

FIRST REGULAR SESSION

SENATE BILL NO. 89

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR DOUGHERTY.

Pre-filed December 1, 2004, and ordered printed.

TERRY L. SPIELER, Secretary.

0245L.01I

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to postsecondary education for foster children.

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

Section A. Chapter 173, RSMo, is amended by adding thereto one new section, to be known as section 173.270, to read as follows:

173.270. 1. The coordinating board for higher education shall make provisions for institutions under the board's jurisdiction to award a tuition and fee waiver for undergraduate courses at state institutions of higher education for any student, beginning with incoming freshmen in the 2006 fall semester or term, who:

- (1) Is a resident of this state;**
- (2) Has graduated within the previous three years from high school or passed the GED examination; and**
- (3) Has been in foster care or other residential care under the department of social services on or after:**
 - (a) The day preceding the student's eighteenth birthday;**
 - (b) The day of the student's fourteenth birthday, if the student was also eligible for adoption on or after that day; or**
 - (c) The day the student graduated from high school or received a GED.**

2. To be eligible for a waiver award, a student shall:

- (1) Apply to and be accepted at the institution not later than:**
 - (a) The third anniversary of the date the student was discharged from foster or other residential care, the date the student graduated**

from high school, or the date the student received a GED, whichever is earliest; or

(b) The student's twenty-first birthday;

(2) Apply for other student financial assistance, other than student loans, in compliance with federal financial aid rules, including the federal Pell grant;

(3) Apply to the coordinating board for higher education for a determination of eligibility. Application shall be on forms and in a manner prescribed by rule of the coordinating board; and

(4) Complete a minimum of one hundred hours of community service or public internship within a twelve-month period beginning September first for each year in which the student is receiving a tuition and fee waiver award pursuant to this section. The department of higher education, in collaboration with participating state institutions of higher education, shall by rule determine the community service and public internships that students may participate in to meet the requirements of this subdivision. A student may fulfill this requirement by completing the necessary community service or public internship hours during the summer.

3. The tuition and fee waiver provided by this section shall be awarded on an annual basis and shall continue to be available, if the student is otherwise eligible pursuant to this section, as long as the student remains in good academic standing at the state institution of higher education.

4. The waiver provided by this section for each eligible student may be used for no more than four years of undergraduate study and may only be used after other sources of financial aid that are dedicated solely to tuition and fees are exhausted.

5. No student who is enrolled in an institution of higher education as of the effective date of this section shall be eligible for a waiver award under this section.

6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable

and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

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