assistance Program (Program) assistance, recipients must:

- (1) Be current members of the Oklahoma National Guard (Guard) in good standing as determined by the Guard;
- (2) Have a high school diploma or have completed the General Educational Development (GED) requirements; and
- (3) Have been admitted to and have enrolled in an institution of higher education within the Oklahoma State System of Higher Education.

(b) **Continuing Eligibility.** To retain eligibility for the Program, the Guard member shall:

- (1) Maintain good academic standing and satisfactory academic progress according to the standards of the institution in which the member is enrolled;
- (2) Maintain the requirements for retention and degree completion as established by the institution in which the member is enrolled;
- (3) Maintain a minimum grade point average of 2.0 on a 4.0 scale; and
- (4) Maintain satisfactory participation in the Guard as determined by the Guard.

(c) **Applications.** An eligible Guard member seeking assistance shall submit to the Educational Service Office of the Military Department an application on a form prescribed by the Military Department prior to the semester for which the

assistance is sought. The Guard member's Commander or designee shall confirm the member's standing and eligibility to the educational institution in which the member is enrolled. Applications shall be finalized by the following dates:

- (1) Spring Semester - January 31st;
- (2) Fall Semester - August 31st.

[Source: Added at 40 Ok Reg 1662, eff 8-25-23]

### **610:25-39-3. Assistance**

(a) **Assistance amount.** Subject to the availability of funds, the amount of assistance shall be equivalent to the amount of resident tuition, mandatory fees and academic service fees for courses in which the eligible guard member is enrolled. The definitions of "resident tuition," "mandatory fees," and "academic service fees" shall be in accordance with the Oklahoma State Regents for Higher Education policy 4.18.2 "Student Tuition and Fees Policy; Definitions." Provided, for purposes of the Oklahoma National Guard Educational Assistance Program, flight costs and/or flight fees for aviation degree programs will not be considered as "resident tuition," "mandatory fees," or "academic service fees."

#### **(b) Assistance limitations**

- (1) Assistance may not exceed a maximum of eighteen (18) credit hours per semester;
- (2) Assistance for enrollment in an undergraduate program in pursuit of an associate and/or baccalaureate degree shall not exceed a maximum of one hundred twenty (120) credit hours or the completion of the requirements for a baccalaureate degree, whichever comes first; and
- (3) Assistance for enrollment in a graduate program in pursuit of a master's degree shall not exceed a maximum of forty (40) credit hours or completion of the requirements for a master's degree, whichever comes first.

#### **(c) Funding of Assistance.**

- (1) Assistance for an eligible Guard member shall be paid from the Oklahoma National Guard Educational Assistance Revolving Fund (Revolving Fund) by the Oklahoma State Regents for Higher Education (Regents) to the educational institution in which the Guard member is enrolled. By July 1 of each year the Regents shall notify the Adjutant General of the amount of funding in the Revolving Fund.
- (2) Funding for assistance for graduate programs will be provided subject to full funding of assistance to eligible Guard members enrolled in undergraduate programs.

[Source: Added at 40 Ok Reg 1662, eff 8-25-23]

## **SUBCHAPTER 41. OKLAHOMA FUTURE TEACHER SCHOLARSHIP AND EMPLOYMENT INCENTIVE PROGRAM ("INSPIRED TO TEACH")**

### **610:25-41-1. Purpose**

- (a) The Oklahoma Future Teacher Scholarship and Employment Incentive Program (also known as "Inspired to Teach") was created by House Bill 3564 during the 2022 legislative session.
- (b) "Inspired to Teach" is a program to support the teacher pipeline and the preparation of public school teachers for prekindergarten through 12th grade. As legislatively appropriated funding is available, the program provides a scholarship to eligible students majoring in teacher education at an accredited teacher

preparation program at an Oklahoma public or private university OR a student majoring in a pre-teacher education program at an Oklahoma public community college that has an approved "Inspired to Teach" program articulation agreement with an accredited Oklahoma university teacher preparation program, and incentivizes those individuals to enter the workforce as Oklahoma public school teachers for at least five (5) consecutive years upon graduation.

(c) The bill requires that the Oklahoma State Regents for Higher Education (OSRHE) establish and maintain an incentive scholarship program and teacher employment incentive program, as funding is available. [70 O.S §698.1 (A)].

(d) The purpose of the "Inspired to Teach" program is to address teacher shortages in Oklahoma by making scholarships available to undergraduate students and providing employment incentives for participants who meet eligibility criteria and major in teacher education, obtain a traditional teaching certificate, and serve as teachers in the public schools of this state for at least five (5) consecutive years.

(e) The scholarship will help defray the cost of obtaining a baccalaureate degree and the incentive will assist graduates as they enter the workforce as teachers in this state.

[Source: Added at 40 Ok Reg 144, eff 10-12-22 (emergency); Added at 40 Ok Reg 1198, eff 8-11-23]

### **610:25-41-2. Definitions**

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

**"Full-time student"** means:

(A) an undergraduate student enrolled in 12 or more semester credits toward teacher education degree requirements;

(B) an undergraduate student who is a teacher education major who is enrolled in or has completed an internship or student teaching credit hours in order to complete their degree program prior to certification and who has been approved by the institution to take less than twelve credit hours; or

(C) an undergraduate student who is a teacher education major with an approved reasonable accommodation from Student Accessibility Services at the institution due to a documented disability and who has been approved to take less than twelve credit hours.

**"Inspired to Teach"** means the Oklahoma Future Teacher Scholarship and Employment Incentive Program created by House Bill 3564 during the 2022 legislative session.

**"Internship" or "Student teaching"** means: A minimum of 12 weeks or 360 hours of full-time student teaching or its equivalent completed by all initial candidates prior to teacher education program completion. The student teaching internship must be completed in an accredited Oklahoma PK-12 school to fulfill the mandatory requirement for a teacher education degree at an accredited Oklahoma institution.

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

**"SAP"** means satisfactory academic progress according to the standards of the Oklahoma educational institution in which the student is enrolled.

[Source: Added at 40 Ok Reg 144, eff 10-12-22 (emergency); Added at 40 Ok Reg 1198, eff 8-11-23]

### **610:25-41-3. Eligibility requirements**

(a) In order to participate in the "Inspired to Teach" program and be eligible for a scholarship, prospective teachers must meet the following requirements:



- (1) Graduate from an Oklahoma high school;
  - (2) Meet higher education admission standards at 1) a public or private Oklahoma university with an accredited Oklahoma teacher education program or 2) a public community college with an approved articulation agreement with an accredited Oklahoma university teacher education program;
  - (3) Declare a major at an accredited Oklahoma university teacher education program in a degree leading to a standard teaching certificate or declare a major at a community college with an approved "Inspired to Teach" Program articulation agreement with an accredited Oklahoma teacher education program leading to a standard Oklahoma teaching certificate;
  - (4) Maintain enrollment as a full-time student at a participating higher education institution during each semester of scholarship eligibility until a baccalaureate degree for teaching is obtained;
  - (5) Maintain SAP and a minimum 2.5 GPA throughout matriculation; and
  - (6) Prior to entry into the "Inspired to Teach" Program, agree to complete the program and to teach in an Oklahoma public prekindergarten through 12th grade (PK-12) school for a minimum of five (5) consecutive years upon graduation and certification as a teacher.
- (b) Traditionally certified teachers who graduated from a teacher education program without participating in the "Inspired to Teach" program during undergraduate study are not eligible for the "Inspired to Teach" program.

[Source: Added at 40 Ok Reg 144, eff 10-12-22 (emergency); Added at 40 Ok Reg 1198, eff 8-11-23]

#### **610:25-41-4. Application procedure**

- (a) OSRHE will distribute "Inspired to Teach" Participation Agreement forms to postsecondary institutions in Oklahoma that are eligible to participate in state and federal financial aid programs and have an approved program of professional teacher preparation or an approved articulation agreement on file with a state institution that has a professional teacher preparation program.
- (b) Participation Agreement forms may be obtained from the "Inspired to Teach" coordinator at each postsecondary institution or from OSRHE.
- (c) A Participation Agreement must be signed by the student while enrolled in a major course of study in teacher education at the undergraduate level.
- (d) The completed Participation Agreement must be submitted to the "Inspired to Teach" coordinator upon declaring teacher education as a major or, at the latest, before beginning the final semester prior to graduation; however, a student who has declared teacher education as a major at least one semester before the final semester will be allowed to submit a completed Participation Agreement and be considered for the "Inspired to Teach" Program the final semester.
- (e) "Inspired to Teach" coordinators at postsecondary institutions will submit copies of the Participation Agreements to OSRHE within 10 days of submission by the student.
- (f) OSRHE will notify each applicant of the receipt of his/her application to the "Inspired to Teach" program, the requirements for ongoing eligibility, and the disbursement benefits under "Inspired to Teach."

[Source: Added at 40 Ok Reg 144, eff 10-12-22 (emergency); Added at 40 Ok Reg 1198, eff 8-11-23]

#### **610:25-41-5. Certifications of compliance**

- (a) Participants must apply for entry into the "Inspired to Teach" program during their matriculation as an undergraduate student using the Participation Agreement

Form which can be obtained from the eligible Oklahoma higher education institution in which they are enrolled or the OSRHE website.

(b) OSRHE will be responsible for determining participant eligibility at each stage following "Inspired to Teach" program entry.

(c) Institutions will supply OSRHE with verification and certification of student eligibility each semester for the "Inspired to Teach" Program scholarship.

(d) After graduation, as participants transition to their teaching assignments in Oklahoma public schools, "Inspired to Teach" Program participants will provide compliance documentation to OSRHE as set forth in 610:25-41-9 and 610:25-41-11.

[Source: Added at 40 Ok Reg 144, eff 10-12-22 (emergency); Added at 40 Ok Reg 1198, eff 8-11-23]

#### **610:25-41-6. Disqualification**

The following conditions shall subject the participant to disqualification from the "Inspired to Teach" program:

- (1) Failing to maintain a 2.5 grade point average;
- (2) Changing major to an ineligible area of study;
- (3) Failing to meet and maintain SAP in an academic program leading to an eligible undergraduate degree in an Oklahoma accredited teacher education program;
- (4) Failing to maintain enrollment as a full-time student, withdrawing completely from enrollment, or otherwise leaving the higher education institution;
- (5) Failing to complete the teacher education baccalaureate degree and training necessary to obtain a traditional Oklahoma teaching certificate from an approved and accredited Oklahoma program of professional teacher preparation, including student teaching or internship;
- (6) Failing to meet requirements for traditional certification to teach as established by Oklahoma state law;
- (7) Failing to teach for five (5) consecutive years in an Oklahoma public school upon graduation and certification as a teacher; or
- (8) Failing to provide documentation as requested by OSRHE within the time indicated.

[Source: Added at 40 Ok Reg 144, eff 10-12-22 (emergency); Added at 40 Ok Reg 1198, eff 8-11-23]

#### **610:25-41-7. Participant eligibility for scholarship payments**

(a) To the extent legislatively appropriated funding is available, the following scholarships will be awarded to eligible participants in the "Inspired to Teach" program:

- (1) One thousand dollars (\$1,000) per academic year for up to three (3) academic years for full-time students who have earned less than 90 credit hours; and
- (2) Two thousand five hundred dollars (\$2,500) for the final academic year for full-time students who have earned 90 or more credit hours.

(b) To the extent legislatively appropriated funding is available, the following scholarships will be awarded to eligible full-time students participating in "Inspired to Teach" according to the following tiers based on enrolled credit hours towards degree requirements if the student is entering the first year of undergraduate study, or earned credit hours towards degree requirements for all other students:

- (1) Tier 1, requiring a minimum of 12 hours enrolled: \$1,000

(2) Tier 2, requiring a minimum of 24 and a maximum of 47 hours earned: \$1,000

(3) Tier 3, requiring a minimum of 48 and a maximum of 89 hours earned: \$1,000

(4) Tier 4, requiring a minimum of 90 hours earned: \$2,500

(c) Participants can receive a maximum of Five Thousand Five Hundred Dollars (\$5,500) in total scholarship awards. Students will not be eligible for multiple awards in an academic year. If a participant will become eligible for a Tier 3 award and a Tier 4 award in the same academic year, which is also the participant's final academic year, and the participant has yet to receive an award from either tier, then the participant may choose which award to receive. Scholarship award disbursements will only be made for fall and spring semesters of the academic year. There will be no summer semester scholarship disbursements.

(d) Participants who have earned less than ninety (90) credit hours towards degree requirements, but have received Three Thousand Dollars (\$3,000) in scholarship funding, will not be eligible for the final scholarship allotment of Two Thousand Five Hundred Dollars (\$2,500) until their final academic year of study.

(e) Participants who have earned 90 or more credit hours towards degree requirements but still have more than one academic year remaining to complete the teacher education degree requirements, may receive the Two Thousand Five Hundred Dollar (\$2,500) award in the final academic year during a semester (fall and/or spring disbursement) designated by, and at the discretion of, the institution. Participants, upon receiving the Two Thousand Five Hundred Dollar (\$2,500) award, will not be eligible for any of the scholarship awards granted to participants who have earned less than 90 credit hours towards degree requirements.

(f) Participants may utilize no more than one of the following provisions to become re-eligible for the "Inspired to Teach" program:

(1) Participants whose GPA falls below a 2.5, or who fail to maintain SAP, will have one academic semester (fall or spring) to re-establish a 2.5 GPA (or above) and SAP in order to have the scholarship benefit reinstated. Failure to meet the GPA and/or SAP requirements will result in the participant's withdrawal from the "Inspired to Teach" program.

(2) Participants who change majors to an ineligible area of study, fail to meet GPA and/or SAP requirements for two semesters, fail to maintain enrollment as a full-time student for one semester or completely withdraw from enrollment, will be allowed to reapply within one year of that occurrence as long as the participant does not graduate the same semester in which the participant reapplies.

(3) Participants who fail to meet the GPA or SAP requirement during the 2nd to last semester of their final year of matriculation, will not receive the scholarship benefit in the final semester; however, under the provisions of (1) of this subsection, if the participant re-establishes a 2.5 GPA (or above) and SAP within the final academic semester (before graduation), upon graduation, the participant's eligibility will be reinstated for employment incentive payments.

(4) Participants may obtain from the institution in which they are enrolled, an official letter reflecting a leave of absence or withdrawal when a serious illness, pregnancy, or other natural cause prevents the participant from continuing the coursework requirements or from fulfilling the provisions outlined under the eligibility requirements.

(A) College/ university withdrawals or leaves of absence may not exceed more than one academic year but will not be counted against the participant for the purposes of scholarship eligibility as long as the following criteria are met:

(B) Participants must present official college/university documentation to OSRHE at the time the withdrawal or leave of absence was granted which meets the requirements of this rule. Reapplication into the "Inspired to Teach" program must be received thirty (30) days prior to the participant resuming classes full-time or the participant may be withdrawn from the program.

(g) Participants who have been disqualified from the "Inspired to Teach" program but later become re-eligible pursuant to 610:25-41-7(f) shall be considered to have maintained program eligibility throughout matriculation for the purposes of 610:25-41-8(a)(1) if, following re-eligibility, the participant maintains "Inspired to Teach" program eligibility through graduation.

[Source: Added at 40 Ok Reg 144, eff 10-12-22 (emergency); Added at 40 Ok Reg 1198, eff 8-11-23]

### **610:25-41-8. Participant eligibility for employment incentive payments**

(a) In order to qualify to receive the employment incentive disbursement benefits under the "Inspired to Teach" program, program participants who are employed as traditionally prepared and certified teachers in Oklahoma public prekindergarten through 12th grade schools must:

- (1) After being accepted into the "Inspired to Teach" program, maintain program eligibility pursuant to 610:25-41-3 throughout matriculation and receive at least one scholarship award;
- (2) Graduate from an accredited Oklahoma teacher preparation degree program;
- (3) Obtain a traditional teacher certification and provide eligible full-time teaching service under a regular teaching contract at an Oklahoma public school in the area of certification or qualified subject area; and
- (4) Begin the first year of eligible full-time teaching service, as described above, within thirteen (13) months from the date of graduation from a four-year institution in Oklahoma.

(b) Employment incentive payments may be awarded following each consecutive year of satisfactory service as documented by the employing school district for up to five (5) years of service to "Inspired to Teach" program scholarship recipients upon graduation from an accredited Oklahoma teacher preparation degree program and traditional certification to teach in Oklahoma.

(c) The maximum amount of employment incentive payments for any qualified participant shall be Four Thousand Dollars (\$4,000) per year for up to five (5) years, not to exceed a total of Twenty Thousand Dollars (\$20,000) per participant.

(d) If sufficient funds are not available for employment incentive payment to qualified participants during any fiscal year, the Chancellor may make reductions in the payments made to qualified participants.

(e) Participants may apply to the employing school for a leave of absence when a serious illness, pregnancy, or other natural cause prevents the participant from providing consecutive full-time teaching service. Participants must present official school documentation to OSRHE that a leave of absence was granted which meets the requirements of this rule. Official notification must be given within one year that the teacher has resumed the teaching duties or participant may be withdrawn from the "Inspired to Teach" program.

(f) Leaves of absence may not exceed more than one academic year. Leaves of absence will not be included for the purpose of calculating the required consecutive five (5) years of teaching service.

(g) A Reduction in Force will not disqualify a participant based on the consecutive five-year obligation if the following requirements are met:

(1) Participant must provide to OSRHE official documentation of the Reduction in Force; and

(2) Participant must resume teaching at an Oklahoma public school within eighteen (18) months after the Reduction in Force.

[Source: Added at 40 Ok Reg 144, eff 10-12-22 (emergency); Added at 40 Ok Reg 1198, eff 8-11-23]

#### **610:25-41-9. Incentive benefits to be disbursed under the program**

(a) Under the provisions of the "Inspired to Teach" program, OSRHE is authorized to make the employment incentive payments each year, up to five consecutive years for full-time teaching service, to Oklahoma public school districts for participants eligible pursuant to 610:25-41-8.

(b) An Employment Compliance Form must be submitted to OSRHE upon completion of each year of eligible teaching service. An authorized school official must complete the form.

(c) Each year, if all program requirements are satisfied, and contingent upon the availability of funds, OSRHE will issue disbursements of "Inspired to Teach" program benefits to school districts employing the qualifying participants for payment to participants.

(d) The total annual amount of employment incentive payments for any qualified participant shall not exceed Four Thousand Dollars (\$4,000).

(e) If OSRHE determines that any "Inspired to Teach" program disbursement was authorized based on misleading or incorrect information supplied by the participant, the participant must reimburse such payment to OSRHE.

[Source: Added at 40 Ok Reg 144, eff 10-12-22 (emergency); Added at 40 Ok Reg 1198, eff 8-11-23]

#### **610:25-41-10. Fiscal limitations of the program**

(a) If insufficient funds are available for scholarship and/or employment incentive payments to qualified persons during any fiscal year, the Chancellor may make reductions in the payments made to those qualifying. [70 O.S. §698.1(F)].

(b) On or before June 30 of each year, the amount of employment incentive payments for all teachers eligible to receive payments for the upcoming school year will be determined. If in any given year funds are not available for employment incentive payments at the determined amount due to a reduction in employment incentive payments as determined by the Chancellor, the amount to be disbursed to all eligible participants will be reduced uniformly. Upon distribution of this reduced amount, the obligation of the "Inspired to Teach" program to those eligible teachers shall be satisfied for that academic year. The foregoing is true even if no funds are available for disbursement.

[Source: Added at 40 Ok Reg 144, eff 10-12-22 (emergency); Added at 40 Ok Reg 1198, eff 8-11-23]

#### **610:25-41-11. Verification and notification requirements**

(a) Verification requirements which must be satisfied prior to disbursement of "Inspired to Teach" program benefits include:

(1) A copy of the participant's traditional teaching certificate from the Oklahoma State Department of Education submitted to OSRHE.

Additionally, a new copy of the traditional teaching certificate must be submitted for all new subsequent certification competencies or credentials;

(2) A copy of the participant's official college or university transcript reflecting GPA, coursework, and graduation confirmation submitted to OSRHE; and

(3) An Employment Compliance Form submitted to OSRHE after each year of eligible teaching service. An authorized school district official must complete the form including the participant's signature. This form must be notarized prior to submission to OSRHE.

(b) The participant is responsible for ensuring that all documentation requested for verification requirements is provided within the time indicated.

(c) Until all mutual obligations of the Participation Agreement are satisfied, the participant must respond to all communications and requests from OSRHE within the time indicated.

(d) Until all mutual obligations of the Participation Agreement are satisfied, the participant must provide written notification to OSRHE of any change in legal name or address and of any change in status, which affects "Inspired to Teach" program eligibility.

[Source: Added at 40 Ok Reg 144, eff 10-12-22 (emergency); Added at 40 Ok Reg 1198, eff 8-11-23]