

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 997

98TH GENERAL ASSEMBLY

2016

6305S.03T

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:

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2 178.780, RSMo, are repealed and nineteen new sections enacted in lieu thereof,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

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

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

6 (2) "Actuary", a member of the American Academy of Actuaries or who is
7 an enrolled actuary under the Employee Retirement Income Security Act of 1974;

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

10 (4) "Alternative delivery health care program", a plan of covered benefits
11 that pays medical expenses through an alternate mechanism rather than on a fee-
12 for-service basis. This includes, but is not limited to, health maintenance
13 organizations and preferred provider organizations, all of which shall include

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

14 chiropractic physicians licensed under chapter 331, in the provider networks or
15 organizations;

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

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

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

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

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

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

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

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

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

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

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

45 (16) **"Participating higher education entity", a state-sponsored**
46 **institution of higher learning;**

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

50 [(17)] (18) "Plan year", a twelve-month period designated by the board
51 which is used to calculate the annual rate categories and the appropriate
52 coverage;

53 [(18)] (19) "Provider", a physician, hospital, pharmacist, psychologist,
54 chiropractic physician or other licensed practitioner who or which provides health
55 care services within the respective scope of practice of such practitioner pursuant
56 to state law and regulation;

57 [(19)] (20) "Retiree", a person who is not an employee and is receiving
58 or is entitled to receive an annuity benefit from a state-sponsored retirement
59 system or a retirement system of a participating member agency of the plan or
60 becomes eligible for retirement benefits because of service with a participating
61 member agency.

103.079. 1. The health care programs sponsored by the departments of
2 transportation and conservation shall become a part of this plan only upon
3 request to and acceptance by the board of trustees by the highways and
4 transportation commission or the conservation commission and any such transfer
5 into this plan shall be deemed reviewable by such department every three
6 years. Such department may withdraw from the plan upon approval by such
7 department's commission and by providing the board a minimum of six months'
8 notice prior to the end of the then current plan year and termination of coverage
9 will become effective at the end of the then current plan year. For any of the
10 foregoing state agencies choosing to participate, the plan shall not assume
11 responsibility for any liabilities incurred by the agency or its eligible employees,
12 retirees, or dependents prior to its effective date.

13 **2. Any participating higher education entity may, by its own**
14 **election, become part of this plan. The board of trustees shall accept**
15 **the participating higher education entity. The board of trustees may**
16 **request the participating higher education entity pay a first year**
17 **adjustment if the population being brought into the plan is actuarially**
18 **substantial and materially different than the current population in the**
19 **state plan. Once a participating higher education entity comes into the**
20 **plan, it may not leave the plan for a period of five years. Such**
21 **participating higher education entity may withdraw from the plan upon**
22 **approval by such participating higher education entity governing**
23 **board and by providing the board a minimum of six month's notice**
24 **prior to the end of the then current plan year and termination of**

25 coverage will become effective at the end of the then current plan
26 year. For any of the foregoing participating higher education entities
27 choosing to participate, the plan shall not assume responsibility for any
28 liabilities incurred by the participating higher education entity or its
29 eligible employees, retirees, or dependents prior to its effective date.

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

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

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

12 (3) Other relevant information as determined by the department
13 of higher education.

14 2. On or before April 1, 2017, the governing body of each public
15 employer in this state shall adopt a policy that provides up-to-date,
16 accurate, and complete information to each new employee regarding
17 eligibility for public service loan forgiveness. Notice to new employees
18 shall be provided within ten days following the start of employment
19 with the public employer. On or before June 30, 2017, the public
20 employer shall provide the same information to all current employees
21 employed on that date.

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

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

10 3. Any pupil enrolled in a [community] two-year college under a
11 postsecondary course option shall be considered a resident student for the

12 purposes of calculating state aid to the [community] **two-year** college.

13 4. [Community] **Two-year** colleges and four-year colleges and
14 universities may charge reasonable fees for pupils enrolled in courses under a
15 postsecondary course option. Such fees may be paid by the district of residence
16 or by the pupil, as determined by the agreement between the district of residence
17 and the college or university.

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

5 2. The commission on higher education is abolished and all its powers,
6 duties, personnel and property are transferred by type I transfer to the
7 "Coordinating Board for Higher Education", which is hereby created, and the
8 coordinating board shall be the head of the department. The coordinating board
9 shall consist of nine members appointed by the governor with the advice and
10 consent of the senate, and not more than five of its members shall be of the same
11 political party. None of the members shall be engaged professionally as an
12 educator or educational administrator with a public or private institution of
13 higher education at the time appointed or during his term. Moreover, no person
14 shall be appointed to the coordinating board who shall not be a citizen of the
15 United States, and who shall not have been a resident of the state of Missouri two
16 years next prior to appointment, and at least one but not more than two persons
17 shall be appointed to said board from each congressional district. The term of
18 service of a member of the coordinating board shall be six years and said
19 members, while attending the meetings of the board, shall be reimbursed for their
20 actual expenses. Notwithstanding any provision of law to the contrary, nothing
21 in this section relating to a change in the composition and configuration of
22 congressional districts in this state shall prohibit a member who is serving a term
23 on August 28, 2011, from completing his or her term. The coordinating board
24 may, in order to carry out the duties prescribed for it in subsections 1, 2, 3, 7, and
25 8 of this section, employ such professional, clerical and research personnel as may
26 be necessary to assist it in performing those duties, but this staff shall not, in any
27 fiscal year, exceed twenty-five full-time equivalent employees regardless of the
28 source of funding. In addition to all other powers, duties and functions
29 transferred to it, the coordinating board for higher education shall have the
30 following duties and responsibilities:

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

34 (2) The coordinating board for higher education may promote and
35 encourage the development of cooperative agreements between Missouri public
36 four-year institutions of higher education which do not offer graduate degrees and
37 Missouri public four-year institutions of higher education which do offer graduate
38 degrees for the purpose of offering graduate degree programs on campuses of
39 those public four-year institutions of higher education which do not otherwise
40 offer graduate degrees. Such agreements shall identify the obligations and duties
41 of the parties, including assignment of administrative responsibility. Any
42 diploma awarded for graduate degrees under such a cooperative agreement shall
43 include the names of both institutions inscribed thereon. Any cooperative
44 agreement in place as of August 28, 2003, shall require no further approval from
45 the coordinating board for higher education. Any costs incurred with respect to
46 the administrative provisions of this subdivision may be paid from state funds
47 allocated to the institution assigned the administrative authority for the
48 program. The provisions of this subdivision shall not be construed to invalidate
49 the provisions of subdivision (1) of this subsection;

50 (3) In consultation with the heads of the institutions of higher education
51 affected and against a background of carefully collected data on enrollment,
52 physical facilities, manpower needs, institutional missions, the coordinating board
53 for higher education shall establish guidelines for appropriation requests by those
54 institutions of higher education; however, other provisions of the Reorganization
55 Act of 1974 notwithstanding, all funds shall be appropriated by the general
56 assembly to the governing board of each public four-year institution of higher
57 education which shall prepare expenditure budgets for the institution;

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

61 (5) The coordinating board for higher education shall establish admission
62 guidelines consistent with institutional missions;

63 (6) The coordinating board for higher education shall require all public
64 two-year and four-year higher education institutions to replicate best practices
65 in remediation identified by the coordinating board and institutions from research
66 undertaken by regional educational laboratories, higher education research

67 organizations, and similar organizations with expertise in the subject, and
68 identify and reduce methods that have been found to be ineffective in preparing
69 or retaining students or that delay students from enrollment in college-level
70 courses;

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

73 (8) The coordinating board shall establish guidelines to promote and
74 facilitate the transfer of students between institutions of higher education within
75 the state and, with the assistance of the committee on transfer and articulation,
76 shall require all public two-year and four-year higher education institutions to
77 create by July 1, 2014, a statewide core transfer library of at least twenty-five
78 lower division courses across all institutions that are transferable among all
79 public higher education institutions. The coordinating board shall establish
80 policies and procedures to ensure such courses are accepted in transfer among
81 public institutions and treated as equivalent to similar courses at the receiving
82 institutions. The coordinating board shall develop a policy to foster reverse
83 transfer for any student who has accumulated enough hours in combination with
84 at least one public higher education institution in Missouri that offers an
85 associate degree and one public four-year higher education institution in the
86 prescribed courses sufficient to meet the public higher education institution's
87 requirements to be awarded an associate degree. The department of elementary
88 and secondary education shall maintain the alignment of the assessments found
89 in section 160.518 and successor assessments with the competencies previously
90 established under this subdivision for entry-level collegiate courses in English,
91 mathematics, foreign language, sciences, and social sciences associated with an
92 institution's general education core;

93 (9) The coordinating board shall collect the necessary information and
94 develop comparable data for all institutions of higher education in the state. The
95 coordinating board shall use this information to delineate the areas of competence
96 of each of these institutions and for any other purposes deemed appropriate by
97 the coordinating board;

98 (10) Compliance with requests from the coordinating board for
99 institutional information and the other powers, duties and responsibilities, herein
100 assigned to the coordinating board, shall be a prerequisite to the receipt of any
101 funds which the coordinating board is responsible for administering;

102 (11) If any institution of higher education in this state, public or private,

103 willfully fails or refuses to follow any lawful guideline, policy or procedure
104 established or prescribed by the coordinating board, or knowingly deviates from
105 any such guideline, or knowingly acts without coordinating board approval where
106 such approval is required, or willfully fails to comply with any other lawful order
107 of the coordinating board, the coordinating board may, after a public hearing,
108 withhold or direct to be withheld from that institution any funds the
109 disbursement of which is subject to the control of the coordinating board, or may
110 remove the approval of the institution as an approved institution within the
111 meaning of section 173.1102. If any such public institution willfully disregards
112 board policy, the commissioner of higher education may order such institution to
113 remit a fine in an amount not to exceed one percent of the institution's current
114 fiscal year state operating appropriation to the board. The board shall hold such
115 funds until such time that the institution, as determined by the commissioner of
116 higher education, corrects the violation, at which time the board shall refund such
117 amount to the institution. If the commissioner determines that the institution
118 has not redressed the violation within one year, the fine amount shall be
119 deposited into the general revenue fund, unless the institution appeals such
120 decision to the full coordinating board, which shall have the authority to make
121 a binding and final decision, by means of a majority vote, regarding the
122 matter. However, nothing in this section shall prevent any institution of higher
123 education in this state from presenting additional budget requests or from
124 explaining or further clarifying its budget requests to the governor or the general
125 assembly; [and]

126 **(12) In recognition of institutions that meet the requirements of**
127 **subdivisions (2), (3), or (4) of subsection 1 of section 173.616, are**
128 **established by name as an educational institution in Missouri, and are**
129 **authorized to operate programs beyond secondary education for**
130 **purposes of authorization under 34 C.F.R. 600.9, the coordinating board**
131 **for higher education shall maintain and publish on its website a list of**
132 **such postsecondary educational institutions; and**

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

136 a. Is controlled or administered directly by a public agency or political
137 subdivision or is classified as a public institution by the state;

138 b. Receives appropriations for operating expenses directly or indirectly

139 from a state other than Missouri;

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

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

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

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

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

151 b. The board's approval process of degree programs and courses offered
152 by any out-of-state public institutions of higher education that, prior to July 1,
153 2008, were approved by the board to operate a school in compliance with the
154 provisions of sections 173.600 to 173.618. The rules shall ensure that, as of July
155 1, 2008, all out-of-state public institutions seeking to offer degrees and courses
156 within the state of Missouri are evaluated in a manner similar to Missouri public
157 higher education institutions. Such out-of-state public institutions shall be held
158 to standards no lower than the standards established by the coordinating board
159 for program approval and the policy guidelines of the coordinating board for data
160 collection, cooperation, and resolution of disputes between Missouri institutions
161 of higher education under this section. Any such out-of-state public institutions
162 of higher education wishing to continue operating within this state must be
163 approved by the board under the rules promulgated under this subdivision. The
164 coordinating board may charge and collect fees from out-of-state public
165 institutions to cover the costs of reviewing and assuring the quality of programs
166 offered by out-of-state public institutions. Any rule or portion of a rule, as that
167 term is defined in section 536.010, that is created under the authority delegated
168 in this section shall become effective only if it complies with and is subject to all
169 of the provisions of chapter 536 and, if applicable, section 536.028. This section
170 and chapter 536 are nonseverable and if any of the powers vested with the
171 general assembly under chapter 536 to review, to delay the effective date, or to
172 disapprove and annul a rule are subsequently held unconstitutional, then the
173 grant of rulemaking authority and any rule proposed or adopted after August 28,
174 2007, shall be invalid and void.

175 (c) Nothing in this subdivision or in section 173.616 shall be construed or
176 interpreted so that students attending an out-of-state public institution are
177 considered to be attending a Missouri public institution of higher education for
178 purposes of obtaining student financial assistance.

179 3. The coordinating board shall meet at least four times annually with an
180 advisory committee who shall be notified in advance of such meetings. The
181 coordinating board shall have exclusive voting privileges. The advisory
182 committee shall consist of thirty-two members, who shall be the president or
183 other chief administrative officer of the University of Missouri; the chancellor of
184 each campus of the University of Missouri; the president of each state-supported
185 four-year college or university, including Harris-Stowe State University, Missouri
186 Southern State University, Missouri Western State University, and Lincoln
187 University; the president of State Technical College of Missouri; the president or
188 chancellor of each public community college district; and representatives of each
189 of five accredited private institutions selected biennially, under the supervision
190 of the coordinating board, by the presidents of all of the state's privately
191 supported institutions; but always to include at least one representative from one
192 privately supported community college, one privately supported four-year college,
193 and one privately supported university. The conferences shall enable the
194 committee to advise the coordinating board of the views of the institutions on
195 matters within the purview of the coordinating board.

196 4. The University of Missouri, Lincoln University, and all other state-
197 governed colleges and universities, chapters 172, 174, 175, and others, are
198 transferred by type III transfers to the department of higher education subject to
199 the provisions of subsection 2 of this section.

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

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

204 7. All the powers, duties and functions vested in the division of public
205 schools and state board of education relating to community college state aid and
206 the supervision, formation of districts and all matters otherwise related to the
207 state's relations with community college districts and matters pertaining to
208 community colleges in public school districts, chapters 163, 178, and others, are
209 transferred to the coordinating board for higher education by type I
210 transfer. Provided, however, that all responsibility for administering the federal-

211 state programs of vocational-technical education, except for the 1202a
212 postsecondary educational amendments of 1972 program, shall remain with the
213 department of elementary and secondary education. The department of
214 elementary and secondary education and the coordinating board for higher
215 education shall cooperate in developing the various plans for vocational-technical
216 education; however, the ultimate responsibility will remain with the state board
217 of education.

218 8. All the powers, duties, functions, and properties of the state poultry
219 experiment station, chapter 262, are transferred by type I transfer to the
220 University of Missouri, and the state poultry association and state poultry board
221 are abolished. In the event the University of Missouri shall cease to use the real
222 estate of the poultry experiment station for the purposes of research or shall
223 declare the same surplus, all real estate shall revert to the governor of the state
224 of Missouri and shall not be disposed of without legislative approval.

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

10 **2. Inclusion of institution information on the website is
11 voluntary, and institutions of higher education may elect to have
12 institutional information included on the website by notifying the
13 department of higher education.**

14 **3. The department of higher education may promulgate all
15 necessary rules and regulations for the administration of this
16 section. Any rule or portion of a rule, as that term is defined in section
17 536.010, that is created under the authority delegated in this section
18 shall become effective only if it complies with and is subject to all of
19 the provisions of chapter 536 and, if applicable, section 536.028. This
20 section and chapter 536 are nonseverable, and if any of the powers
21 vested with the general assembly pursuant to chapter 536 to review, to
22 delay the 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, 2016, shall**
25 **be invalid and void.**

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

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

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

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

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

13 (5) "Institution of postsecondary education", any approved Missouri public
14 institution of postsecondary education, as defined in subdivision (3) of section
15 173.1102;

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

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

22 (b) A veteran died or was injured as a result of combat action or a
23 veteran's death or injury was certified by the Department of Veterans' Affairs
24 medical authority to be attributable to an illness or accident that occurred while
25 serving in combat, or became eighty percent disabled as a result of injuries or
26 accidents sustained in combat action after September 11, 2001; and

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

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

32 (8) "Tuition", any tuition or incidental fee, or both, charged by an
33 institution of postsecondary education for attendance at the institution by a

34 student as a resident of this state. The tuition grant shall not exceed the amount
35 of tuition charged a Missouri resident at the University of Missouri-Columbia for
36 attendance.

37 2. Within the limits of the amounts appropriated therefor, the
38 coordinating board for higher education shall award annually up to twenty-five
39 grants to survivors of qualifying military members to attend institutions of
40 postsecondary education in this state, which shall continue to be awarded
41 annually to eligible recipients as long as the recipient achieves and maintains a
42 cumulative grade point average of at least two and one-half on a four-point scale,
43 or its equivalent. If the waiting list of eligible survivors exceeds fifty, the
44 coordinating board may petition the general assembly to expand the quota. If the
45 quota is not expanded, then the eligibility of survivors on the waiting list shall
46 be extended.

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

51 4. The coordinating board for higher education shall:

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

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

56 5. Any rule or portion of a rule, as that term is defined in section 536.010,
57 that is created under the authority delegated in this section shall become effective
58 only if it complies with and is subject to all of the provisions of chapter 536 and,
59 if applicable, section 536.028. This section and chapter 536 are nonseverable and
60 if any of the powers vested with the general assembly pursuant to chapter 536 to
61 review, to delay the effective date, or to disapprove and annul a rule are
62 subsequently held unconstitutional, then the grant of rulemaking authority and
63 any rule proposed or adopted after August 28, 2008, shall be invalid and void.

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

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

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

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

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

77 8. A survivor who is a recipient of a grant may transfer from one approved
78 public institution of postsecondary education to another without losing his or her
79 entitlement under this section. The board shall make necessary adjustments in
80 the amount of the grant. If a grant recipient at any time withdraws from the
81 institution of postsecondary education so that under the rules and regulations of
82 that institution he or she is entitled to a refund of any tuition, fees, room and
83 board, books, or other charges, the institution shall pay the portion of the refund
84 to which he or she is entitled attributable to the grant for that semester or
85 similar grading period to the board.

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

89 10. Nothing in this section shall be construed as a promise or guarantee
90 that a person will be admitted to an institution of postsecondary education or to
91 a particular institution of postsecondary education, will be allowed to continue to
92 attend an institution of postsecondary education after having been admitted, or
93 will be graduated from an institution of postsecondary education.

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

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

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

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

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

**173.2500. 1. As used in this section, the following terms shall
2 mean:**

3 (1) "Approved dual credit provider", a board approved,
4 accredited Missouri higher education institution that provides dual
5 credit courses;

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

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

8 (4) "Dual credit courses", college level coursework delivered by
9 a postsecondary education institution and taught in the high school by
10 instructors with appropriate academic credentials to high school
11 students who are earning high school and college credit
12 simultaneously.

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

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

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

29 5. The board may promulgate administrative rules to implement
30 this section, including parameters for the approval of dual credit
31 providers and establishing appropriate fees as needed to generate
32 funding sufficient to cover the entirety of costs associated with
33 operation of the dual credit provider certification process established
34 in this section. Any rule or portion of a rule, as that term is defined in

35 section 536.010 that is created under the authority delegated in this
36 section shall become effective only if it complies with and is subject to
37 all of the provisions of chapter 536, and, if applicable, section
38 536.028. This section and chapter 536 are nonseverable and if any of
39 the powers vested with the general assembly pursuant to chapter 536,
40 to review, to delay the effective date, or to disapprove and annul a rule
41 are subsequently held unconstitutional, then the grant of rulemaking
42 authority and any rule proposed or adopted after August 28, 2016, shall
43 be invalid and void.

44 6. (1) There is hereby created in the state treasury the "Dual
45 Credit Certification Fund", which shall consist of money collected
46 under this section. The state treasurer shall be custodian of the fund.
47 In accordance with sections 30.170 and 30.180, the state treasurer may
48 approve disbursements. The fund shall be a dedicated fund and money
49 in the fund shall be used solely by the department for the purpose of
50 funding the costs associated with the operation of the dual credit
51 certification process authorized by this section.

52 (2) Notwithstanding the provisions of section 33.080 to the
53 contrary, any moneys remaining in the fund at the end of the biennium
54 shall not revert to the credit of the general revenue fund.

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

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

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

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

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

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

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

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

14 (a) Be individually eligible to be enrolled in a federal free or

15 reduced-price lunch program, based on income levels established by the
16 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 credit
25 courses offered by an approved dual credit provider as defined in
26 section 173.2500. The coordinating board may promulgate rules for the
27 administration of the program including establishing the application,
28 eligibility, and payment procedures. Any rule or portion of a rule, as
29 that term is defined in section 536.010 that is created under the
30 authority delegated in this section shall become effective only if it
31 complies with and is subject to all of the provisions of chapter 536, and,
32 if applicable, section 536.028. This section and chapter 536 are
33 nonseverable and if any of the powers vested with the general assembly
34 pursuant to chapter 536, to review, to delay the effective date, or to
35 disapprove and annul a rule are subsequently held unconstitutional,
36 then the grant of rulemaking authority and any rule proposed or
37 adopted after August 28, 2016, shall be invalid and void.

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

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

44 6. There is hereby created in the state treasury the "Dual Credit
45 Scholarship Fund", which shall consist of moneys appropriated to the
46 fund by the General Assembly and private donations made to the
47 fund. The state treasurer shall be the custodian of the fund and shall
48 invest moneys in the fund in the same manner as other funds are
49 invested. Any interest and moneys earned on such investments shall be
50 credited to the fund. Notwithstanding the provisions of section 33.080
51 to the contrary, any moneys remaining in the fund at the end of the

52 **biennium shall not revert to the credit of the general revenue fund.**

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

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

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

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

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

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

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

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

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

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

8 **(3) "Proactive advising", an advising model in which advisors**
9 **reach out to students in anticipation of their needs, connect students**
10 **with resources and support early in their studies, and motivate**
11 **students to succeed;**

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

15 **3. The coordinating board for higher education, in cooperation**
16 **with the state's colleges and universities, shall develop a guided**
17 **pathways to success pilot program. Guided pathways to success shall**
18 **include at least two of the following components:**

19 **(1) Majors organized into semester-by-semester sets of courses**

20 that lead to on-time completion, which shall have the same meaning as
21 described pursuant to section 173.2510;

22 (2) Degree-based transfer pathways between participating
23 institutions to assist students who enroll in multiple institutions to
24 complete their degree;

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

27 (4) Student commitment to a structured schedule of courses and
28 electives; and

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

31 4. The department shall develop and publicly maintain materials
32 that describe the elements of Missouri's guided pathways to success
33 project and assist students in understanding the operation of each
34 component.

35 5. By January 1, 2020, the coordinating board shall report to the
36 governor and the general assembly on the outcomes of the pilot
37 program created in this section.

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

43 7. The coordinating board for higher education shall establish by
44 administrative rule criteria and procedures for the application for, and
45 awarding of, grants authorized by this section. Any rule or portion of
46 a rule, as that term is defined in section 536.010 that is created under
47 the authority delegated in this section shall become effective only if it
48 complies with and is subject to all of the provisions of chapter 536, and,
49 if applicable, section 536.028. This section and chapter 536 are
50 nonseverable and if any of the powers vested with the general assembly
51 pursuant to chapter 536, to review, to delay the effective date, or to
52 disapprove and annul a rule are subsequently held unconstitutional,
53 then the grant of rulemaking authority and any rule proposed or
54 adopted after August 28, 2016, shall be invalid and void.

173.2520. 1. As used in this section, the term "concurrent
2 postsecondary enrollment" shall mean coordinated enrollment in

3 **coursework at both a four-year and a two-year postsecondary**
4 **institution at the same time and for which the coursework is officially**
5 **recorded by both institutions.**

6 **2. The coordinating board for higher education shall establish a**
7 **concurrent enrollment pilot program for the purpose of providing**
8 **students with a broader range of academic and student support**
9 **services while streamlining the path to degree completion. The pilot**
10 **project will be implemented in one or more public four-year**
11 **institutions and one or more public two-year institutions. The pilot**
12 **program is intended to determine the feasibility of extending a**
13 **concurrent enrollment option to other institutions in the state.**

14 **3. By January 1, 2020, the coordinating board shall provide a**
15 **report to the governor and the general assembly on the outcomes of the**
16 **pilot program and provide a recommendation regarding the expansion**
17 **of the program statewide.**

178.780. 1. Tax supported community colleges formed prior to October 13,
2 1961, and those formed under the provisions of sections 178.770 to 178.890 shall
3 be under the supervision of the coordinating board for higher education.

4 2. The coordinating board for higher education shall:

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

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

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

12 (4) Administer the state financial support program;

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

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

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

20 (8) Make a continuing study of community college education in the state;

21 [and]

22 (9) Be responsible for the accreditation of each community college under
23 its supervision. Accreditation shall be conducted annually or as often as deemed
24 advisable and made in a manner consistent with rules and regulations
25 established and applied uniformly to all community colleges in the
26 state. Standards for accreditation of community colleges shall be formulated with
27 due consideration given to curriculum offerings and entrance requirements of the
28 University of Missouri; and

29 (10) Establish a standard core curriculum and a common course
30 numbering equivalency matrix for lower-division courses to be used at
31 community colleges and other public institutions of higher education
32 to facilitate student transfers as provided under sections 178.785 to
33 178.789.

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

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

7 (2) "Core curriculum", the basic competencies to be met, which
8 shall include communicating, higher-order thinking, managing
9 information, valuing, and includes the knowledge areas of social and
10 behavioral sciences, humanities and fine arts, mathematics, and life
11 and physical sciences;

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

16 (4) "Native student", a student whose initial college enrollment
17 was at an institution of higher education and who has not transferred
18 to any other institution since that initial enrollment and who has
19 completed no more than eleven credit hours at any other institution of
20 higher education.

178.786. 1. The coordinating board for higher education, with
2 the assistance of an advisory committee composed of representatives
3 from each public community college in this state and each public four-
4 year institution of higher education, shall develop a recommended
5 lower division core curriculum of forty-two semester credit hours,

6 including a statement of the content, component areas, and objectives
7 of the core curriculum. A majority of the members of the advisory
8 committee shall be faculty members from Missouri public institutions
9 of higher education.

10 2. The coordinating board shall approve a common course
11 numbering equivalency matrix for the forty-two credit hour block at all
12 institutions of higher education in the state to facilitate the transfer of
13 those courses among institutions of higher education by promoting
14 consistency in course designation and course identification. Each
15 community college and four-year institution of higher education shall
16 include in its course listings the applicable course numbers from the
17 common course numbering equivalency matrix approved by the
18 coordinating board under this subsection.

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

178.787. 1. Each community college, as defined in section
2 163.191, and public four-year institution of higher education shall adopt
3 the forty-two credit hour block, including specific courses comprising
4 the curriculum, based on the core curriculum recommendations made
5 by the coordinating board for higher education under subsections 1 and
6 2 of section 178.786, for implementation beginning in the 2018-19
7 academic year.

8 2. If a student successfully completes the forty-two credit core
9 curriculum at a community college or other public institution of higher
10 education, that block of courses may be transferred to any other public
11 institution of higher education in this state and shall be substituted for
12 the receiving institution's core curriculum. A student shall receive
13 academic credit for each of the courses transferred and shall not be
14 required to take additional core curriculum courses at the receiving
15 institution.

16 3. A student who transfers from one public institution of higher
17 education to another public institution of higher education in the state
18 without completing the core curriculum of the sending institution shall
19 receive academic credit from the receiving institution for each of the

20 courses that the student has successfully completed in the core
21 curriculum of the sending institution. Following receipt of credit for
22 these courses, the student may be required to satisfy further course
23 requirements in the core curriculum of the receiving institution.

178.788. 1. The coordinating board for higher education, in
2 consultation with the advisory board established in section 178.786,
3 shall develop criteria to evaluate the transfer practices of each public
4 institution of higher education in this state and shall evaluate the
5 transfer practices of each institution based on this criteria.

6 2. The coordinating board shall develop procedures to be
7 followed by institutions of higher education in resolving disputes
8 concerning the transfer of course credit and by the commissioner of
9 higher education in making a final determination concerning transfer
10 of course credit if a transfer is in dispute.

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

14 4. If an institution of higher education does not accept course
15 credit earned by a student at another public institution of higher
16 education, that institution shall give written notice to the student and
17 the other institution that the transfer of the course credit is
18 denied. The two institutions and the student shall attempt to resolve
19 the transfer of the course credit in accordance with rules promulgated
20 by the coordinating board. If the transfer dispute is not resolved to the
21 satisfaction of the student or the institution at which the credit was
22 earned within forty-five days after the date the student received
23 written notice of the denial, the institution that denies the transfer of
24 the course credit shall notify the commissioner of higher education of
25 its denial and the reasons for the denial.

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

30 6. The coordinating board shall collect data on the types of
31 transfer disputes that are reported and the disposition of each case
32 that is considered by the commissioner of higher education or the
33 commissioner's designee.

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

38 8. Students enrolled in professional programs shall complete the
39 appropriate core curriculum that is required for accreditation or
40 licensure.

 178.789. The coordinating board for higher education may
2 promulgate all necessary rules and regulations for the administration
3 of sections 178.785 to 178.789. Any rule or portion of a rule, as that
4 term is defined in section 536.010, that is created under the authority
5 delegated in this section shall become effective only if it complies with
6 and is subject to all of the provisions of chapter 536 and, if applicable,
7 section 536.028. This section and chapter 536 are nonseverable, and if
8 any of the powers vested with the general assembly pursuant to chapter
9 536 to review, to delay the effective date, or to disapprove and annul a
10 rule are subsequently held unconstitutional, then the grant of
11 rulemaking authority and any rule proposed or adopted after August
12 28, 2016, shall be invalid and void.

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

15 2. In addition to the quarterly reports required under subsection
16 1 of this section, any spouse of a full-time employee of a public
17 institution of higher education whose travels were funded by such
18 public institution under the provisions of subsection 1 of this section

19 **during the one-year period immediately before the effective date of this**
20 **section shall, no later than six months after the effective date of this**
21 **section, file an additional travel report with the commission covering**
22 **travel expenditures during that one-year period. This travel report**
23 **shall be identical in content to the quarterly travel reports required**
24 **under subsection 1 of this section.**

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

✓
Bill

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