

**TITLE 610. STATE REGENTS FOR HIGHER EDUCATION
CHAPTER 25. STUDENT FINANCIAL AID AND SCHOLARSHIPS**

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 1. Academic Scholars Program

610:25-1-3. General principles for operation of program [AMENDED]

610:25-1-4. Eligibility Requirements and Term of Scholarship Award [AMENDED]

AUTHORITY:

Oklahoma State Regents for Higher Education; 70 O.S. Sections 2401 through 2407; 70 O.S. Section 3206 (i).

DATES:

Adoption:

October 24, 2019

Effective:

February 10, 2020

Expiration:

Effective through September 14, 2021, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

N/A

INCORPORATIONS BY REFERENCE:

N/A

FINDING OF EMERGENCY:

The State Regents for Higher Education find that a compelling public interest requires the passage of this emergency rule. The proposed amendments to the Academic Scholars Program rules must be addressed now in order to provide appropriate formal guidance to students graduating high school in the spring of 2020, for those currently using the program and for school officials working with current and prospective students. The changes will make the program fiscally more effective and efficient and provide a more equitable distribution of scholarships.

GIST/ANALYSIS:

The program provides participants a scholarship for up to four years of study at accredited institutions of higher education in Oklahoma. Due to reductions in program funding between FY2012 - FY2020 of twenty-seven percent (27%), or \$2.3 million, the State Regents reduced the funding for non-resident students to zero. The State Regents propose that the policy of no state funding for awards to nonresident students should be continued. The State Regents have also modified the allocation of freshmen Institutional Nominee scholarship slots to more closely reflect the enrollment patterns of first-time entering freshmen at state system colleges and universities and have adjusted the award amount for Institutional Nominees commensurate with available funding. The proposed rule revisions address two issues. The first is adding a third minimum eligibility criterion option for Institutional Nominees that provides a stronger predictor of college success, addresses a disadvantage for high schools that do not calculate class rank and provides more flexibility for institutions to select qualified applicants while maintaining high academic standards. The second is allowing consideration of ACT scores based on a recent change in ACT's testing and scoring policy. On October 8, 2019, ACT announced a change in

the administration of the ACT test that will calculate a "superscore" if a student takes the test more than once. The new ACT policy will also allow students to retest in one or more of the individual test sections without having to retake the entire test. These changes become effective in September 2020.

The proposed rule revisions are submitted as emergency rule revisions so that the changes can be effective for students graduating high school in the spring of 2020. Due to timeline scheduling requirements, the normal permanent rule revision process will not allow the changes to be approved in time for those students and school officials.

Similar permanent rule amendments will be sought during the regular 2020 legislative session.

CONTACT PERSON:

David B. Harting, Associate General Counsel, OSRHE, 655 Research Parkway, Suite 200, Oklahoma City, OK 73104, 405-225-9289.

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE ON FEBRUARY 10, 2020 AS SET FORTH IN 75 O.S., SECTIONS 253 (D) AND (F):

SUBCHAPTER 1. ACADEMIC SCHOLARS PROGRAM

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 ~~on an official test report issued~~ 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. 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 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.

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 ~~2006~~ 2020 semester, Institutional Nominees are required to meet at least one of the ~~two~~ 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) Students graduating from high schools that do not provide class rank and home-educated~~ Home-educated students shall be considered for eligibility as an Institutional nominee based on their ACT or SAT test scores.

(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.