

SECOND REGULAR SESSION
[P E R F E C T E D]
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 846
94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RUPP.

Offered April 2, 2008.

Senate Substitute adopted, April 2, 2008.

Taken up for Perfection April 2, 2008. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

3520S.04P

AN ACT

To repeal sections 160.545, 173.256, and 173.258, RSMo, and to enact in lieu thereof three new sections relating to higher education scholarships.

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

Section A. Sections 160.545, 173.256, and 173.258, RSMo, are repealed
2 and three new sections enacted in lieu thereof, to be known as sections 160.545,
3 173.256, and 173.258, to read as follows:

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

5 (1) All students be graduated from school;

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

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

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

13 (1) Establish measurable districtwide performance standards for the goals

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

14 of the program outlined in subsection 1 of this section; and

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

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

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

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

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

41 [3.] 4. By rule and regulation, the state board of education may
42 determine a local school district variable fund match requirement in order for a
43 school or schools in the district to receive a grant under the program. However,
44 no school in any district shall receive a grant under the program unless the
45 district designates a salaried employee to serve as the program coordinator, with
46 the district assuming a minimum of one-half the cost of the salary and other
47 benefits provided to the coordinator. Further, no school in any district shall
48 receive a grant under the program unless the district makes available facilities
49 and services for adult literacy training as specified by rule of the state board of

50 education.

51 [4.] 5. For any school that meets the requirements for the approval of the
52 grants authorized by this section and specified in subsection 2 of this section for
53 three successive school years, by August first following the third such school year,
54 the commissioner of education shall present a plan to the superintendent of the
55 school district in which such school is located for the waiver of rules and
56 regulations to promote flexibility in the operations of the school and to enhance
57 and encourage efficiency in the delivery of instructional services in the
58 school. The provisions of other law to the contrary notwithstanding, the plan
59 presented to the superintendent shall provide a summary waiver, with no
60 conditions, for the pupil testing requirements pursuant to section 160.257 in the
61 school. Further, the provisions of other law to the contrary notwithstanding, the
62 plan shall detail a means for the waiver of requirements otherwise imposed on
63 the school related to the authority of the state board of education to classify
64 school districts pursuant to subdivision (9) of section 161.092, RSMo, and such
65 other rules and regulations as determined by the commissioner of education,
66 except such waivers shall be confined to the school and not other schools in the
67 school district unless such other schools meet the requirements of this
68 subsection. However, any waiver provided to any school as outlined in this
69 subsection shall be void on June thirtieth of any school year in which the school
70 fails to meet the requirements for the approval of the grants authorized by this
71 section as specified in subsection 2 of this section.

72 [5.] 6. For any school year, grants authorized by subsections 1 to 3 of this
73 section shall be funded with the amount appropriated for this program, less those
74 funds necessary to reimburse eligible students pursuant to subsection 6 of this
75 section.

76 [6.] 7. The commissioner of education shall, by rule and regulation of the
77 state board of education and with the advice of the coordinating board for higher
78 education, establish a procedure for the reimbursement of the cost of tuition,
79 books and fees to any public community college or **within the limits**
80 **established in subsection 8 of this section any two-year public or**
81 **private** vocational or technical school for any student:

82 (1) Who has attended a public high school in the state for at least three
83 years immediately prior to graduation that meets the requirements of subsection
84 2 of this section, except that students who are active duty military dependents
85 who, in the school year immediately preceding graduation, meet all other

86 requirements of this subsection and are attending a school that meets the
87 requirements of subsection 2 of this section shall be exempt from the three-year
88 attendance requirement of this subdivision; and

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

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

96 [7.] 8. The commissioner of education shall develop a procedure for
97 evaluating the effectiveness of the program described in this section. Such
98 evaluation shall be conducted annually with the results of the evaluation
99 provided to the governor, speaker of the house, and president pro tempore of the
100 senate.

101 **9. For a two-year public or private vocational or technical school**
102 **to obtain reimbursements under subsection 6 of this section, except for**
103 **those schools that are receiving reimbursements on August 28, 2008, the**
104 **following requirements shall be satisfied:**

105 (1) **Such two-year public or private vocational or technical**
106 **school shall be a member of the north central association and be**
107 **accredited by the higher learning commission as of July 1, 2008, and**
108 **maintain such accreditation;**

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

112 (3) **No two-year public or private vocational or technical school**
113 **shall receive tuition reimbursements in excess of the tuition rate**
114 **charged by a public community college for course work offered by the**
115 **private vocational or technical school within the service area of such**
116 **college; and**

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

173.256. 1. The department of higher education shall collect and

2 distribute funds for the kids' chance scholarship pursuant to section 173.254,
3 however, the department shall not distribute the corpus provided by section
4 173.258. **The department may distribute any accrued interest in the**
5 **fund as scholarships after the second Monday in October of 2008.**

6 2. There is hereby created in the state treasury the "Kids' Chance
7 Scholarship Fund", which shall consist of all moneys deposited in the fund
8 pursuant to section 173.258 and all moneys which may be appropriated to it by
9 the general assembly, from federal or other sources, including private
10 donations. Upon termination of the fund, all moneys in the fund shall be
11 transferred for the use of the division of workers' compensation for deposit in the
12 fund created by virtue of section 287.690, RSMo.

13 3. The state treasurer shall administer the fund and credit all interest to
14 the fund and the moneys in the fund shall be used solely upon appropriation by
15 the department for the expenses of carrying out its duties pursuant to this
16 section.

17 4. Notwithstanding the provisions of section 33.080, RSMo, to the
18 contrary, moneys in the fund shall not revert to the credit of the general revenue
19 fund at the end of the biennium.

173.258. The director of the division of workers' compensation shall
2 deposit fifty thousand dollars from the premium tax collected pursuant to section
3 287.690, RSMo, on the second Monday in October of each year beginning in 1999
4 until [2008] **2018** into the kids' chance scholarship fund.

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