

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

RULEMAKING ACTION:

PERMANENT final adoption

RULES:

Subchapter 31. Oklahoma Tuition Equalization Grant Program

610:25-31-3. Eligibility Requirements [AMENDED]

610:25-31-5 Refunds, ~~and~~ institutional liability and complaint process [AMENDED]

AUTHORITY:

70 O.S. §§2630-2632; 70 O.S. § 3206 (i); Oklahoma State Regents for Higher Education

SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET SECRETARY:

September 24, 2015

COMMENT PERIOD:

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PUBLIC HEARING:

n/a

ADOPTION:

December 3, 2015

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

December 11, 2015

APPROVED BY GOVERNOR'S DECLARATION:

Approved by Governor's declaration on June 9, 2016

FINAL ADOPTION:

June 9, 2016

EFFECTIVE:

September 11, 2016

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATIONS BY REFERENCE:

n/a

ANALYSIS:

One of the proposed rule revisions is due to an amendment to the Oklahoma Tuition Equalization Grant (OTEG) statutes in Senate Bill 414 of the 2015 Oklahoma legislative session. The amendment was necessary to comply with the United States Department of Education (USDE) "state authorization" regulations that went into effect on July 1, 2015. For a postsecondary institution to be eligible to participate in federal student financial aid programs, the federal regulations require the institution to have certain types of state oversight and approvals. One requirement is that each state must have a process to review and act appropriately upon complaints concerning the institution. To comply with this provision, the rule revision reflects the new statutory language in SB 414 directing OTEG-eligible institutions to adhere to the complaint process administered by the Oklahoma State Regents for Higher Education.

The second policy revision corrects wording related to the \$50,000 family income limit to be consistent with the existing statutory language.

CONTACT PERSON:

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PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE

ACCEPTED 7/13/16
Office of Administrative Rules
Oklahoma Secretary of State
Docket # 16-659 OAR/cert C.C.

CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS 250.3(5) AND 308(E), WITH AN EFFECTIVE DATE OF SEPTEMBER 11, 2016:

SUBCHAPTER 31. OKLAHOMA TUITION EQUALIZATION GRANT PROGRAM

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.⁵
- (3) Meet the family income eligibility level of less 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.

610:25-31-5. Refunds, and 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.