

FIRST REGULAR SESSION

SENATE BILL NO. 378

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR PEARCE.

Read 1st time February 26, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1623S.011

AN ACT

To repeal sections 160.545, 173.250, and 173.1104, RSMo, and to enact in lieu thereof three new sections relating to higher education scholarship programs.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 160.545, 173.250, and 173.1104, RSMo, are repealed
2 and three new sections enacted in lieu thereof, to be known as sections 160.545,
3 173.250, and 173.1104, to read as follows:

160.545. 1. There is hereby established within the department of
2 elementary and secondary education the "A+ Schools Program" to be administered
3 by the commissioner of education. The program shall consist of grant awards
4 made to public secondary schools that demonstrate a commitment to ensure that:

5 (1) All students be graduated from school;

6 (2) All students complete a selection of high school studies that is
7 challenging and for which there are identified learning expectations; and

8 (3) All students proceed from high school graduation to a college or
9 postsecondary vocational or technical school or high-wage job with work place
10 skill development opportunities.

11 2. The state board of education shall promulgate rules and regulations for
12 the approval of grants made under the program to schools that:

13 (1) Establish measurable districtwide performance standards for the goals
14 of the program outlined in subsection 1 of this section; and

15 (2) Specify the knowledge, skills and competencies, in measurable terms,
16 that students must demonstrate to successfully complete any individual course
17 offered by the school, and any course of studies which will qualify a student for
18 graduation from the school; and

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 (3) Do not offer a general track of courses that, upon completion, can lead
20 to a high school diploma; and

21 (4) Require rigorous coursework with standards of competency in basic
22 academic subjects for students pursuing vocational and technical education as
23 prescribed by rule and regulation of the state board of education; and

24 (5) Have a partnership plan developed in cooperation and with the advice
25 of local business persons, labor leaders, parents, and representatives of college
26 and postsecondary vocational and technical school representatives, with the plan
27 then approved by the local board of education. The plan shall specify a
28 mechanism to receive information on an annual basis from those who developed
29 the plan in addition to senior citizens, community leaders, and teachers to update
30 the plan in order to best meet the goals of the program as provided in subsection
31 1 of this section. Further, the plan shall detail the procedures used in the school
32 to identify students that may drop out of school and the intervention services to
33 be used to meet the needs of such students. The plan shall outline counseling
34 and mentoring services provided to students who will enter the work force upon
35 graduation from high school, address apprenticeship and intern programs, and
36 shall contain procedures for the recruitment of volunteers from the community
37 of the school to serve in schools receiving program grants.

38 3. A school district may participate in the program irrespective of its
39 accreditation classification by the state board of education, provided it meets all
40 other requirements.

41 4. By rule and regulation, the state board of education may determine a
42 local school district variable fund match requirement in order for a school or
43 schools in the district to receive a grant under the program. However, no school
44 in any district shall receive a grant under the program unless the district
45 designates a salaried employee to serve as the program coordinator, with the
46 district assuming a minimum of one-half the cost of the salary and other benefits
47 provided to the coordinator. Further, no school in any district shall receive a
48 grant under the program unless the district makes available facilities and
49 services for adult literacy training as specified by rule of the state board of
50 education.

51 5. For any school that meets the requirements for the approval of the
52 grants authorized by this section and specified in subsection 2 of this section for
53 three successive school years, by August first following the third such school year,
54 the commissioner of education shall present a plan to the superintendent of the

55 school district in which such school is located for the waiver of rules and
56 regulations to promote flexibility in the operations of the school and to enhance
57 and encourage efficiency in the delivery of instructional services in the
58 school. The provisions of other law to the contrary notwithstanding, the plan
59 presented to the superintendent shall provide a summary waiver, with no
60 conditions, for the pupil testing requirements pursuant to section 160.257 in the
61 school. Further, the provisions of other law to the contrary notwithstanding, the
62 plan shall detail a means for the waiver of requirements otherwise imposed on
63 the school related to the authority of the state board of education to classify
64 school districts pursuant to subdivision (9) of section 161.092 and such other rules
65 and regulations as determined by the commissioner of education, except such
66 waivers shall be confined to the school and not other schools in the school district
67 unless such other schools meet the requirements of this subsection. However, any
68 waiver provided to any school as outlined in this subsection shall be void on June
69 thirtieth of any school year in which the school fails to meet the requirements for
70 the approval of the grants authorized by this section as specified in subsection 2
71 of this section.

72 6. For any school year, grants authorized by subsections 1 to 3 of this
73 section shall be funded with the amount appropriated for this program, less those
74 funds necessary to reimburse eligible students pursuant to subsection 7 of this
75 section.

76 7. The commissioner of education shall, by rule and regulation of the state
77 board of education and with the advice of the coordinating board for higher
78 education, establish a procedure for the reimbursement of the cost of tuition,
79 books and fees to any public community college or vocational or technical school
80 or within the limits established in subsection 9 of this section for any two-year
81 private vocational or technical school for any student:

82 (1) Who has attended a public high school in the state for at least three
83 years immediately prior to graduation that meets the requirements of subsection
84 2 of this section, except that students who are active duty military dependents,
85 and students who are dependants of retired military who relocate to Missouri
86 within one year of the date of the parent's retirement from active duty, who, in
87 the school year immediately preceding graduation, meet all other requirements
88 of this subsection and are attending a school that meets the requirements of
89 subsection 2 of this section shall be exempt from the three-year attendance
90 requirement of this subdivision; [and]

91 (2) Who has made a good faith effort to first secure all available federal
92 sources of funding that could be applied to the reimbursement described in this
93 subsection; [and]

94 (3) Who has earned a minimal grade average while in high school as
95 determined by rule of the state board of education, and other requirements for the
96 reimbursement authorized by this subsection as determined by rule and
97 regulation of said board;

98 (4) Who has either achieved a score of proficient or advanced on
99 the official Algebra I end-of-course assessment or a higher level
100 department of elementary and secondary education-approved end-of-
101 course assessment in the field of mathematics, unless the student's high
102 school has met all of the department of elementary and secondary
103 education's requirements for waiver of the Algebra I end-of-course
104 assessment for the recipient, or has achieved a qualifying score, as
105 established annually by the coordinating board for higher education,
106 on the COMPASS exam published by ACT or the mathematics
107 component of the ACT test as a high school or postsecondary student;

108 (5) Who has either achieved a score of proficient or advanced on
109 the official English I end-of-course assessment, or a higher level
110 department of elementary and secondary education-approved end-of-
111 course assessment in the field of English, unless the student's high
112 school district has met all of the department of elementary and
113 secondary education's requirements for waiver of the English I end-of-
114 course assessment for the recipient, or has achieved a qualifying score,
115 as established annually by the coordinating board for higher education,
116 on the COMPASS exam published by ACT or the English component of
117 the ACT test as a high school or postsecondary student; and

118 (6) For a student who remains continuously enrolled in
119 postsecondary education, the successful completion of at least twenty-
120 four semester credit hours during the twelve months following their
121 initial enrollment and thirty semester credit hours during each
122 subsequent twelve month period.

123 8. If an eligible student is unable to enroll or ceases attendance
124 at an approved institution because of illness, disability, pregnancy, or
125 other medical need or for the purpose of providing service to a
126 nonprofit organization, a state or federal government agency, or any
127 branch of the Armed Forces of the United States, such student shall be

128 eligible for A+ reimbursements upon enrollment in any approved
129 institution if the student meets all other requirements for an initial or
130 renewal award and if the following criteria are met:

131 (1) For an eligible student who cannot attend an approved
132 institution as a result of service to a nonprofit organization or the state
133 or federal government, the student returns to full-time status within
134 twenty-seven months and provides verification to the coordinating
135 board for higher education that the service to the nonprofit
136 organization was satisfactorily completed and was not compensated
137 other than for expenses, or that the service to the state or federal
138 government was satisfactorily completed; or

139 (2) For an eligible student who cannot attend an approved
140 institution as a result of military service in the Armed Forces of the
141 United States, the student returns to full-time status within six months
142 after the eligible student first ceases service to the Armed Forces and
143 provides verification to the coordinating board for higher education
144 that the military service was satisfactorily completed; or

145 (3) For an eligible student who cannot attend an approved
146 institution as a result of a medical need, the student returns to full-time
147 status within twenty-seven months and provides verification in
148 compliance with coordinating board for higher education rules of
149 sufficient medical evidence documenting an illness, disability,
150 pregnancy, or other medical need of such person to require that the
151 person cannot enroll at an approved institution.

152 9. The commissioner of education shall develop a procedure for evaluating
153 the effectiveness of the program described in this section. Such evaluation shall
154 be conducted annually with the results of the evaluation provided to the governor,
155 speaker of the house, and president pro tempore of the senate.

156 [9.] 10. For a two-year private vocational or technical school to obtain
157 reimbursements under subsection 7 of this section, the following requirements
158 shall be satisfied:

159 (1) Such two-year private vocational or technical school shall be a member
160 of the North Central Association and be accredited by the Higher Learning
161 Commission as of July 1, 2008, and maintain such accreditation;

162 (2) Such two-year private vocational or technical school shall be
163 designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code
164 of 1986, as amended;

165 (3) No two-year private vocational or technical school shall receive tuition
166 reimbursements in excess of the tuition rate charged by a public community
167 college for course work offered by the private vocational or technical school within
168 the service area of such college; and

169 (4) The reimbursements provided to any two-year private vocational or
170 technical school shall not violate the provisions of article IX, section 8, or article
171 I, section 7, of the Missouri Constitution or the first amendment of the United
172 States Constitution.

173.250. 1. There is hereby established a "Higher Education Academic
2 Scholarship Program" and any moneys appropriated by the general assembly for
3 this program shall be used to provide scholarships for Missouri citizens to attend
4 a Missouri college or university of their choice pursuant to the provisions of this
5 section.

6 2. The definitions of terms set forth in section 173.1102 shall be
7 applicable to such terms as used in this section. In addition, the following
8 definitions shall apply:

9 (1) "Academic scholarship", an amount of money paid by the state of
10 Missouri to a student pursuant to the provisions of this section;

11 (2) "ACT", the American College Testing program examination;

12 (3) "Approved institution", an approved public or approved private
13 institution as defined in section 173.1102;

14 (4) "Eligible student", an individual who meets the criteria set forth in
15 section 173.1104, excluding the requirements of financial need and undergraduate
16 status and, in addition, meets the following requirements:

17 (a) Has achieved a qualifying score on the ACT or SAT;

18 (b) Is a Missouri resident who has completed secondary coursework
19 through graduation from high school or the virtual public school established in
20 section 161.670, receipt of a general education development (GED) diploma,
21 completion of a program of study through homeschooling or any other program
22 of academic instruction that satisfies the compulsory attendance requirement
23 under section 167.031; [and]

24 (c) Is enrolled full time or accepted for full-time enrollment as a
25 postsecondary student at an approved institution during the academic year
26 immediately following the completion of his or her secondary coursework;

27 (d) **Has either achieved a score of proficient or advanced on the**
28 **official Algebra I end-of-course assessment, or a higher level**

29 department of elementary and secondary education-approved end-of-
30 course assessment in the field of mathematics, unless the student's high
31 school has met all of the department of elementary and secondary
32 education's requirements for waiver of the Algebra I end of course
33 assessment for the recipient, or has achieved a qualifying score, as
34 established annually by the coordinating board for higher education,
35 on the COMPASS exam published by ACT or the mathematics
36 component of the ACT test as a high school or postsecondary student;
37 and

38 (e) Has either achieved a score of proficient or advanced on the
39 official English I end-of-course assessment, or a higher level
40 department of elementary and secondary education-approved end-of-
41 course assessment in the field of English, unless the student's high
42 school has met all of the department of elementary and secondary
43 education's requirements for waiver of the English I end-of-course
44 assessment for the recipient, or has achieved a qualifying score, as
45 established annually by the coordinating board for higher education,
46 on the COMPASS exam published by ACT or the English component of
47 the ACT test as a high school or postsecondary student;

48 (5) "Missouri test-takers", all Missouri high school seniors who take the
49 ACT or the SAT;

50 (6) "Qualifying score", a composite score on the ACT or the SAT achieved
51 in an eligible student's high school sophomore, junior, or senior year that is in the
52 top five percent of Missouri test-takers, as established at the beginning of an
53 eligible student's final year of secondary coursework;

54 (7) "Recipient", an eligible or renewal student who receives an academic
55 scholarship pursuant to this section;

56 (8) "Renewal student", an eligible student who remains in compliance with
57 the provisions of section 173.1104, maintains continuous enrollment by
58 successfully completing at least twenty-four semester credit hours
59 during the twelve months following his or her initial enrollment and
60 thirty semester credit hours during each subsequent twelve month
61 period, and makes satisfactory academic degree progress; and

62 (9) "SAT", the Scholastic Aptitude Test.

63 3. The coordinating board for higher education shall be the administrative
64 agency for the implementation of the program established by this section, and

65 shall:

66 (1) Promulgate reasonable rules and regulations for the exercise of its
67 functions and the effectuation of the purposes of this section, including
68 regulations for granting scholarship deferments;

69 (2) Prescribe the form and the time and method of awarding academic
70 scholarships, and shall supervise the processing thereof; and

71 (3) Select qualified recipients to receive academic scholarships, make such
72 awards of academic scholarships to qualified recipients and determine the
73 manner and method of payment to the recipient.

74 4. Eligible students shall be offered academic scholarships in the following
75 amounts and in the following order of priority, within the limits of the funds
76 appropriated and made available:

77 (1) Each eligible student with a qualifying score in the top three percent
78 of all Missouri test-takers shall be offered an academic scholarship of up to three
79 thousand dollars per year. All students in the top three percent shall receive
80 awards of three thousand dollars before any student in the top fourth and fifth
81 percentiles receives any award;

82 (2) Provided sufficient funds are appropriated, each eligible student with
83 a qualifying score in the top fourth and fifth percentiles shall be offered an
84 academic scholarship of up to one thousand dollars per year.

85 5. Eligible students may renew academic scholarships for their second,
86 third, and fourth years of postsecondary education, or as long as the recipient is
87 in compliance with the criteria to be a renewal student.

88 6. If an eligible student is unable to enroll during the first academic year
89 or a renewal student ceases attendance at an approved institution for the purpose
90 of providing service to a nonprofit organization, a state or federal government
91 agency, or any branch of the Armed Forces of the United States, such student
92 shall be offered an academic scholarship upon enrollment in any approved
93 institution after the completion of their service, if the student meets all other
94 requirements for an initial or renewal award and if the following criteria are met:

95 (1) For an eligible student who cannot attend an approved institution as
96 a result of service to a nonprofit organization or the state or federal government,
97 the student returns to full-time status within twenty-seven months and provides
98 verification to the coordinating board for higher education that the service to the
99 nonprofit organization was satisfactorily completed and was not compensated
100 other than for expenses, or that the service to the state or federal government

101 was satisfactorily completed; or

102 (2) For an eligible student who cannot attend an approved institution as
103 a result of military service in the Armed Forces of the United States, the student
104 returns to full-time status within six months after the eligible student first ceases
105 service to the Armed Forces and provides verification to the coordinating board
106 for higher education that the military service was satisfactorily completed.

107 7. A recipient of an academic scholarship awarded under this section may
108 transfer from one approved institution to another without losing eligibility for the
109 academic scholarship.

110 8. If a recipient of an academic scholarship at any time withdraws from
111 an approved institution so that under the rules and regulations of that institution
112 he or she is entitled to a refund of any tuition, fees or other charges, the
113 institution shall pay the portion of the refund attributable to the academic
114 scholarship for that term to the coordinating board for higher education.

115 9. Other provisions of this section to the contrary notwithstanding, if an
116 eligible student has been awarded an initial academic scholarship pursuant to the
117 provisions of this section but is unable to attend an approved institution during
118 the first academic year because of illness, disability, pregnancy or other medical
119 need or if a renewal student ceases all attendance at an approved institution
120 because of illness, disability, pregnancy or other medical need, the recipient shall
121 be eligible for an initial or renewal academic scholarship upon enrollment in or
122 return to any approved institution, provided the recipient:

123 (1) Enrolls in or returns to full-time status within twenty-seven months;

124 (2) Provides verification in compliance with coordinating board for higher
125 education rules of sufficient medical evidence documenting an illness, disability,
126 pregnancy or other medical need of such person to require that that person will
127 not be able to use the academic scholarship during the time period for which it
128 was originally offered; and

129 (3) Meets all other requirements established for eligibility to receive an
130 academic scholarship.

173.1104. 1. An applicant shall be eligible for initial or renewed financial
2 assistance only if, at the time of application and throughout the period during
3 which the applicant is receiving such assistance, the applicant:

4 (1) Is a citizen or a permanent resident of the United States;

5 (2) Is a resident of the state of Missouri, as determined by reference to
6 standards promulgated by the coordinating board;

7 (3) Is enrolled, or has been accepted for enrollment, as a full-time
8 undergraduate student in an approved private or public institution; [and]

9 (4) Is not enrolled or does not intend to use the award to enroll in a course
10 of study leading to a degree in theology or divinity;

11 **(5) For an applicant who graduates from high school during the**
12 **2016-2017 academic year or after, has either achieved a score of**
13 **proficient or advanced on the official Algebra I end-of-course**
14 **assessment, or a higher level department of elementary and secondary**
15 **education-approved end-of-course assessment in the field of**
16 **mathematics, unless the student's high school has met all of the**
17 **department of elementary and secondary education's requirements for**
18 **waiver of the Algebra I end-of-course assessment for the recipient, or**
19 **has achieved a qualifying score, as established annually by the**
20 **coordinating board for higher education, on the COMPASS exam**
21 **published by ACT or the mathematics component of the ACT test as a**
22 **high school or postsecondary student; and**

23 **(6) For an applicant who graduates from high school during the**
24 **2016-2017 academic year or after, has either achieved a score of**
25 **proficient or advanced on the official English I end-of-course**
26 **assessment, or a higher level department of elementary and secondary**
27 **education-approved end-of-course assessment in the field of English,**
28 **unless the student's high school has met all of the department of**
29 **elementary and secondary education's requirements for waiver of the**
30 **English I end-of-course assessment for the recipient, or has achieved a**
31 **qualifying score, as established annually by the coordinating board for**
32 **higher education, on the COMPASS exam published by ACT or the**
33 **English component of the ACT test as a high school or postsecondary**
34 **student.**

35 2. If an applicant is found guilty of or pleads guilty to any criminal
36 offense during the period of time in which the applicant is receiving financial
37 assistance, such applicant shall not be eligible for renewal of such assistance,
38 provided such offense would disqualify the applicant from receiving federal
39 student aid under Title IV of the Higher Education Act of 1965, as amended.

40 3. Financial assistance shall be allotted for one academic year, but a
41 recipient shall be eligible for renewed assistance until he or she has obtained a
42 baccalaureate degree, provided such financial assistance shall not exceed a total

43 of [ten] **eight** semesters or [fifteen] **twelve** quarters or their
44 equivalent. Standards of eligibility for renewed assistance shall be the same as
45 for an initial award of financial assistance, except that for renewal, an applicant
46 shall demonstrate a grade-point average of two and five-tenths on a four-point
47 scale, or the equivalent on another scale **and, beginning with the 2014-2015**
48 **academic year, has successfully completed the following number of**
49 **semester credit hours or an equivalent:**

- 50 **(1) For the first renewal, twenty-four semester hours;**
51 **(2) For the second renewal, fifty-four semester credit hours;**
52 **(3) For the third renewal, eighty-four semester credit hours.**

53 This subsection shall be construed as the successor to section 173.215 for
54 purposes of eligibility requirements of other financial assistance programs that
55 refer to section 173.215.

56 **4. If an eligible student is unable to enroll or ceases attendance**
57 **at an approved institution because of illness, disability, pregnancy, or**
58 **other medical need or for the purpose of providing service to a**
59 **nonprofit organization, a state or federal government agency, or any**
60 **branch of the Armed Forces of the United States, such student shall be**
61 **eligible for an access Missouri award upon enrollment in any approved**
62 **institution if the student meets all other requirements for an initial or**
63 **renewal award and if the following criteria are met:**

64 **(1) For an eligible student who cannot attend an approved**
65 **institution as a result of service to a nonprofit organization or the state**
66 **or federal government, the student returns to full-time status within**
67 **twenty-seven months and provides verification to the coordinating**
68 **board for higher education that the service to the nonprofit**
69 **organization was satisfactorily completed and was not compensated**
70 **other than for expenses, or that the service to the state or federal**
71 **government was satisfactorily completed; or**

72 **(2) For an eligible student who cannot attend an approved**
73 **institution as a result of military service in the Armed Forces of the**
74 **United states, the student returns to full-time status within six months**
75 **after the eligible student first ceases service to the Armed Forces and**
76 **provides verification to the coordinating board for higher education**
77 **that the military service was satisfactorily completed; or**

78 **(3) For an eligible student who cannot attend an approved**
79 **institution as a result of a medical need, the student returns to full-time**

80 status within twenty-seven months and provides verification in
81 compliance with coordinating board for higher education rules of
82 sufficient medical evidence documenting an illness, disability,
83 pregnancy, or other medical need of such person to require that the
84 person cannot enroll at an approved institution.

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