

CONFERENCE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 997

AN ACT

To repeal sections 103.003, 103.079, 167.223, 173.005, 173.234, and 178.780, RSMo, and to enact in lieu thereof nineteen new sections relating to higher education, with an emergency clause for certain sections, with existing penalty provisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Sections 103.003, 103.079, 167.223, 173.005,
2 173.234, and 178.780, RSMo, are repealed and nineteen new
3 sections enacted in lieu thereof, to be known as sections
4 103.003, 103.079, 105.1445, 167.223, 173.005, 173.035, 173.234,
5 173.2500, 173.2505, 173.2510, 173.2515, 173.2520, 178.780,
6 178.785, 178.786, 178.787, 178.788, 178.789, and 1, to read as
7 follows:

8 103.003. As used in sections 103.003 to 103.175, the
9 following terms mean:

10 (1) "Actuarial reserves", the necessary funding required to
11 pay all the medical expenses for services provided to members of
12 the plan but for which the claims have not yet been received by
13 the claims administrator;

14 (2) "Actuary", a member of the American Academy of

1 Actuarial or who is an enrolled actuary under the Employee
2 Retirement Income Security Act of 1974;

3 (3) "Agency", a state-sponsored institution of higher
4 learning, political subdivision or governmental entity or
5 instrumentality;

6 (4) "Alternative delivery health care program", a plan of
7 covered benefits that pays medical expenses through an alternate
8 mechanism rather than on a fee-for-service basis. This includes,
9 but is not limited to, health maintenance organizations and
10 preferred provider organizations, all of which shall include
11 chiropractic physicians licensed under chapter 331, in the
12 provider networks or organizations;

13 (5) "Board", the board of trustees of the Missouri
14 consolidated health care plan;

15 (6) "Claims administrator", an agency contracted to process
16 medical claims submitted from providers or members of the plan
17 and their dependents;

18 (7) "Coordination of benefits", to work with another group-
19 sponsored health care plan which also covers a member of the plan
20 to ensure that both plans pay their appropriate amount of the
21 health care expenses incurred by the member;

22 (8) "Covered benefits", a schedule of covered services,
23 including chiropractic services, which are payable under the
24 plan;

25 (9) "Employee", any person employed full time by the state
26 or a participating member agency, or a person eligible for
27 coverage by a state-sponsored retirement system or a retirement
28 system sponsored by a participating member agency of the plan;

1 (10) "Evidence of good health", medical information
2 supplied by a potential member of the plan that is reviewed to
3 determine the financial risk the person represents to the plan
4 and the corresponding determination of whether or not he or she
5 should be accepted into the plan;

6 (11) "Health care plan", any group medical benefit plan
7 providing coverage on an expense-incurred basis, any HMO, any
8 group service or indemnity contract issued by a health plan of
9 any type or description;

10 (12) "Medical benefits coverages" shall include services
11 provided by chiropractic physicians as well as physicians
12 licensed under chapter 334;

13 (13) "Medical expenses", costs for services performed by a
14 provider and covered under the plan;

15 (14) "Missouri consolidated health care plan benefit fund
16 account", the benefit trust fund account containing all payroll
17 deductions, payments, and income from all sources for the plan;

18 (15) "Officer", an elected official of the state of
19 Missouri;

20 (16) "Participating higher education entity", a state-
21 sponsored institution of higher learning;

22 (17) "Participating member agency", a [state-sponsored
23 institution of higher learning,] political subdivision or
24 governmental entity that has elected to join the plan and has
25 been accepted by the board;

26 [(17)] (18) "Plan year", a twelve-month period designated
27 by the board which is used to calculate the annual rate
28 categories and the appropriate coverage;

1 [(18)] (19) "Provider", a physician, hospital, pharmacist,
2 psychologist, chiropractic physician or other licensed
3 practitioner who or which provides health care services within
4 the respective scope of practice of such practitioner pursuant to
5 state law and regulation;

6 [(19)] (20) "Retiree", a person who is not an employee and
7 is receiving or is entitled to receive an annuity benefit from a
8 state-sponsored retirement system or a retirement system of a
9 participating member agency of the plan or becomes eligible for
10 retirement benefits because of service with a participating
11 member agency.

12 103.079. 1. The health care programs sponsored by the
13 departments of transportation and conservation shall become a
14 part of this plan only upon request to and acceptance by the
15 board of trustees by the highways and transportation commission
16 or the conservation commission and any such transfer into this
17 plan shall be deemed reviewable by such department every three
18 years. Such department may withdraw from the plan upon approval
19 by such department's commission and by providing the board a
20 minimum of six months' notice prior to the end of the then
21 current plan year and termination of coverage will become
22 effective at the end of the then current plan year. For any of
23 the foregoing state agencies choosing to participate, the plan
24 shall not assume responsibility for any liabilities incurred by
25 the agency or its eligible employees, retirees, or dependents
26 prior to its effective date.

27 2. Any participating higher education entity may, by its
28 own election, become part of this plan. The board of trustees

1 shall accept the participating higher education entity. The
2 board of trustees may request the participating higher education
3 entity pay a first year adjustment if the population being
4 brought into the plan is actuarially substantial and materially
5 different than the current population in the state plan. Once a
6 participating higher education entity comes into the plan, it may
7 not leave the plan for a period of five years. Such
8 participating higher education entity may withdraw from the plan
9 upon approval by such participating higher education entity
10 governing board and by providing the board a minimum of six
11 month's notice prior to the end of the then current plan year and
12 termination of coverage will become effective at the end of the
13 then current plan year. For any of the foregoing participating
14 higher education entities choosing to participate, the plan shall
15 not assume responsibility for any liabilities incurred by the
16 participating higher education entity or its eligible employees,
17 retirees, or dependents prior to its effective date.

18 105.1445. 1. On or before January 1, 2017, the department
19 of higher education shall create guidance regarding notice of
20 public employee eligibility for public service loan forgiveness.
21 Public employers may use the guidance in providing notice to
22 employees under subsection 2 of this section. The guidance shall
23 include, but not be limited to, the following:

24 (1) Up-to-date, accurate, and complete information
25 regarding eligibility for participation in existing public
26 service loan forgiveness programs;

27 (2) Contact information and relevant forms for applying for
28 existing public service loan forgiveness programs; and

1 (3) Other relevant information as determined by the
2 department of higher education.

3 2. On or before April 1, 2017, the governing body of each
4 public employer in this state shall adopt a policy that provides
5 up-to-date, accurate, and complete information to each new
6 employee regarding eligibility for public service loan
7 forgiveness. Notice to new employees shall be provided within
8 ten days following the start of employment with the public
9 employer. On or before June 30, 2017, the public employer shall
10 provide the same information to all current employees employed on
11 that date.

12 167.223. 1. Public high schools may, in cooperation with
13 Missouri public [community] two-year colleges and public or
14 private four-year colleges and universities, offer postsecondary
15 course options to high school students. A postsecondary course
16 option allows eligible students to attend vocational or academic
17 classes on a college or university campus and receive both high
18 school and college credit upon successful completion of the
19 course.

20 2. For purposes of state aid, the pupil's resident district
21 shall continue to count the pupil in the average daily attendance
22 of such resident district for any time the student is attending a
23 postsecondary course.

24 3. Any pupil enrolled in a [community] two-year college
25 under a postsecondary course option shall be considered a
26 resident student for the purposes of calculating state aid to the
27 [community] two-year college.

28 4. [Community] Two-year colleges and four-year colleges and

1 universities may charge reasonable fees for pupils enrolled in
2 courses under a postsecondary course option. Such fees may be
3 paid by the district of residence or by the pupil, as determined
4 by the agreement between the district of residence and the
5 college or university.

6 173.005. 1. There is hereby created a "Department of
7 Higher Education", and the division of higher education of the
8 department of education is abolished and all its powers, duties,
9 functions, personnel and property are transferred as provided by
10 the Reorganization Act of 1974, Appendix B, RSMo.

11 2. The commission on higher education is abolished and all
12 its powers, duties, personnel and property are transferred by
13 type I transfer to the "Coordinating Board for Higher Education",
14 which is hereby created, and the coordinating board shall be the
15 head of the department. The coordinating board shall consist of
16 nine members appointed by the governor with the advice and
17 consent of the senate, and not more than five of its members
18 shall be of the same political party. None of the members shall
19 be engaged professionally as an educator or educational
20 administrator with a public or private institution of higher
21 education at the time appointed or during his term. Moreover, no
22 person shall be appointed to the coordinating board who shall not
23 be a citizen of the United States, and who shall not have been a
24 resident of the state of Missouri two years next prior to
25 appointment, and at least one but not more than two persons shall
26 be appointed to said board from each congressional district. The
27 term of service of a member of the coordinating board shall be
28 six years and said members, while attending the meetings of the

1 board, shall be reimbursed for their actual expenses.

2 Notwithstanding any provision of law to the contrary, nothing in
3 this section relating to a change in the composition and
4 configuration of congressional districts in this state shall
5 prohibit a member who is serving a term on August 28, 2011, from
6 completing his or her term. The coordinating board may, in order
7 to carry out the duties prescribed for it in subsections 1, 2, 3,
8 7, and 8 of this section, employ such professional, clerical and
9 research personnel as may be necessary to assist it in performing
10 those duties, but this staff shall not, in any fiscal year,
11 exceed twenty-five full-time equivalent employees regardless of
12 the source of funding. In addition to all other powers, duties
13 and functions transferred to it, the coordinating board for
14 higher education shall have the following duties and
15 responsibilities:

16 (1) The coordinating board for higher education shall have
17 approval of proposed new degree programs to be offered by the
18 state institutions of higher education;

19 (2) The coordinating board for higher education may promote
20 and encourage the development of cooperative agreements between
21 Missouri public four-year institutions of higher education which
22 do not offer graduate degrees and Missouri public four-year
23 institutions of higher education which do offer graduate degrees
24 for the purpose of offering graduate degree programs on campuses
25 of those public four-year institutions of higher education which
26 do not otherwise offer graduate degrees. Such agreements shall
27 identify the obligations and duties of the parties, including
28 assignment of administrative responsibility. Any diploma awarded

1 for graduate degrees under such a cooperative agreement shall
2 include the names of both institutions inscribed thereon. Any
3 cooperative agreement in place as of August 28, 2003, shall
4 require no further approval from the coordinating board for
5 higher education. Any costs incurred with respect to the
6 administrative provisions of this subdivision may be paid from
7 state funds allocated to the institution assigned the
8 administrative authority for the program. The provisions of this
9 subdivision shall not be construed to invalidate the provisions
10 of subdivision (1) of this subsection;

11 (3) In consultation with the heads of the institutions of
12 higher education affected and against a background of carefully
13 collected data on enrollment, physical facilities, manpower
14 needs, institutional missions, the coordinating board for higher
15 education shall establish guidelines for appropriation requests
16 by those institutions of higher education; however, other
17 provisions of the Reorganization Act of 1974 notwithstanding, all
18 funds shall be appropriated by the general assembly to the
19 governing board of each public four-year institution of higher
20 education which shall prepare expenditure budgets for the
21 institution;

22 (4) No new state-supported senior colleges or residence
23 centers shall be established except as provided by law and with
24 approval of the coordinating board for higher education;

25 (5) The coordinating board for higher education shall
26 establish admission guidelines consistent with institutional
27 missions;

28 (6) The coordinating board for higher education shall

1 require all public two-year and four-year higher education
2 institutions to replicate best practices in remediation
3 identified by the coordinating board and institutions from
4 research undertaken by regional educational laboratories, higher
5 education research organizations, and similar organizations with
6 expertise in the subject, and identify and reduce methods that
7 have been found to be ineffective in preparing or retaining
8 students or that delay students from enrollment in college-level
9 courses;

10 (7) The coordinating board shall establish policies and
11 procedures for institutional decisions relating to the residence
12 status of students;

13 (8) The coordinating board shall establish guidelines to
14 promote and facilitate the transfer of students between
15 institutions of higher education within the state and, with the
16 assistance of the committee on transfer and articulation, shall
17 require all public two-year and four-year higher education
18 institutions to create by July 1, 2014, a statewide core transfer
19 library of at least twenty-five lower division courses across all
20 institutions that are transferable among all public higher
21 education institutions. The coordinating board shall establish
22 policies and procedures to ensure such courses are accepted in
23 transfer among public institutions and treated as equivalent to
24 similar courses at the receiving institutions. The coordinating
25 board shall develop a policy to foster reverse transfer for any
26 student who has accumulated enough hours in combination with at
27 least one public higher education institution in Missouri that
28 offers an associate degree and one public four-year higher

1 education institution in the prescribed courses sufficient to
2 meet the public higher education institution's requirements to be
3 awarded an associate degree. The department of elementary and
4 secondary education shall maintain the alignment of the
5 assessments found in section 160.518 and successor assessments
6 with the competencies previously established under this
7 subdivision for entry-level collegiate courses in English,
8 mathematics, foreign language, sciences, and social sciences
9 associated with an institution's general education core;

10 (9) The coordinating board shall collect the necessary
11 information and develop comparable data for all institutions of
12 higher education in the state. The coordinating board shall use
13 this information to delineate the areas of competence of each of
14 these institutions and for any other purposes deemed appropriate
15 by the coordinating board;

16 (10) Compliance with requests from the coordinating board
17 for institutional information and the other powers, duties and
18 responsibilities, herein assigned to the coordinating board,
19 shall be a prerequisite to the receipt of any funds which the
20 coordinating board is responsible for administering;

21 (11) If any institution of higher education in this state,
22 public or private, willfully fails or refuses to follow any
23 lawful guideline, policy or procedure established or prescribed
24 by the coordinating board, or knowingly deviates from any such
25 guideline, or knowingly acts without coordinating board approval
26 where such approval is required, or willfully fails to comply
27 with any other lawful order of the coordinating board, the
28 coordinating board may, after a public hearing, withhold or

1 direct to be withheld from that institution any funds the
2 disbursement of which is subject to the control of the
3 coordinating board, or may remove the approval of the institution
4 as an approved institution within the meaning of section
5 173.1102. If any such public institution willfully disregards
6 board policy, the commissioner of higher education may order such
7 institution to remit a fine in an amount not to exceed one
8 percent of the institution's current fiscal year state operating
9 appropriation to the board. The board shall hold such funds
10 until such time that the institution, as determined by the
11 commissioner of higher education, corrects the violation, at
12 which time the board shall refund such amount to the institution.
13 If the commissioner determines that the institution has not
14 redressed the violation within one year, the fine amount shall be
15 deposited into the general revenue fund, unless the institution
16 appeals such decision to the full coordinating board, which shall
17 have the authority to make a binding and final decision, by means
18 of a majority vote, regarding the matter. However, nothing in
19 this section shall prevent any institution of higher education in
20 this state from presenting additional budget requests or from
21 explaining or further clarifying its budget requests to the
22 governor or the general assembly; [and]

23 (12) In recognition of institutions that meet the
24 requirements of subdivisions (2), (3), or (4) of subsection 1 of
25 section 173.616, are established by name as an educational
26 institution in Missouri, and are authorized to operate programs
27 beyond secondary education for purposes of authorization under 34
28 C.F.R 600.9, the coordinating board for higher education shall

1 maintain and publish on its website a list of such postsecondary
2 educational institutions; and

3 (13) (a) As used in this subdivision, the term "out-of-
4 state public institution of higher education" shall mean an
5 education institution located outside of Missouri that:

6 a. Is controlled or administered directly by a public
7 agency or political subdivision or is classified as a public
8 institution by the state;

9 b. Receives appropriations for operating expenses directly
10 or indirectly from a state other than Missouri;

11 c. Provides a postsecondary course of instruction at least
12 six months in length leading to or directly creditable toward a
13 degree or certificate;

14 d. Meets the standards for accreditation by an accrediting
15 body recognized by the United States Department of Education or
16 any successor agency; and

17 e. Permits faculty members to select textbooks without
18 influence or pressure by any religious or sectarian source.

19 (b) No later than July 1, 2008, the coordinating board
20 shall promulgate rules regarding:

21 a. The board's approval process of proposed new degree
22 programs and course offerings by any out-of-state public
23 institution of higher education seeking to offer degree programs
24 or course work within the state of Missouri; and

25 b. The board's approval process of degree programs and
26 courses offered by any out-of-state public institutions of higher
27 education that, prior to July 1, 2008, were approved by the board
28 to operate a school in compliance with the provisions of sections

1 173.600 to 173.618. The rules shall ensure that, as of July 1,
2 2008, all out-of-state public institutions seeking to offer
3 degrees and courses within the state of Missouri are evaluated in
4 a manner similar to Missouri public higher education
5 institutions. Such out-of-state public institutions shall be
6 held to standards no lower than the standards established by the
7 coordinating board for program approval and the policy guidelines
8 of the coordinating board for data collection, cooperation, and
9 resolution of disputes between Missouri institutions of higher
10 education under this section. Any such out-of-state public
11 institutions of higher education wishing to continue operating
12 within this state must be approved by the board under the rules
13 promulgated under this subdivision. The coordinating board may
14 charge and collect fees from out-of-state public institutions to
15 cover the costs of reviewing and assuring the quality of programs
16 offered by out-of-state public institutions. Any rule or portion
17 of a rule, as that term is defined in section 536.010, that is
18 created under the authority delegated in this section shall
19 become effective only if it complies with and is subject to all
20 of the provisions of chapter 536 and, if applicable, section
21 536.028. This section and chapter 536 are nonseverable and if
22 any of the powers vested with the general assembly under chapter
23 536 to review, to delay the effective date, or to disapprove and
24 annul a rule are subsequently held unconstitutional, then the
25 grant of rulemaking authority and any rule proposed or adopted
26 after August 28, 2007, shall be invalid and void.

27 (c) Nothing in this subdivision or in section 173.616 shall
28 be construed or interpreted so that students attending an out-of-

1 state public institution are considered to be attending a
2 Missouri public institution of higher education for purposes of
3 obtaining student financial assistance.

4 3. The coordinating board shall meet at least four times
5 annually with an advisory committee who shall be notified in
6 advance of such meetings. The coordinating board shall have
7 exclusive voting privileges. The advisory committee shall
8 consist of thirty-two members, who shall be the president or
9 other chief administrative officer of the University of Missouri;
10 the chancellor of each campus of the University of Missouri; the
11 president of each state-supported four-year college or
12 university, including Harris-Stowe State University, Missouri
13 Southern State University, Missouri Western State University, and
14 Lincoln University; the president of State Technical College of
15 Missouri; the president or chancellor of each public community
16 college district; and representatives of each of five accredited
17 private institutions selected biennially, under the supervision
18 of the coordinating board, by the presidents of all of the
19 state's privately supported institutions; but always to include
20 at least one representative from one privately supported
21 community college, one privately supported four-year college, and
22 one privately supported university. The conferences shall enable
23 the committee to advise the coordinating board of the views of
24 the institutions on matters within the purview of the
25 coordinating board.

26 4. The University of Missouri, Lincoln University, and all
27 other state-governed colleges and universities, chapters 172,
28 174, 175, and others, are transferred by type III transfers to

1 the department of higher education subject to the provisions of
2 subsection 2 of this section.

3 5. The state historical society, chapter 183, is
4 transferred by type III transfer to the University of Missouri.

5 6. The state anatomical board, chapter 194, is transferred
6 by type II transfer to the department of higher education.

7 7. All the powers, duties and functions vested in the
8 division of public schools and state board of education relating
9 to community college state aid and the supervision, formation of
10 districts and all matters otherwise related to the state's
11 relations with community college districts and matters pertaining
12 to community colleges in public school districts, chapters 163,
13 178, and others, are transferred to the coordinating board for
14 higher education by type I transfer. Provided, however, that all
15 responsibility for administering the federal-state programs of
16 vocational-technical education, except for the 1202a
17 postsecondary educational amendments of 1972 program, shall
18 remain with the department of elementary and secondary education.
19 The department of elementary and secondary education and the
20 coordinating board for higher education shall cooperate in
21 developing the various plans for vocational-technical education;
22 however, the ultimate responsibility will remain with the state
23 board of education.

24 8. All the powers, duties, functions, and properties of the
25 state poultry experiment station, chapter 262, are transferred by
26 type I transfer to the University of Missouri, and the state
27 poultry association and state poultry board are abolished. In
28 the event the University of Missouri shall cease to use the real

1 estate of the poultry experiment station for the purposes of
2 research or shall declare the same surplus, all real estate shall
3 revert to the governor of the state of Missouri and shall not be
4 disposed of without legislative approval.

5 173.035. 1. The department of higher education shall
6 develop, maintain, and operate a website containing information
7 of public and private institutions of higher education in this
8 state directing students to resources including, but not limited
9 to, academic programs, financial aid, and how academic course
10 credit may be transferred from one institution of higher
11 education to another. The information on the website shall be
12 made available to the public and shall be accessible from various
13 devices including, but not limited to, computers, tablets, and
14 other electronic communication devices.

15 2. Inclusion of institution information on the website is
16 voluntary, and institutions of higher education may elect to have
17 institutional information included on the website by notifying
18 the department of higher education.

19 3. The department of higher education may promulgate all
20 necessary rules and regulations for the administration of this
21 section. Any rule or portion of a rule, as that term is defined
22 in section 536.010, that is created under the authority delegated
23 in this section shall become effective only if it complies with
24 and is subject to all of the provisions of chapter 536 and, if
25 applicable, section 536.028. This section and chapter 536 are
26 nonseverable, and if any of the powers vested with the general
27 assembly pursuant to chapter 536 to review, to delay the
28 effective date, or to disapprove and annul a rule are

1 subsequently held unconstitutional, then the grant of rulemaking
2 authority and any rule proposed or adopted after August 28, 2016,
3 shall be invalid and void.

4 173.234. 1. As used in this section, unless the context
5 clearly requires otherwise, the following terms mean:

6 (1) "Board", the coordinating board for higher education;

7 (2) "Books", any books required for any course for which
8 tuition was paid by a grant awarded under this section;

9 (3) "Eligible student", the natural, adopted, or stepchild
10 of a qualifying military member, who is less than twenty-five
11 years of age and who was a dependent of a qualifying military
12 member at the time of death or injury or within five years
13 subsequent to the injury, or the spouse of a qualifying military
14 member which was the spouse of a veteran at the time of death or
15 injury or within five years subsequent to the injury;

16 (4) "Grant", the veteran's survivors grant as established
17 in this section;

18 (5) "Institution of postsecondary education", any approved
19 Missouri public institution of postsecondary education, as
20 defined in subdivision (3) of section 173.1102;

21 (6) "Qualifying military member", any member of the
22 military of the United States, whether active duty, reserve, or
23 National Guard, who served in the military after September 11,
24 2001, during time of war and for whom the following criteria
25 apply:

26 (a) A veteran was a Missouri resident when first entering
27 the military service or at the time of death or injury;

28 (b) A veteran died or was injured as a result of combat

1 action or a veteran's death or injury was certified by the
2 Department of Veterans' Affairs medical authority to be
3 attributable to an illness or accident that occurred while
4 serving in combat, or became eighty percent disabled as a result
5 of injuries or accidents sustained in combat action after
6 September 11, 2001; and

7 (c) "Combat veteran", a Missouri resident who is discharged
8 for active duty service having served since September 11, 2001,
9 and received a DD214 in a geographic area entitled to receive
10 combat pay tax exclusion exemption, hazardous duty pay, or
11 imminent danger pay, or hostile fire pay;

12 (7) "Survivor", an eligible student of a qualifying
13 military member;

14 (8) "Tuition", any tuition or incidental fee, or both,
15 charged by an institution of postsecondary education for
16 attendance at the institution by a student as a resident of this
17 state. The tuition grant shall not exceed the amount of tuition
18 charged a Missouri resident at the University of
19 Missouri-Columbia for attendance.

20 2. Within the limits of the amounts appropriated therefor,
21 the coordinating board for higher education shall award annually
22 up to twenty-five grants to survivors of qualifying military
23 members to attend institutions of postsecondary education in this
24 state, which shall continue to be awarded annually to eligible
25 recipients as long as the recipient achieves and maintains a
26 cumulative grade point average of at least two and one-half on a
27 four-point scale, or its equivalent. If the waiting list of
28 eligible survivors exceeds fifty, the coordinating board may

1 petition the general assembly to expand the quota. If the quota
2 is not expanded, then the eligibility of survivors on the waiting
3 list shall be extended.

4 3. A survivor may receive a grant under this section only
5 so long as the survivor is enrolled in a program leading to a
6 certificate, or an associate or baccalaureate degree. In no event
7 shall a survivor receive a grant beyond the completion of the
8 first baccalaureate degree, regardless of age.

9 4. The coordinating board for higher education shall:

10 (1) Promulgate all necessary rules and regulations for the
11 implementation of this section; and

12 (2) Provide the forms and determine the procedures
13 necessary for a survivor to apply for and receive a grant under
14 this section.

15 5. Any rule or portion of a rule, as that term is defined
16 in section 536.010, that is created under the authority delegated
17 in this section shall become effective only if it complies with
18 and is subject to all of the provisions of chapter 536 and, if
19 applicable, section 536.028. This section and chapter 536 are
20 nonseverable and if any of the powers vested with the general
21 assembly pursuant to chapter 536 to review, to delay the
22 effective date, or to disapprove and annul a rule are
23 subsequently held unconstitutional, then the grant of rulemaking
24 authority and any rule proposed or adopted after August 28, 2008,
25 shall be invalid and void.

26 6. In order to be eligible to receive a grant under this
27 section, a survivor shall be certified as eligible by the
28 Missouri veterans' commission.

1 7. A survivor who is enrolled or has been accepted for
2 enrollment as an undergraduate postsecondary student at an
3 approved institution of postsecondary education, and who is
4 selected to receive a grant under this section, shall receive the
5 following:

6 (1) An amount not to exceed the actual tuition charged at
7 the approved institution of postsecondary education where the
8 survivor is enrolled or accepted for enrollment;

9 (2) An allowance of up to two thousand dollars per semester
10 for room and board; and

11 (3) The actual cost of books, up to a maximum of five
12 hundred dollars per semester.

13 8. A survivor who is a recipient of a grant may transfer
14 from one approved public institution of postsecondary education
15 to another without losing his or her entitlement under this
16 section. The board shall make necessary adjustments in the
17 amount of the grant. If a grant recipient at any time withdraws
18 from the institution of postsecondary education so that under the
19 rules and regulations of that institution he or she is entitled
20 to a refund of any tuition, fees, room and board, books, or other
21 charges, the institution shall pay the portion of the refund to
22 which he or she is entitled attributable to the grant for that
23 semester or similar grading period to the board.

24 9. If a survivor is granted financial assistance under any
25 other student aid program, public or private, the full amount of
26 such aid shall be reported to the board by the institution and
27 the eligible survivor.

28 10. Nothing in this section shall be construed as a promise

1 or guarantee that a person will be admitted to an institution of
2 postsecondary education or to a particular institution of
3 postsecondary education, will be allowed to continue to attend an
4 institution of postsecondary education after having been
5 admitted, or will be graduated from an institution of
6 postsecondary education.

7 11. The benefits conferred by this section shall be
8 available to any academically eligible student of a qualifying
9 military member. Surviving children who are eligible shall be
10 permitted to apply for full benefits conferred by this section
11 until they reach twenty-five years of age.

12 12. Pursuant to section 23.253 of the Missouri sunset act:

13 (1) The provisions of the new program authorized under this
14 section shall [sunset automatically six years after August 28,
15 2008] be reauthorized as of the effective date of this act and
16 shall expire on August 28, 2020, unless reauthorized by an act of
17 the general assembly; and

18 (2) If such program is reauthorized, the program authorized
19 under this section shall sunset automatically twelve years after
20 the effective date of the reauthorization of this section; and

21 (3) This section shall terminate on September first of the
22 calendar year immediately following the calendar year in which
23 the program authorized under this section is sunset.

24 173.2500. 1. As used in this section, the following terms
25 shall mean:

26 (1) "Approved dual credit provider", a board approved,
27 accredited Missouri higher education institution that provides
28 dual credit courses;

1 (2) "Board", coordinating board for higher education;

2 (3) "Department", department of higher education;

3 (4) "Dual credit courses", college level coursework
4 delivered by a postsecondary education institution and taught in
5 the high school by instructors with appropriate academic
6 credentials to high school students who are earning high school
7 and college credit simultaneously.

8 2. Each institution of higher education desiring to become
9 or remain an approved dual credit provider in this state shall
10 annually make written application to the board on forms furnished
11 by the board. Such application shall include at a minimum the
12 identification of all locations where the institution will offer
13 dual credit courses, the courses the institution plans to offer,
14 and the fee the institution will charge students per credit hour.

15 3. The department shall review the application and may
16 conduct an investigation of the applicant to ensure compliance
17 with the rules and regulations promulgated under this section. A
18 dual credit course may not be advertised or represented as being
19 delivered by an approved dual credit provider in the absence of
20 approval of the application by the board.

21 4. The department shall maintain a listing of all approved
22 dual credit providers and shall make that listing publicly
23 available, including through appropriate electronic media.

24 5. The board may promulgate administrative rules to
25 implement this section, including parameters for the approval of
26 dual credit providers and establishing appropriate fees as needed
27 to generate funding sufficient to cover the entirety of costs
28 associated with operation of the dual credit provider

1 certification process established in this section. Any rule or
2 portion of a rule, as that term is defined in section 536.010
3 that is created under the authority delegated in this section
4 shall become effective only if it complies with and is subject to
5 all of the provisions of chapter 536, and, if applicable, section
6 536.028. This section and chapter 536 are nonseverable and if
7 any of the powers vested with the general assembly pursuant to
8 chapter 536, to review, to delay the effective date, or to
9 disapprove and annul a rule are subsequently held
10 unconstitutional, then the grant of rulemaking authority and any
11 rule proposed or adopted after August 28, 2016, shall be invalid
12 and void.

13 6. (1) There is hereby created in the state treasury the
14 "Dual Credit Certification Fund", which shall consist of money
15 collected under this section. The state treasurer shall be
16 custodian of the fund. In accordance with sections 30.170 and
17 30.180, the state treasurer may approve disbursements. The fund
18 shall be a dedicated fund and money in the fund shall be used
19 solely by the department for the purpose of funding the costs
20 associated with the operation of the dual credit certification
21 process authorized by this section.

22 (2) Notwithstanding the provisions of section 33.080 to the
23 contrary, any moneys remaining in the fund at the end of the
24 biennium shall not revert to the credit of the general revenue
25 fund.

26 (3) The state treasurer shall invest moneys in the fund in
27 the same manner as other funds are invested. Any interest and
28 moneys earned on such investments shall be credited to the fund.

1 173.2505. 1. This section shall be known and may be cited
2 as the "Dual Credit Scholarship Act".

3 2. To be eligible to receive the dual credit scholarship, a
4 student shall:

5 (1) Be a United States citizen or permanent resident;

6 (2) Be a Missouri resident as defined by the coordinating
7 board for higher education pursuant to section 173.005;

8 (3) Be enrolled in a dual credit program offered by an
9 approved dual credit provider, as defined in section 173.2500;

10 (4) Have a cumulative high school grade point average of at
11 least two and a half on a four point scale or equivalent; and

12 (5) Meet one or more of the following indicators of
13 economic need:

14 (a) Be individually eligible to be enrolled in a federal
15 free or reduced-price lunch program, based on income levels
16 established by the United States Department of Agriculture;

17 (b) Reside in a foster home, be a ward of the state, or be
18 homeless; or

19 (c) Receive low-income public assistance, such as the
20 Supplemental Nutrition Assistance Program (SNAP) or the Special
21 Supplemental Nutrition Program for Women, Infants, and Children
22 (WIC), or live in federally subsidized public housing.

23 3. The dual credit scholarship is hereby created to provide
24 financial assistance to high school students enrolling in dual
25 credit courses offered by an approved dual credit provider as
26 defined in section 173.2500. The coordinating board may
27 promulgate rules for the administration of the program including
28 establishing the application, eligibility, and payment

1 procedures. Any rule or portion of a rule, as that term is
2 defined in section 536.010 that is created under the authority
3 delegated in this section shall become effective only if it
4 complies with and is subject to all of the provisions of chapter
5 536, and, if applicable, section 536.028. This section and
6 chapter 536 are nonseverable and if any of the powers vested with
7 the general assembly pursuant to chapter 536, to review, to delay
8 the effective date, or to disapprove and annul a rule are
9 subsequently held unconstitutional, then the grant of rulemaking
10 authority and any rule proposed or adopted after August 28, 2016,
11 shall be invalid and void.

12 4. Subject to appropriation, the dual credit scholarship
13 shall reimburse eligible students for up to fifty percent of the
14 tuition cost paid by the student to enroll in a dual credit
15 course offered by an approved dual credit provider.

16 5. No student shall receive in excess of five hundred
17 dollars annually for all dual credit courses taken by such
18 student.

19 6. There is hereby created in the state treasury the "Dual
20 Credit Scholarship Fund", which shall consist of moneys
21 appropriated to the fund by the General Assembly and private
22 donations made to the fund. The state treasurer shall be the
23 custodian of the fund and shall invest moneys in the fund in the
24 same manner as other funds are invested. Any interest and moneys
25 earned on such investments shall be credited to the fund.
26 Notwithstanding the provisions of section 33.080 to the contrary,
27 any moneys remaining in the fund at the end of the biennium shall
28 not revert to the credit of the general revenue fund.

1 173.2510. 1. This section shall be known and may be cited
2 as the "15 to Finish Act".

3 2. The coordinating board for higher education, in
4 cooperation with public institutions of higher education in this
5 state, shall develop policies that promote the on-time completion
6 of degree programs by students. The policies shall include, but
7 not be limited to:

8 (1) Defining on-time completion for specific levels of
9 postsecondary credentials;

10 (2) Providing financial incentives to students during their
11 senior year of undergraduate study who are on pace to graduate in
12 no more than eight semesters; and

13 (3) Reducing, when feasible and permitted by accreditation
14 or occupational licensure, the number of credit hours required to
15 earn a degree.

16 3. By December 1, 2017, the department of higher education
17 shall provide a report to the governor and the general assembly
18 describing the actions taken to implement these provisions.

19 173.2515. 1. This section shall be known and may be cited
20 as the "Guided Pathways to Success Act".

21 2. As used in this section, the following terms shall mean:

22 (1) "Degree maps", a list of all course sequences available
23 to fulfill the requirements for a specific degree program;

24 (2) "Meta-majors", a collection of academic programs that
25 have common or related courses;

26 (3) "Proactive advising", an advising model in which
27 advisors reach out to students in anticipation of their needs,
28 connect students with resources and support early in their

1 studies, and motivate students to succeed;

2 (4) "Structured schedule", a specific sequence of required
3 and elective courses each semester that, when taken as
4 prescribed, represent a direct path to complete a chosen program
5 of study.

6 3. The coordinating board for higher education, in
7 cooperation with the state's colleges and universities, shall
8 develop a guided pathways to success pilot program. Guided
9 pathways to success shall include at least two of the following
10 components:

11 (1) Majors organized into semester-by-semester sets of
12 courses that lead to on-time completion, which shall have the
13 same meaning as described pursuant to section 173.2510;

14 (2) Degree-based transfer pathways between participating
15 institutions to assist students who enroll in multiple
16 institutions to complete their degree;

17 (3) Available meta-majors to minimize the loss of credit
18 due to changes by students in their degree majors;

19 (4) Student commitment to a structured schedule of courses
20 and electives; and

21 (5) Clear degree maps, proactive advising and guarantees
22 that required courses are available when needed by students.

23 4. The department shall develop and publicly maintain
24 materials that describe the elements of Missouri's guided
25 pathways to success project and assist students in understanding
26 the operation of each component.

27 5. By January 1, 2020, the coordinating board shall report
28 to the governor and the general assembly on the outcomes of the

1 pilot program created in this section.

2 6. Based on the outcomes of the pilot program created in
3 this section, the coordinating board may request funding to
4 provide competitive grants to institutions of higher education to
5 assist in defraying the costs incurred to implement guided
6 pathways to success on a statewide basis.

7 7. The coordinating board for higher education shall
8 establish by administrative rule criteria and procedures for the
9 application for, and awarding of, grants authorized by this
10 section. Any rule or portion of a rule, as that term is defined
11 in section 536.010 that is created under the authority delegated
12 in this section shall become effective only if it complies with
13 and is subject to all of the provisions of chapter 536, and, if
14 applicable, section 536.028. This section and chapter 536 are
15 nonseverable and if any of the powers vested with the general
16 assembly pursuant to chapter 536, to review, to delay the
17 effective date, or to disapprove and annul a rule are
18 subsequently held unconstitutional, then the grant of rulemaking
19 authority and any rule proposed or adopted after August 28, 2016,
20 shall be invalid and void.

21 173.2520. 1. As used in this section, the term "concurrent
22 postsecondary enrollment" shall mean coordinated enrollment in
23 coursework at both a four-year and a two-year postsecondary
24 institution at the same time and for which the coursework is
25 officially recorded by both institutions.

26 2. The coordinating board for higher education shall
27 establish a concurrent enrollment pilot program for the purpose
28 of providing students with a broader range of academic and

1 student support services while streamlining the path to degree
2 completion. The pilot project will be implemented in one or more
3 public four-year institutions and one or more public two-year
4 institutions. The pilot program is intended to determine the
5 feasibility of extending a concurrent enrollment option to other
6 institutions in the state.

7 3. By January 1, 2020, the coordinating board shall provide
8 a report to the governor and the general assembly on the outcomes
9 of the pilot program and provide a recommendation regarding the
10 expansion of the program statewide.

11 178.780. 1. Tax supported community colleges formed prior
12 to October 13, 1961, and those formed under the provisions of
13 sections 178.770 to 178.890 shall be under the supervision of the
14 coordinating board for higher education.

15 2. The coordinating board for higher education shall:

16 (1) Establish the role of the two-year college in the
17 state;

18 (2) Set up a survey form to be used for local surveys of
19 need and potential for two-year colleges; provide supervision in
20 the conducting of surveys; require that the results of the
21 studies be used in reviewing applications for approval; and
22 establish and use the survey results to set up priorities;

23 (3) Require that the initiative to establish two-year
24 colleges come from the area to be served;

25 (4) Administer the state financial support program;

26 (5) Supervise the community college districts formed under
27 the provisions of sections 178.770 to 178.890 and the community
28 colleges now in existence and formed prior to October 13, 1961;

1 (6) Formulate and put into effect uniform policies as to
2 budgeting, record keeping, and student accounting;

3 (7) Establish uniform minimum entrance requirements and
4 uniform curricular offerings for all community colleges;

5 (8) Make a continuing study of community college education
6 in the state; [and]

7 (9) Be responsible for the accreditation of each community
8 college under its supervision. Accreditation shall be conducted
9 annually or as often as deemed advisable and made in a manner
10 consistent with rules and regulations established and applied
11 uniformly to all community colleges in the state. Standards for
12 accreditation of community colleges shall be formulated with due
13 consideration given to curriculum offerings and entrance
14 requirements of the University of Missouri; and

15 (10) Establish a standard core curriculum and a common
16 course numbering equivalency matrix for lower-division courses to
17 be used at community colleges and other public institutions of
18 higher education to facilitate student transfers as provided
19 under sections 178.785 to 178.789.

20 178.785. The provisions of sections 178.785 to 178.789
21 shall be known and may be cited as the "Higher Education Core
22 Curriculum Transfer Act". For purposes of sections 178.785 to
23 178.789, the following terms mean:

24 (1) "Coordinating board", the coordinating board for higher
25 education established in section 173.005;

26 (2) "Core curriculum", the basic competencies to be met,
27 which shall include communicating, higher-order thinking,
28 managing information, valuing, and includes the knowledge areas

1 of social and behavioral sciences, humanities and fine arts,
2 mathematics, and life and physical sciences;

3 (3) "Faculty member", a person who is employed full-time by
4 a community college or other public institution of higher
5 education as a member of the faculty whose primary duties include
6 teaching, research, academic service, or administration;

7 (4) "Native student", a student whose initial college
8 enrollment was at an institution of higher education and who has
9 not transferred to any other institution since that initial
10 enrollment and who has completed no more than eleven credit hours
11 at any other institution of higher education.

12 178.786. 1. The coordinating board for higher education,
13 with the assistance of an advisory committee composed of
14 representatives from each public community college in this state
15 and each public four-year institution of higher education, shall
16 develop a recommended lower division core curriculum of forty-two
17 semester credit hours, including a statement of the content,
18 component areas, and objectives of the core curriculum. A
19 majority of the members of the advisory committee shall be
20 faculty members from Missouri public institutions of higher
21 education.

22 2. The coordinating board shall approve a common course
23 numbering equivalency matrix for the forty-two credit hour block
24 at all institutions of higher education in the state to
25 facilitate the transfer of those courses among institutions of
26 higher education by promoting consistency in course designation
27 and course identification. Each community college and four-year
28 institution of higher education shall include in its course

1 listings the applicable course numbers from the common course
2 numbering equivalency matrix approved by the coordinating board
3 under this subsection.

4 3. The coordinating board shall complete the requirements
5 of subsections 1 and 2 of this section prior to January 1, 2018,
6 for implementation of the core curriculum transfer
7 recommendations for the 2018-19 academic year for all public
8 institutions of higher education.

9 178.787. 1. Each community college, as defined in section
10 163.191, and public four-year institution of higher education
11 shall adopt the forty-two credit hour block, including specific
12 courses comprising the curriculum, based on the core curriculum
13 recommendations made by the coordinating board for higher
14 education under subsections 1 and 2 of section 178.786, for
15 implementation beginning in the 2018-19 academic year.

16 2. If a student successfully completes the forty-two credit
17 core curriculum at a community college or other public
18 institution of higher education, that block of courses may be
19 transferred to any other public institution of higher education
20 in this state and shall be substituted for the receiving
21 institution's core curriculum. A student shall receive academic
22 credit for each of the courses transferred and shall not be
23 required to take additional core curriculum courses at the
24 receiving institution.

25 3. A student who transfers from one public institution of
26 higher education to another public institution of higher
27 education in the state without completing the core curriculum of
28 the sending institution shall receive academic credit from the

1 receiving institution for each of the courses that the student
2 has successfully completed in the core curriculum of the sending
3 institution. Following receipt of credit for these courses, the
4 student may be required to satisfy further course requirements in
5 the core curriculum of the receiving institution.

6 178.788. 1. The coordinating board for higher education,
7 in consultation with the advisory board established in section
8 178.786, shall develop criteria to evaluate the transfer
9 practices of each public institution of higher education in this
10 state and shall evaluate the transfer practices of each
11 institution based on this criteria.

12 2. The coordinating board shall develop procedures to be
13 followed by institutions of higher education in resolving
14 disputes concerning the transfer of course credit and by the
15 commissioner of higher education in making a final determination
16 concerning transfer of course credit if a transfer is in dispute.

17 3. Each institution of higher education shall publish in
18 its course catalogs and on its official website the procedures
19 adopted by the board under subsections 1 and 2 of this section.

20 4. If an institution of higher education does not accept
21 course credit earned by a student at another public institution
22 of higher education, that institution shall give written notice
23 to the student and the other institution that the transfer of the
24 course credit is denied. The two institutions and the student
25 shall attempt to resolve the transfer of the course credit in
26 accordance with rules promulgated by the coordinating board. If
27 the transfer dispute is not resolved to the satisfaction of the
28 student or the institution at which the credit was earned within

1 forty-five days after the date the student received written
2 notice of the denial, the institution that denies the transfer of
3 the course credit shall notify the commissioner of higher
4 education of its denial and the reasons for the denial.

5 5. The commissioner of higher education or his or her
6 designee shall make the final determination about a dispute
7 concerning the transfer of course credit and give written notice
8 of the determination as to the involved student and institutions.

9 6. The coordinating board shall collect data on the types
10 of transfer disputes that are reported and the disposition of
11 each case that is considered by the commissioner of higher
12 education or the commissioner's designee.

13 7. The provisions of sections 178.785 to 178.789 shall not
14 apply to native students who are not seeking to transfer credits
15 nor affect the authority of an institution of higher education to
16 adopt its own admission standards or its own grading policies.

17 8. Students enrolled in professional programs shall
18 complete the appropriate core curriculum that is required for
19 accreditation or licensure.

20 178.789. The coordinating board for higher education may
21 promulgate all necessary rules and regulations for the
22 administration of sections 178.785 to 178.789. Any rule or
23 portion of a rule, as that term is defined in section 536.010,
24 that is created under the authority delegated in this section
25 shall become effective only if it complies with and is subject to
26 all of the provisions of chapter 536 and, if applicable, section
27 536.028. This section and chapter 536 are nonseverable, and if
28 any of the powers vested with the general assembly pursuant to

1 chapter 536 to review, to delay the effective date, or to
2 disapprove and annul a rule are subsequently held
3 unconstitutional, then the grant of rulemaking authority and any
4 rule proposed or adopted after August 28, 2016, shall be invalid
5 and void.

6 Section 1. 1. Notwithstanding any other provision of law
7 to the contrary, if the spouse of any full-time employee of a
8 public institution of higher education incurs out-of-state travel
9 costs that are paid for or reimbursed by such institution then
10 such employee shall be required to file a quarterly travel report
11 with the Missouri ethics commission listing the date or dates,
12 location, purpose, and the full cost of any out-of-state travel
13 made by such employee's spouse. Such costs shall include, but not
14 be limited to, any transportation costs, lodging costs, and meal
15 expenses that are paid for or reimbursed by the public
16 institution. The commission shall publish travel reports in an
17 electronic format on the commission's website and shall enable
18 the reports to be easily searched by name, employee position, and
19 institutional affiliation. The commission shall enable the
20 electronic filing of reports.

21 2. In addition to the quarterly reports required under
22 subsection 1 of this section, any spouse of a full-time employee
23 of a public institution of higher education whose travels were
24 funded by such public institution under the provisions of
25 subsection 1 of this section during the one-year period
26 immediately before the effective date of this section shall, no
27 later than six months after the effective date of this section,
28 file an additional travel report with the commission covering

1 travel expenditures during that one-year period. This travel
2 report shall be identical in content to the quarterly travel
3 reports required under subsection 1 of this section.

4 Section B. Because of the importance of providing
5 educational assistance to members of the military and their
6 families and because of the importance of improving and
7 sustaining the access to federal financial aid for higher
8 education students in Missouri, the repeal and reenactment of
9 sections 173.234 and 173.005 of this act is deemed necessary for
10 the immediate preservation of the public health, welfare, peace,
11 and safety, and is hereby declared to be an emergency act within
12 the meaning of the constitution, and the repeal and reenactment
13 of sections 173.234 and 173.005 of this act shall be in full
14 force and effect upon its passage and approval.

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22 David Pearce
