

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

**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) To meet the program's financial need criteria, the income of the student's parent(s) from taxable and nontaxable sources shall not exceed \$50,000 per year at the time the student applies for participation in the program. Beginning in 2017-2018, the federal adjusted gross income of the student's parent(s) shall not exceed \$55,000 per year at the time the student applies for participation in the program. Beginning in 2021-2022, the federal adjusted gross income of the student's parent(s) shall not exceed \$60,000 per year at the time the student applies for participation in the program. 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. 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.~~

~~(B)(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)~~(6)(7)~~]

~~(C)~~(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.