

SECOND REGULAR SESSION

SENATE BILL NO. 907

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RUPP.

Read 1st time February 8, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

4152S.02I

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to the early high school graduation scholarship program.

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
2 section, to be known as section 173.231, to read as follows:

**173.231. 1. There is hereby established the "Early High School
2 Graduation Scholarship Program" to provide assistance for tuition and
3 mandatory fees to an eligible student to attend a public or private
4 institution of higher education in Missouri who graduates from high
5 school in accordance with the provisions of this section. The
6 department of higher education shall implement and administer the
7 program.**

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

9 **(1) "Private institution of higher education", a nonprofit
10 institution, dedicated to educational purposes, located in Missouri
11 which:**

12 **(a) Is operated privately under the control of an independent
13 board and not directly controlled or administered by any public agency
14 or political subdivision;**

15 **(b) Provides a postsecondary course of instruction at least six
16 months in length leading to or directly creditable toward a certificate
17 or degree;**

18 **(c) Meets the standards for accreditation as determined by either
19 the Higher Learning Commission or by other accrediting bodies
20 recognized by the United States Department of Education or by
21 utilizing accreditation standards applicable to nondegree-granting**

22 institutions as established by the coordinating board for higher
23 education;

24 (d) Does not discriminate in the hiring of administrators, faculty
25 and staff or in the admission of students on the basis of race, color,
26 religion, sex, or national origin and is in compliance with the Federal
27 Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant
28 thereto. Sex discrimination as used herein shall not apply to admission
29 practices of institutions offering the enrollment limited to one sex;

30 (e) Permits faculty members to select textbooks without
31 influence or pressure by any religious or sectarian source;

32 (2) "Public institution of higher education", an educational
33 institution located in Missouri which:

34 (a) Is directly controlled or administered by a public agency or
35 political subdivision;

36 (b) Receives appropriations directly or indirectly from the
37 general assembly for operating expenses;

38 (c) Provides a postsecondary course of instruction at least six
39 months in length leading to or directly creditable toward a degree or
40 certificate;

41 (d) Meets the standards for accreditation as determined by
42 either the Higher Learning Commission, or if a public community
43 college created under the provisions of sections 178.370 to 178.400
44 meets the standards established by the coordinating board for higher
45 education for such public community colleges, or by other accrediting
46 bodies recognized by the United States Department of Education or by
47 utilizing accreditation standards applicable to the institution as
48 established by the coordinating board for higher education;

49 (e) Does not discriminate in the hiring of administrators, faculty
50 and staff or in the admission of students on the basis of race, color,
51 religion, sex, or national origin and is otherwise in compliance with the
52 Federal Civil Rights Acts of 1964 and 1968 and executive orders issued
53 pursuant thereto;

54 (f) Permits faculty members to select textbooks without influence
55 or pressure by any religious or sectarian source.

56 3. To be eligible for a scholarship under this section, a student
57 shall meet the following criteria:

58 (1) Have received approval from a parent or legal guardian;

59 (2) Have graduated from a public high school in Missouri in the
60 timeframe specified in subsection 4 of this section;

61 (3) Have attended one or more public high schools in Missouri
62 for the majority of time the student attended high school; and

63 (4) Be a United States citizen, permanent resident, or otherwise
64 lawfully authorized to be present in the United States.

65 4. If the student completes high school graduation requirements
66 and receives a high school diploma in not more than forty-one months,
67 the student shall be offered a scholarship in an amount equal to eighty
68 percent of the school district's state aid attributable to that
69 student. The high school from which the student graduated shall be
70 offered a grant in an amount equal to twenty percent of the school
71 district's state aid attributable to that student when the student is
72 offered, and accepts, the scholarship.

73 5. The recipient of a scholarship under this section may use the
74 scholarship money at a public institution of higher education for the
75 following:

76 (1) Tuition;

77 (2) Mandatory fees; or

78 (3) Both tuition and mandatory fees.

79 6. The recipient of a scholarship under this section may use the
80 scholarship money at a private institution of higher education for
81 tuition, mandatory fees, or both.

82 7. The recipient of a scholarship under this section shall use the
83 scholarship within one year of graduating from high school except as
84 provided within this subsection. If an eligible student is unable to
85 enroll during the first academic year following high school graduation
86 for the purpose of providing service to a nonprofit organization, a state
87 or federal government agency, or any branch of the armed forces of the
88 United States, such student shall be offered an academic scholarship
89 upon enrollment in any public or private institution of higher
90 education after the completion of his or her service, if the student
91 meets all other requirements and if the following criteria are met:

92 (1) For an eligible student who cannot attend a public or private
93 institution of higher education as a result of service to a non-profit
94 organization or the state or federal government, the student returns to
95 full-time status within twenty-seven months and provides verification

96 to the department of higher education that the service to the nonprofit
97 organization was satisfactorily completed and was not compensated
98 other than for expenses, or that the service to the state or federal
99 government was satisfactorily completed; or

100 (2) For an eligible student who cannot attend a public or private
101 institution of higher education as a result of military service in the
102 armed forces of the United States, the student returns to full-time
103 status within six months after the eligible student first ceases service
104 to the armed forces and provides verification to the department of
105 higher education that the military service was satisfactorily completed.

106 8. A student may seek an extension under this subsection if he
107 or she is able to show hardship or other good cause that prevents him
108 or her from enrolling in a public or private institution of higher
109 education within one year of graduating from high school. Hardship or
110 other good cause shall include a severe illness or other debilitating
111 condition or responsibility for the care of a sick, injured, or needy
112 person. The department of higher education shall determine whether
113 a student qualifies for an extension under this subsection.

114 9. Upon enrollment of an eligible student in a public or private
115 institution of higher education, the institution shall apply to the
116 person's charges for tuition or mandatory fees, as applicable, for the
117 enrollment period an amount equal to the lesser of the:

118 (1) Amount of the scholarship; or

119 (2) Student's actual tuition or mandatory fees.

120 10. Any student who graduates from high school and receives a
121 scholarship in accordance with this section shall be included in the
122 weighted average daily attendance of the school district from which he
123 or she graduated for the length of time it would have taken the student
124 to complete the secondary education program had he or she not
125 graduated early. The department of elementary and secondary
126 education shall place any funds due to a school district from the
127 inclusion of a scholarship recipient under this section in the weighted
128 average daily attendance in the early high school graduation
129 scholarship program fund. The department of higher education shall
130 use the moneys in the fund to distribute scholarships to students and
131 grants to high schools under this section.

132 11. The department of higher education shall annually prepare

133 a report that includes the following information:

134 (1) The name of each student who qualifies for the scholarship
135 under this section;

136 (2) The length of time taken for each student who qualifies for
137 the scholarship to graduate from high school; and

138 (3) The school district from which each student graduated from
139 high school.

140 The department of higher education shall submit the report to the
141 commissioner of education.

142 12. The department of higher education shall confirm with the
143 high school from which the student graduated that the student has
144 completed all of the eligibility requirements of the program. The
145 department shall also confirm that the student has enrolled in and is
146 attending a public or private institution of higher education.

147 13. Each public high school in Missouri shall provide information
148 about the early high school graduation scholarship program and its
149 requirements to the following individuals:

150 (1) Each student at the beginning of his or her first year of high
151 school;

152 (2) Each student who enrolls in the school before the student's
153 senior year who did not receive the information under subdivision (1)
154 of this subsection; and

155 (3) A parent, conservator, or legal guardian of the student under
156 subdivisions (1) and (2) of this subsection;

157 14. The information provided under subsection 15 of this section
158 shall include the following:

159 (1) Number and type of high school course credits necessary to
160 satisfy the eligibility requirements for the early high school graduation
161 scholarship program; and

162 (2) Appropriate order in which those high school course credits
163 shall be earned to satisfy eligibility requirements.

164 15. By January 31, 2011, the department of higher education, in
165 cooperation with the department of elementary and secondary
166 education, shall prepare a publication that includes the information
167 required to be provided under this section. The department of higher
168 education shall post that publication on its website in a form that
169 enables a public high school to reproduce the information for

170 distribution to students, parents, and other persons as required by this
171 section.

172 16. The department of higher education shall promulgate rules
173 and regulations necessary to implement this section. Any rule or
174 portion of a rule, as that term is defined in section 536.010 that is
175 created under the authority delegated in this section shall become
176 effective only if it complies with and is subject to all of the provisions
177 of chapter 536, and, if applicable, section 536.028. This section and
178 chapter 536 are nonseverable and if any of the powers vested with the
179 general assembly pursuant to chapter 536, to review, to delay the
180 effective date, or to disapprove and annul a rule are subsequently held
181 unconstitutional, then the grant of rulemaking authority and any rule
182 proposed or adopted after August 28, 2010, shall be invalid and void.

183 17. There is hereby created in the state treasury the "Early High
184 School Graduation Scholarship Program Fund", which shall consist of
185 money collected under this section. The state treasurer shall be
186 custodian of the fund and may approve disbursements from the fund in
187 accordance with sections 30.170 and 30.180. Upon appropriation, money
188 in the fund shall be used solely for the administration of this
189 section. Any moneys remaining in the fund at the end of the biennium
190 shall revert to the credit of the general revenue fund. The state
191 treasurer shall invest moneys in the fund in the same manner as other
192 funds are invested. Any interest and moneys earned on such
193 investments shall be credited to the fund.

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