

**TITLE 610. STATE REGENTS FOR HIGHER EDUCATION  
CHAPTER 25. STUDENT FINANCIAL AID AND SCHOLARSHIPS  
SUBCHAPTER 43. OKLAHOMA ACCESS AND ACHIEVEMENT PROGRAM**

**RULE IMPACT STATEMENT**

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

During the 2024 session, the Oklahoma Legislature approved HB 3792 (now 70 O.S. § 2501) creating the Oklahoma Access and Achievement Program. The bill authorizes educational benefits to Oklahoma residents with intellectual disabilities enrolled in comprehensive transition and postsecondary (CTP) programs approved by the U.S. Department of Education in the amount equivalent to resident tuition at institutions in the Oklahoma State System of Higher Education and Oklahoma Career Technology Education institutions. Funding for the program will come from the Oklahoma Higher Learning Access Trust Fund funds.

HB 3792 also outlines eligibility requirements for the program which include family income limits for students applying to the program, creating levels of income eligibility based on whether the student was adopted while in permanent custody of Oklahoma Human Services (OKDHS), court-ordered custody of a licensed private child-placing agency, or federally recognized Indian tribe and based on the age of the student if adopted. Students are eligible for the scholarship if they are within six (6) years of high school graduation, are enrolled in a state-system or career technology CTP program, and the student's parent(s) federal adjusted gross income does not exceed:

- \$100,000 per year for parents who did not adopt;
- \$150,000 per year for parents who adopted the student between the ages of birth and twelve (12) years old while in the permanent custody of OKDHS, court-ordered custody of a licensed private nonprofit child-placing agency, or federally recognized Indian tribe.
- \$200,000 per year for parents who adopted the student between the ages of thirteen (13) and seventeen (17) years old while in the permanent custody of OKDHS, court-ordered custody of a licensed private nonprofit child-placing agency, or federally recognized Indian tribe.

To maintain eligibility in the program students must maintain satisfactory academic progress and they have five (5) years of eligibility beginning their first semester at a postsecondary institution.

The proposed rules are necessary to comply with HB 3792 (now 70 O.S. § 2501).

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

The proposed rule changes will affect the OSRHE, the institutions comprising the Oklahoma State System of Higher Education, public technology center schools and students who are eligible to apply for the program. No information on cost impacts has been received by OSRHE from any private or public entities.

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

The proposed rule changes will benefit OSRHE, the institutions comprising the Oklahoma State System of Higher Education, public technology center schools and students who are now eligible to apply for the program.

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

The proposed rule changes should have positive economic impacts on the institutions comprising the Oklahoma State System of Higher Education, public technology center schools and students who are eligible to apply for the program. Accredited public higher education institutions and public technology center schools should benefit from increased enrollment from students who enroll due to eligibility for this program. For those students who qualify for the program, these students should benefit through the receipt of tuition awards. There are no fees involved.

**E. Probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency.**

The proposed rule changes are not expected to have any administrative cost impact on OSRHE or other agencies. Scholarship awards are paid by OSRHE from state funds that are deposited in the Oklahoma Higher Learning Access Trust Fund per Title 62, Section 34.87 of the Oklahoma Statutes, or any monies or assets contributed to the Trust Fund from any other source, public or private.

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

The proposed rules are not expected to have an economic impact on any political subdivisions. Cooperation in implementing the rule will be necessary by contact persons at public school sites within school districts.

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

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

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

The proposed changes are not expected to increase compliance costs.

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

The proposed rules will have no effect on the public health, safety, and environment.

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

No effect on the public health, safety, or the environment will result if the proposed rules are not implemented.

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

September 5, 2024.