

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 378
97TH GENERAL ASSEMBLY

Reported from the Committee on Education, April 4, 2013, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

1628S.04C

AN ACT

To repeal sections 160.545, 173.250, and 173.1104, RSMo, and to enact in lieu thereof three new sections relating to higher education scholarship programs.

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

Section A. Sections 160.545, 173.250, and 173.1104, RSMo, are repealed
2 and three new sections enacted in lieu thereof, to be known as sections 160.545,
3 173.250, and 173.1104, 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
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

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

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 of its
39 accreditation classification by the state board of education, provided it meets all
40 other requirements.

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

51 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 and such other rules
65 and regulations as determined by the commissioner of education, except such
66 waivers shall be confined to the school and not other schools in the school district
67 unless such other schools meet the requirements of this subsection. However,
68 any waiver provided to any school as outlined in this subsection shall be void on
69 June thirtieth of any school year in which the school fails to meet the
70 requirements for the approval of the grants authorized by this section as specified
71 in subsection 2 of this section.

72 6. For any school year, grants authorized by subsections 1 [to 3], **2, and**
73 **4** of this section shall be funded with the amount appropriated for this program,
74 less those funds necessary to reimburse eligible students pursuant to subsection
75 7 of this section.

76 7. The [commissioner] **department** of **higher** education shall, by rule
77 [and regulation of the state board of education and with the advice of the
78 coordinating board for higher education], establish a procedure for the
79 reimbursement of the cost of tuition, books and fees to any public community
80 college or vocational or technical school or within the limits established in
81 subsection 9 of this section for any two-year private vocational or technical school
82 for any student:

83 (1) Who has attended a public high school in the state for at least three
84 years immediately prior to graduation that meets the requirements of subsection
85 2 of this section[,]; except that students who are active duty military dependents,
86 and students who are dependants of retired military who relocate to Missouri
87 within one year of the date of the parent's retirement from active duty, who, in
88 the school year immediately preceding graduation, meet all other requirements
89 of this subsection and are attending a school that meets the requirements of
90 subsection 2 of this section shall be exempt from the three-year attendance

91 requirement of this subdivision; [and]

92 (2) Who has made a good faith effort to first secure all available federal
93 sources of funding that could be applied to the reimbursement described in this
94 subsection; [and]

95 (3) Who has earned a minimal grade average while in high school as
96 determined by rule of the [state board] **department of higher education**, and
97 other requirements for the reimbursement authorized by this subsection as
98 determined by rule and regulation of said board;

99 (4) **For an applicant who graduates from high school during the**
100 **2016-2017 academic year or after, has achieved:**

101 (a) **A score of proficient or advanced on the official Algebra I**
102 **end-of-course assessment or the equivalent level on a higher level**
103 **department of elementary and secondary education-approved end-of-**
104 **course assessment in the field of mathematics, unless the student's high**
105 **school has met all of the department of elementary and secondary**
106 **education's requirements for waiver of the Algebra I end-of-course**
107 **assessment for the recipient; or**

108 (b) **A qualifying score, as established annually by the**
109 **coordinating board for higher education, on the COMPASS exam**
110 **published by ACT or the mathematics component of the ACT test as a**
111 **high school or postsecondary student; or**

112 (c) **For a student with an individualized education program or**
113 **a plan prepared under section 504 of the Rehabilitation Act of 1973,**
114 **demonstration of proficiency in the area of mathematics through the**
115 **completion of criteria as established by the coordinating board for**
116 **higher education through rule and regulation;**

117 (5) **For an applicant who graduates from high school during the**
118 **2016-2017 academic year or after, has achieved:**

119 (a) **A score of proficient or advanced on the official English I**
120 **end-of-course assessment, or the equivalent level on a higher level**
121 **department of elementary and secondary education-approved end-of-**
122 **course assessment in the field of English, unless the student's high**
123 **school district has met all of the department of elementary and**
124 **secondary education's requirements for waiver of the English I end-of-**
125 **course assessment for the recipient; or**

126 (b) **A qualifying score, as established annually by the**
127 **coordinating board for higher education, on the COMPASS exam**

128 published by ACT or the English component of the ACT test as a high
129 school or postsecondary student; or

130 (c) For a student with an individualized education program or
131 a plan prepared under section 504 of the Rehabilitation Act of 1973,
132 demonstration of proficiency in the area of English through the
133 completion of criteria as established by the coordinating board for
134 higher education through rule and regulation; and

135 (6) For a student who remains continuously enrolled in
136 postsecondary education, the successful completion of at least twenty-
137 four semester credit hours during the twelve months following their
138 initial enrollment and twenty-four semester credit hours during each
139 subsequent twelve-month period.

140 8. If an eligible student is unable to enroll or ceases attendance
141 at an approved institution because of illness, disability, pregnancy, or
142 other medical need or for the purpose of providing service to a
143 nonprofit organization, a state or federal government agency, or any
144 branch of the Armed Forces of the United States, such student shall be
145 eligible for A+ reimbursements upon enrollment in any approved
146 institution if the student meets all other requirements for an initial or
147 renewal award and if the following criteria are met:

148 (1) For an eligible student who cannot attend an approved
149 institution as a result of service to a nonprofit organization or the state
150 or federal government, the student returns to full-time status within
151 twenty-seven months and provides verification to the coordinating
152 board for higher education that the service to the nonprofit
153 organization was satisfactorily completed and was not compensated
154 other than for expenses, or that the service to the state or federal
155 government was satisfactorily completed; or

156 (2) For an eligible student who cannot attend an approved
157 institution as a result of military service in the Armed Forces of the
158 United States, the student returns to full-time status within six months
159 after the eligible student first ceases service to the Armed Forces and
160 provides verification to the coordinating board for higher education
161 that the military service was satisfactorily completed; or

162 (3) For an eligible student who cannot attend an approved
163 institution as a result of a medical need, the student returns to full-time
164 status within twenty-seven months and provides verification in

165 **compliance with coordinating board for higher education rules of**
166 **sufficient medical evidence documenting an illness, disability,**
167 **pregnancy, or other medical need of such person to require that the**
168 **person cannot enroll at an approved institution.**

169 **9.** The commissioner of education shall develop a procedure for evaluating
170 the effectiveness of the program described in this section. Such evaluation shall
171 be conducted annually with the results of the evaluation provided to the governor,
172 speaker of the house, and president pro tempore of the senate.

173 **[9.] 10.** For a two-year private vocational or technical school to obtain
174 reimbursements under subsection 7 of this section, the following requirements
175 shall be satisfied:

176 (1) Such two-year private vocational or technical school shall be a member
177 of the North Central Association and be accredited by the Higher Learning
178 Commission as of July 1, 2008, and maintain such accreditation;

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

182 (3) No two-year private vocational or technical school shall receive tuition
183 reimbursements in excess of the tuition rate charged by a public community
184 college for course work offered by the private vocational or technical school within
185 the service area of such college; and

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

 173.250. 1. There is hereby established a "Higher Education Academic
2 Scholarship Program" and any moneys appropriated by the general assembly for
3 this program shall be used to provide scholarships for Missouri citizens to attend
4 a Missouri college or university of their choice pursuant to the provisions of this
5 section.

6 2. The definitions of terms set forth in section 173.1102 shall be
7 applicable to such terms as used in this section. In addition, the following
8 definitions shall apply:

9 (1) "Academic scholarship", an amount of money paid by the state of
10 Missouri to a student pursuant to the provisions of this section;

11 (2) "ACT", the American College Testing program examination;

12 (3) "Approved institution", an approved public or approved private
13 institution as defined in section 173.1102;

14 (4) "Eligible student", an individual who meets the criteria set forth in
15 section 173.1104, excluding the requirements of financial need and undergraduate
16 status and, in addition, meets the following requirements:

17 (a) Has achieved a qualifying score on the ACT or SAT;

18 (b) Is a Missouri resident who has completed secondary coursework
19 through graduation from high school or the virtual public school established in
20 section 161.670, receipt of a general education development (GED) diploma,
21 completion of a program of study through homeschooling or any other program
22 of academic instruction that satisfies the compulsory attendance requirement
23 under section 167.031; [and]

24 (c) Is enrolled full time or accepted for full-time enrollment as a
25 postsecondary student at an approved institution during the academic year
26 immediately following the completion of his or her secondary coursework;

27 **(d) For an applicant who graduates from high school during the**
28 **2016-2017 academic year or after, has achieved:**

29 **a. A score of proficient or advanced on the official Algebra I end-**
30 **of-course assessment, or the equivalent level on a higher level**
31 **department of elementary and secondary education-approved end-of-**
32 **course assessment in the field of mathematics, unless the student's high**
33 **school has met all of the department of elementary and secondary**
34 **education's requirements for waiver of the Algebra I end of course**
35 **assessment for the recipient; or**

36 **b. A qualifying score, as established annually by the coordinating**
37 **board for higher education, on the COMPASS exam published by ACT**
38 **or the mathematics component of the ACT test as a high school or**
39 **postsecondary student; or**

40 **c. For a student with an individualized education program or a**
41 **plan prepared under section 504 of the Rehabilitation Act of 1973,**
42 **demonstration of proficiency in the area of mathematics through the**
43 **completion of criteria as established by the coordinating board for**
44 **higher education through rule and regulation; and**

45 **(e) For an applicant who graduates from high school during the**
46 **2016-2017 academic year or after, has achieved:**

47 **a. A score of proficient or advanced on the official English I end-**

48 **of-course assessment, or the equivalent level on a higher level**
49 **department of elementary and secondary education-approved end-of-**
50 **course assessment in the field of English, unless the student's high**
51 **school has met all of the department of elementary and secondary**
52 **education's requirements for waiver of the English I end-of-course**
53 **assessment for the recipient; or**

54 **b. A qualifying score, as established annually by the coordinating**
55 **board for higher education, on the COMPASS exam published by ACT**
56 **or the English component of the ACT test as a high school or**
57 **postsecondary student; or**

58 **c. For a student with an individualized education program or a**
59 **plan prepared under section 504 of the Rehabilitation Act of 1973,**
60 **demonstration of proficiency in the area of English through the**
61 **completion of criteria as established by the coordinating board for**
62 **higher education through rule and regulation;**

63 (5) "Missouri test-takers", all Missouri high school seniors who take the
64 ACT or the SAT;

65 (6) "Qualifying score", a composite score on the ACT or the SAT achieved
66 in an eligible student's high school sophomore, junior, or senior year that is in the
67 top five percent of Missouri test-takers, as established at the beginning of an
68 eligible student's final year of secondary coursework;

69 (7) "Recipient", an eligible or renewal student who receives an academic
70 scholarship pursuant to this section;

71 (8) "Renewal student", an eligible student who remains in compliance with
72 the provisions of section 173.1104, maintains continuous enrollment **by**
73 **successfully completing at least twenty-four semester credit hours**
74 **during the twelve months following his or her initial enrollment and**
75 **thirty semester credit hours during each subsequent twelve-month**
76 **period**, and makes satisfactory academic degree progress; and

77 (9) "SAT", the Scholastic Aptitude Test.

78 3. The coordinating board for higher education shall be the administrative
79 agency for the implementation of the program established by this section, and
80 shall:

81 (1) Promulgate reasonable rules and regulations for the exercise of its
82 functions and the effectuation of the purposes of this section, including
83 regulations for granting scholarship deferments;

84 (2) Prescribe the form and the time and method of awarding academic
85 scholarships, and shall supervise the processing thereof; and

86 (3) Select qualified recipients to receive academic scholarships, make such
87 awards of academic scholarships to qualified recipients and determine the
88 manner and method of payment to the recipient.

89 4. Eligible students shall be offered academic scholarships in the following
90 amounts and in the following order of priority, within the limits of the funds
91 appropriated and made available:

92 (1) Each eligible student with a qualifying score in the top three percent
93 of all Missouri test-takers shall be offered an academic scholarship of up to three
94 thousand dollars per year. All students in the top three percent shall receive
95 awards of three thousand dollars before any student in the top fourth and fifth
96 percentiles receives any award;

97 (2) Provided sufficient funds are appropriated, each eligible student with
98 a qualifying score in the top fourth and fifth percentiles shall be offered an
99 academic scholarship of up to one thousand dollars per year.

100 5. Eligible students may renew academic scholarships for their second,
101 third, and fourth years of postsecondary education, or as long as the recipient is
102 in compliance with the criteria to be a renewal student.

103 6. If an eligible student is unable to enroll during the first academic year
104 or a renewal student ceases attendance at an approved institution for the purpose
105 of providing service to a nonprofit organization, a state or federal government
106 agency, or any branch of the Armed Forces of the United States, such student
107 shall be offered an academic scholarship upon enrollment in any approved
108 institution after the completion of their service, if the student meets all other
109 requirements for an initial or renewal award and if the following criteria are met:

110 (1) For an eligible student who cannot attend an approved institution as
111 a result of service to a nonprofit organization or the state or federal government,
112 the student returns to full-time status within twenty-seven months and provides
113 verification to the coordinating board for higher education that the service to the
114 nonprofit organization was satisfactorily completed and was not compensated
115 other than for expenses, or that the service to the state or federal government
116 was satisfactorily completed; or

117 (2) For an eligible student who cannot attend an approved institution as
118 a result of military service in the Armed Forces of the United States, the student
119 returns to full-time status within six months after the eligible student first ceases

120 service to the Armed Forces and provides verification to the coordinating board
121 for higher education that the military service was satisfactorily completed.

122 7. A recipient of an academic scholarship awarded under this section may
123 transfer from one approved institution to another without losing eligibility for the
124 academic scholarship.

125 8. If a recipient of an academic scholarship at any time withdraws from
126 an approved institution so that under the rules and regulations of that institution
127 he or she is entitled to a refund of any tuition, fees or other charges, the
128 institution shall pay the portion of the refund attributable to the academic
129 scholarship for that term to the coordinating board for higher education.

130 9. Other provisions of this section to the contrary notwithstanding, if an
131 eligible student has been awarded an initial academic scholarship pursuant to the
132 provisions of this section but is unable to attend an approved institution during
133 the first academic year because of illness, disability, pregnancy or other medical
134 need or if a renewal student ceases all attendance at an approved institution
135 because of illness, disability, pregnancy or other medical need, the recipient shall
136 be eligible for an initial or renewal academic scholarship upon enrollment in or
137 return to any approved institution, provided the recipient:

138 (1) Enrolls in or returns to full-time status within twenty-seven months;

139 (2) Provides verification in compliance with coordinating board for higher
140 education rules of sufficient medical evidence documenting an illness, disability,
141 pregnancy or other medical need of such person to require that that person will
142 not be able to use the academic scholarship during the time period for which it
143 was originally offered; and

144 (3) Meets all other requirements established for eligibility to receive an
145 academic scholarship.

173.1104. 1. An applicant shall be eligible for initial or renewed financial
2 assistance only if, at the time of application and throughout the period during
3 which the applicant is receiving such assistance, the applicant:

4 (1) Is a citizen or a permanent resident of the United States;

5 (2) Is a resident of the state of Missouri, as determined by reference to
6 standards promulgated by the coordinating board;

7 (3) Is enrolled, or has been accepted for enrollment, as a full-time
8 undergraduate student in an approved private or public institution; [and]

9 (4) Is not enrolled or does not intend to use the award to enroll in a course
10 of study leading to a degree in theology or divinity;

11 **(5) For an applicant who graduates from high school during the**
12 **2016-2017 academic year or after, has achieved:**

13 **(a) A score of proficient or advanced on the official Algebra I**
14 **end-of-course assessment, or the equivalent level on a higher level**
15 **department of elementary and secondary education-approved end-of-**
16 **course assessment in the field of mathematics, unless the student's high**
17 **school has met all of the department of elementary and secondary**
18 **education's requirements for waiver of the Algebra I end-of-course**
19 **assessment for the recipient; or**

20 **(b) A qualifying score, as established annually by the**
21 **coordinating board for higher education, on the COMPASS exam**
22 **published by ACT or the mathematics component of the ACT test as a**
23 **high school or postsecondary student; or**

24 **(c) For a student with an individualized education program or**
25 **a plan prepared under section 504 of the Rehabilitation Act of 1973,**
26 **demonstration of proficiency in the area of mathematics through the**
27 **completion of criteria as established by the coordinating board for**
28 **higher education through rule and regulation; and**

29 **(6) For an applicant who graduates from high school during the**
30 **2016-2017 academic year or after, has achieved:**

31 **(a) A score of proficient or advanced on the official English I**
32 **end-of-course assessment, or the equivalent level on a higher level**
33 **department of elementary and secondary education-approved end-of-**
34 **course assessment in the field of English, unless the student's high**
35 **school has met all of the department of elementary and secondary**
36 **education's requirements for waiver of the English I end-of-course**
37 **assessment for the recipient; or**

38 **(b) A qualifying score, as established annually by the**
39 **coordinating board for higher education, on the COMPASS exam**
40 **published by ACT or the English component of the ACT test as a high**
41 **school or postsecondary student; or**

42 **(c) For a student with an individualized education program or**
43 **a plan prepared under section 504 of the Rehabilitation Act of 1973,**
44 **demonstration of proficiency in the area of English through the**
45 **completion of criteria as established by the coordinating board for**
46 **higher education through rule and regulation.**

47 **2. If an applicant is found guilty of or pleads guilty to any criminal**

48 offense during the period of time in which the applicant is receiving financial
49 assistance, such applicant shall not be eligible for renewal of such assistance,
50 provided such offense would disqualify the applicant from receiving federal
51 student aid under Title IV of the Higher Education Act of 1965, as amended.

52 3. Financial assistance shall be allotted for one academic year, but a
53 recipient shall be eligible for renewed assistance until he or she has obtained a
54 baccalaureate degree, provided such financial assistance shall not exceed a total
55 of [ten] **eight** semesters or [fifteen] **twelve** quarters or their
56 equivalent. Standards of eligibility for renewed assistance shall be the same as
57 for an initial award of financial assistance, except that for renewal, an applicant
58 shall demonstrate a grade-point average of two and five-tenths on a four-point
59 scale, or the equivalent on another scale **and, beginning with the 2014-2015**
60 **academic year, has successfully completed the following number of**
61 **semester credit hours or an equivalent:**

- 62 **(1) For the first renewal, twenty-four semester hours;**
63 **(2) For the second renewal, fifty-four semester credit hours;**
64 **(3) For the third renewal, eighty-four semester credit hours.**

65 This subsection shall be construed as the successor to section 173.215 for
66 purposes of eligibility requirements of other financial assistance programs that
67 refer to section 173.215.

68 4. **If an eligible student is unable to enroll or ceases attendance**
69 **at an approved institution because of illness, disability, pregnancy, or**
70 **other medical need or for the purpose of providing service to a**
71 **nonprofit organization, a state or federal government agency, or any**
72 **branch of the Armed Forces of the United States, such student shall be**
73 **eligible for an access Missouri award upon enrollment in any approved**
74 **institution if the student meets all other requirements for an initial or**
75 **renewal award and if the following criteria are met:**

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

84 **(2) For an eligible student who cannot attend an approved**
85 **institution as a result of military service in the Armed Forces of the**
86 **United states, the student returns to full-time status within six months**
87 **after the eligible student first ceases service to the Armed Forces and**
88 **provides verification to the coordinating board for higher education**
89 **that the military service was satisfactorily completed; or**

90 **(3) For an eligible student who cannot attend an approved**
91 **institution as a result of a medical need, the student returns to full-time**
92 **status within twenty-seven months and provides verification in**
93 **compliance with coordinating board for higher education rules of**
94 **sufficient medical evidence documenting an illness, disability,**
95 **pregnancy, or other medical need of such person to require that the**
96 **person cannot enroll at an approved institution.**

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Bill

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