

FIRST REGULAR SESSION

# SENATE BILL NO. 130

96TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR RUPP.

Read 1st time January 18, 2011, and ordered printed.

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TERRY L. SPIELER, Secretary.

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## AN ACT

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

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

Section A. Chapter 173, RSMo, is amended by adding thereto four new  
2 sections, to be known as sections 173.1300, 173.1303, 173.1306, and 173.1309, to  
3 read as follows:

**173.1300. 1. There is hereby established the "Early High School  
2 Graduation Scholarship Program" to provide assistance to eligible  
3 students in Missouri that graduate from high school in accordance with  
4 the provisions of sections 173.1300 to 173.1309. The department of  
5 higher education shall implement and administer the  
6 program. Sections 173.1300 to 173.1309 shall be known and may be  
7 cited as the "Early High School Graduation Scholarship Program Act".**

**8 2. As used in sections 173.1300 to 173.1309, the following terms  
9 shall mean:**

**10 (1) "Eligible student", a student who qualifies for a scholarship  
11 under sections 173.1300 to 173.1309 and who:**

**12 (a) Has received approval from a parent or legal guardian;**

**13 (b) Has graduated from a public high school in Missouri in the  
14 time frame specified in section 173.1303 or 173.1306;**

**15 (c) Has attended one or more public high schools in Missouri for  
16 more than half of the time the student attended high school; and**

**17 (d) Is a United States citizen, permanent resident, or otherwise  
18 lawfully authorized to be present in the United States;**

19           **(2) "Private institution of higher education", a nonprofit**  
20 **institution, dedicated to educational purposes, located in Missouri**  
21 **which:**

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

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

28           **(c) Meets the standards for accreditation as determined by either**  
29 **the Higher Learning Commission or by other accrediting bodies**  
30 **recognized by the United States Department of Education or by**  
31 **utilizing accreditation standards applicable to nondegree-granting**  
32 **institutions as established by the coordinating board for higher**  
33 **education;**

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

40           **(e) Permits faculty members to select textbooks without**  
41 **influence or pressure by any religious or sectarian source;**

42           **(3) "Public institution of higher education", an educational**  
43 **institution located in Missouri which:**

44           **(a) Is directly controlled or administered by a public agency or**  
45 **political subdivision;**

46           **(b) Receives appropriations directly or indirectly from the**  
47 **general assembly for operating expenses;**

48           **(c) Provides a postsecondary course of instruction at least six**  
49 **months in length leading to or directly creditable toward a degree or**  
50 **certificate;**

51           **(d) Meets the standards for accreditation as determined by**  
52 **either the Higher Learning Commission, or if a public community**  
53 **college created under the provisions of sections 178.370 to 178.400**  
54 **meets the standards established by the coordinating board for higher**  
55 **education for such public community colleges, or by other accrediting**

56 **bodies recognized by the United States Department of Education or by**  
57 **utilizing accreditation standards applicable to the institution as**  
58 **established by the coordinating board for higher education;**

59 **(e) Does not discriminate in the hiring of administrators, faculty**  
60 **and staff or in the admission of students on the basis of race, color,**  
61 **religion, sex, or national origin and is otherwise in compliance with the**  
62 **Federal Civil Rights Acts of 1964 and 1968 and executive orders issued**  
63 **pursuant thereto;**

64 **(f) Permits faculty members to select textbooks without influence**  
65 **or pressure by any religious or sectarian source.**

66 **3. An eligible student who receives a scholarship under sections**  
67 **173.1300 to 173.1309 shall use the scholarship within one year of**  
68 **graduating from high school except as provided within this subsection**  
69 **or subsection 4 of this section. If he or she is unable to enroll during**  
70 **the first academic year following high school graduation for the**  
71 **purpose of providing service to a nonprofit organization, a state or**  
72 **federal government agency, or any branch of the armed forces of the**  
73 **United States, he or she shall be offered a scholarship upon enrollment**  
74 **in any public or private institution of higher education after the**  
75 **completion of his or her service, if all other requirements and the**  
76 **following criteria are met:**

77 **(1) For an eligible student who cannot attend a public or private**  
78 **institution of higher education as a result of service to a non-profit**  
79 **organization or a state or federal government agency, he or she returns**  
80 **to full-time status within twenty-seven months and provides**  
81 **verification to the department of higher education that the service to**  
82 **the nonprofit organization was satisfactorily completed and was not**  
83 **compensated other than for expenses, or that the service to the state or**  
84 **federal government agency was satisfactorily completed; or**

85 **(2) For an eligible student who cannot attend a public or private**  
86 **institution of higher education as a result of military service in any**  
87 **branch of the armed forces of the United States, he or she returns to**  
88 **full-time status within six months after he or she first ceases service to**  
89 **the armed forces and provides verification to the department of higher**  
90 **education that the military service was satisfactorily completed.**

91 **4. An eligible student may seek an extension from the**  
92 **requirements of subsection 3 of this section if he or she is able to show**

93 hardship or other good cause that prevents him or her from enrolling  
94 in a public or private institution of higher education within one year  
95 of graduating from high school. Hardship or other good cause shall  
96 include a severe illness or other debilitating condition or responsibility  
97 for the care of a sick, injured, or needy person. The department of  
98 higher education shall determine whether a student qualifies for an  
99 extension under this subsection.

173.1303. 1. An eligible student who receives a scholarship under  
2 this section may use the scholarship money at a public or private  
3 institution of higher education for tuition, mandatory fees, or both. An  
4 eligible student who has participated in a dual credit or dual  
5 enrollment program with his or her high school and an institution of  
6 higher education may use the scholarship money to pay any fees  
7 necessary to receive official post-secondary credit for work completed  
8 through such program.

9 2. If an eligible student completes high school graduation  
10 requirements and receives a high school diploma in not more than  
11 thirty-six months, he or she shall be offered a scholarship in the  
12 amount determined in subsection 4 of this section. For each eligible  
13 student, an amount equal to ninety percent of the school district's state  
14 aid payments pursuant to the provisions of sections 163.031, 163.043,  
15 and 163.044 for the year immediately preceding the eligible student's  
16 receipt of the high school diploma, divided by the district's average  
17 daily attendance for the year immediately preceding the student's  
18 receipt of the high school diploma shall be placed in the fund  
19 established in this section. The school district from which the eligible  
20 student graduated shall be offered a grant in an amount equal to ten  
21 percent of the school district's state aid payments pursuant to the  
22 provisions of sections 163.031, 163.043, and 163.044 for the year  
23 immediately preceding the eligible student's receipt of the high school  
24 diploma, divided by the district's average daily attendance for the year  
25 immediately preceding the student's receipt of the high school diploma  
26 when the student is offered, and accepts, the scholarship.

27 3. Upon enrollment of an eligible student in a public or private  
28 institution of higher education, the institution shall apply to his or her  
29 charges for tuition or mandatory fees, as applicable, for the enrollment  
30 period an amount equal to the lesser of the:

31           **(1) Amount of the scholarship as calculated under this section;**  
32 **or**

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

34           **4. The department of higher education shall use the moneys in**  
35 **the fund created in this section to distribute scholarships to students**  
36 **and grants to high schools under this section. The department of**  
37 **higher education shall distribute the grant moneys to eligible high**  
38 **schools. After such distribution, the scholarship amount awarded to an**  
39 **eligible student shall be determined by dividing the remaining amount**  
40 **of money in the fund by the number of eligible students.**

41           **5. There is hereby created in the state treasury the "Early High**  
42 **School Graduation Scholarship Program Fund I", which shall consist of**  
43 **money collected under this section. The state treasurer shall be**  
44 **custodian of the fund and may approve disbursements from the fund in**  
45 **accordance with sections 30.170 and 30.180. Upon appropriation, money**  
46 **in the fund shall be used solely for the administration of this**  
47 **section. Any moneys remaining in the fund at the end of the biennium**  
48 **shall revert to the credit of the general revenue fund. The state**  
49 **treasurer shall invest moneys in the fund in the same manner as other**  
50 **funds are invested. Any interest and moneys earned on such**  
51 **investments shall be credited to the fund.**

**173.1306. 1. If an eligible student completes high school**  
2 **graduation requirements and receives a high school diploma in not**  
3 **more than forty-one months, he or she shall be offered a scholarship in**  
4 **the amount determined under subsection 4 of this section. For each**  
5 **eligible student, an amount equal to ninety percent of the school**  
6 **district's state aid payments pursuant to the provisions of sections**  
7 **163.031, 163.043, and 163.044 for the semester immediately preceding**  
8 **the eligible student's receipt of the high school diploma, divided by the**  
9 **district's average daily attendance for the semester immediately**  
10 **preceding the student's receipt of the high school diploma shall be**  
11 **placed in the fund established in this section as provided in subsection**  
12 **4 of this section. The school district from which the student graduated**  
13 **shall be offered a grant in an amount equal to ten percent of the school**  
14 **district's state aid payments pursuant to the provisions of sections**  
15 **163.031, 163.043, and 163.044 for the semester immediately preceding**  
16 **the student's receipt of the high school diploma, divided by the**

17 district's average daily attendance for the semester immediately  
18 preceding the student's receipt of the high school diploma when the  
19 student is offered, and accepts, the scholarship.

20       2. An eligible student who receives a scholarship under this  
21 section shall use the scholarship money to participate in a dual  
22 enrollment program with his or her high school and an institution of  
23 higher education or shall use the scholarship money to pay any fees  
24 necessary to receive official post-secondary credit for work completed  
25 through such program.

26       3. The department of higher education shall use the moneys in  
27 the fund created in this section to distribute scholarships to students  
28 and grants to high schools under this section. The department of  
29 higher education shall distribute the grant moneys to eligible high  
30 schools. After such distribution, the scholarship amount awarded to an  
31 eligible student shall be determined by dividing the remaining amount  
32 of money in the fund by the number of eligible students.

33       4. There is hereby created in the state treasury the "Early High  
34 School Graduation Scholarship Program Fund II", which shall consist  
35 of money collected under this section. The state treasurer shall be  
36 custodian of the fund and may approve disbursements from the fund in  
37 accordance with sections 30.170 and 30.180. Upon appropriation, money  
38 in the fund shall be used solely for the administration of this  
39 section. Any moneys remaining in the fund at the end of the biennium  
40 shall revert to the credit of the general revenue fund. The state  
41 treasurer shall invest moneys in the fund in the same manner as other  
42 funds are invested. Any interest and moneys earned on such  
43 investments shall be credited to the fund.

173.1309. 1. The department of higher education shall annually  
2 prepare a report that includes the following information:

3       (1) The name of each student who qualifies for a scholarship  
4 under sections 173.1300 to 173.1309;

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

7       (3) The school district from which each student graduated from  
8 high school.

9 The department of higher education shall submit the report to the  
10 commissioner of education by June thirtieth.

11           2. The department of elementary and secondary education shall  
12 confirm with the high school from which the eligible student graduated  
13 that he or she has completed all of the eligibility requirements of the  
14 program. The department shall also, with the cooperation of the  
15 department of higher education, confirm that he or she has enrolled in,  
16 and is attending, a public or private institution of higher education or  
17 participating in a dual enrollment program, as applicable.

18           3. Each public high school in Missouri shall provide information  
19 about the early high school graduation scholarship program and its  
20 requirements to the following individuals:

21           (1) Each student enrolled in the school at the beginning of his or  
22 her first year of high school;

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

26           (3) A parent, conservator, or legal guardian of the student under  
27 subdivisions (1) and (2) of this subsection.

28           4. The information provided under subsection 3 of this section  
29 shall include the following:

30           (1) The number and type of high school course credits necessary  
31 to satisfy the eligibility requirements for the early high school  
32 graduation scholarship program; and

33           (2) The appropriate order in which those high school course  
34 credits shall be earned to satisfy eligibility requirements.

35           5. By January 31, 2012, the department of higher education, in  
36 cooperation with the department of elementary and secondary  
37 education, shall prepare a publication that includes the information  
38 required to be provided under this section. The department of higher  
39 education shall post that publication on its website in a form that  
40 enables a public high school to reproduce the information for  
41 distribution to students, parents, and other persons as required by this  
42 section.

43           6. The department of higher education shall promulgate rules  
44 and regulations necessary to implement sections 173.1300 to  
45 173.1309. Any rule or portion of a rule, as that term is defined in  
46 section 536.010 that is created under the authority delegated in this  
47 section shall become effective only if it complies with and is subject to

48 all of the provisions of chapter 536, and, if applicable, section  
49 536.028. This section and chapter 536 are nonseverable and if any of  
50 the powers vested with the general assembly pursuant to chapter 536,  
51 to review, to delay the effective date, or to disapprove and annul a rule  
52 are subsequently held unconstitutional, then the grant of rulemaking  
53 authority and any rule proposed or adopted after August 28, 2011, shall  
54 be invalid and void.

✓  
Unofficial

Bill

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