

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend SCS/Senate Bill No. 328, Page 11, Section 173.005, Line 238,

2 by inserting after all of said line the following:

3 "173.1101. The financial assistance program established
 4 under sections 173.1101 to 173.1107 shall be hereafter known as
 5 the "Access Missouri Financial Assistance Program". The
 6 coordinating board and all approved private, [and] public, and
 7 virtual institutions in this state shall refer to the financial
 8 assistance program established under sections 173.1101 to
 9 173.1107 as the access Missouri student financial assistance
 10 program in their scholarship literature, provided that no
 11 institution shall be required to revise or amend any such
 12 literature to comply with this section prior to the date such
 13 literature would otherwise be revised, amended, reprinted or
 14 replaced in the ordinary course of such institution's business.

15 173.1102. 1. As used in sections 173.1101 to 173.1107,
 16 unless the context requires otherwise, the following terms mean:

17 (1) "Academic year", the period from July first of any year
 18 through June thirtieth of the following year;

19 (2) "Approved private institution", a nonprofit
 20 institution, dedicated to educational purposes, located in
 21 Missouri which:

1 (a) Is operated privately under the control of an
2 independent board and not directly controlled or administered by
3 any public agency or political subdivision;

4 (b) Provides a postsecondary course of instruction at least
5 six months in length leading to or directly creditable toward a
6 certificate or degree;

7 (c) Meets the standards for accreditation as determined by
8 either the Higher Learning Commission or by other accrediting
9 bodies recognized by the United States Department of Education or
10 by utilizing accreditation standards applicable to
11 nondegree-granting institutions as established by the
12 coordinating board for higher education;

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

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

22 (3) "Approved public institution", an educational
23 institution located in Missouri which:

24 (a) Is directly controlled or administered by a public
25 agency or political subdivision;

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

28 (c) Provides a postsecondary course of instruction at least
29 six months in length leading to or directly creditable toward a

1 degree or certificate;

2 (d) Meets the standards for accreditation as determined by
3 either the Higher Learning Commission, or if a public community
4 college created under the provisions of sections 178.370 to
5 178.400 meets the standards established by the coordinating board
6 for higher education for such public community colleges, or by
7 other accrediting bodies recognized by the United States
8 Department of Education or by utilizing accreditation standards
9 applicable to the institution as established by the coordinating
10 board for higher education;

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

16 (f) Permits faculty members to select textbooks without
17 influence or pressure by any religious or sectarian source;

18 (4) "Approved virtual institution", an educational
19 institution that meets all of the following requirements:

20 (a) Is recognized as a qualifying institution by
21 gubernatorial executive order, unless such order is rescinded;

22 (b) Is recognized as a qualifying institution through a
23 memorandum of understanding between the state of Missouri and the
24 approved virtual institution;

25 (c) Is accredited by a regional accrediting agency
26 recognized by the United States Department of Education;

27 (d) Has established and continuously maintains a physical
28 campus or location of operation within the state of Missouri;

29 (e) Maintains at least twenty-five full-time Missouri

1 employees, at least one-half of which shall be faculty or
2 administrators engaged in operations;

3 (f) Enrolls at least one thousand Missouri residents as
4 degree or certificate seeking students;

5 (g) Maintains a governing body or advisory board based in
6 Missouri with oversight of Missouri operations;

7 (h) Is organized as a nonprofit institution; and

8 (i) Utilizes an exclusively competency-based education
9 model;

10 (5) "Coordinating board", the coordinating board for higher
11 education;

12 **[(5)]** (6) "Expected family contribution", the amount of
13 money a student and family should pay toward the cost of
14 postsecondary education as calculated by the United States
15 Department of Education and reported on the student aid report or
16 the institutional student information record;

17 **[(6)]** (7) "Financial assistance", an amount of money paid
18 by the state of Missouri to a qualified applicant under sections
19 173.1101 to 173.1107;

20 **[(7)]** (8) "Full-time student", an individual who is
21 enrolled in and is carrying a sufficient number of credit hours
22 or their equivalent at an approved private, [or] public, or
23 virtual institution to secure the degree or certificate toward
24 which he or she is working in no more than the number of
25 semesters or their equivalent normally required by that
26 institution in the program in which the individual is enrolled.
27 This definition shall be construed as the successor to
28 subdivision (7) of section 173.205 for purposes of eligibility
29 requirements of other financial assistance programs that refer to

1 section 173.205.

2 2. The failure of an approved virtual institution to
3 continuously maintain all of the requirements in paragraphs (a)
4 to (i) of subdivision (4) of subsection 1 of this section shall
5 preclude such institution's students or applicants from being
6 eligible for assistance under sections 173.1104 and 173.1105.

7 173.1104. 1. An applicant shall be eligible for initial or
8 renewed financial assistance only if, at the time of application
9 and throughout the period during which the applicant is receiving
10 such assistance, the applicant:

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

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

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

18 (4) Is not enrolled or does not intend to use the award to
19 enroll in a course of study leading to a degree in theology or
20 divinity.

21 2. If an applicant is found guilty of or pleads guilty to
22 any criminal offense during the period of time in which the
23 applicant is receiving financial assistance, such applicant shall
24 not be eligible for renewal of such assistance, provided such
25 offense would disqualify the applicant from receiving federal
26 student aid under Title IV of the Higher Education Act of 1965,
27 as amended.

28 3. Financial assistance shall be allotted for one academic
29 year, but a recipient shall be eligible for renewed assistance

1 until he or she has obtained a baccalaureate degree, provided
2 such financial assistance shall not exceed a total of ten
3 semesters or fifteen quarters or their equivalent. Standards of
4 eligibility for renewed assistance shall be the same as for an
5 initial award of financial assistance, except that for renewal,
6 an applicant shall demonstrate a grade-point average of two and
7 five-tenths on a four-point scale, or the equivalent on another
8 scale. This subsection shall be construed as the successor to
9 section 173.215 for purposes of eligibility requirements of other
10 financial assistance programs that refer to section 173.215.

11 173.1105. 1. An applicant who is an undergraduate
12 postsecondary student at an approved private, [or] public, or
13 virtual institution and who meets the other eligibility criteria
14 shall be eligible for financial assistance, with a minimum and
15 maximum award amount as follows:

16 (1) For academic years 2010-11, 2011-12, 2012-13, and
17 2013-14:

18 (a) One thousand dollars maximum and three hundred dollars
19 minimum for students attending institutions classified as part of
20 the public two-year sector;

21 (b) Two thousand one hundred fifty dollars maximum and one
22 thousand dollars minimum for students attending institutions
23 classified as part of the public four-year sector, including
24 State Technical College of Missouri; and

25 (c) Four thousand six hundred dollars maximum and two
26 thousand dollars minimum for students attending approved private
27 institutions;

28 (2) For the 2014-15 academic year and subsequent years:

29 (a) One thousand three hundred dollars maximum and three

1 hundred dollars minimum for students attending institutions
2 classified as part of the public two-year sector; and

3 (b) Two thousand eight hundred fifty dollars maximum and
4 one thousand five hundred dollars minimum for students attending
5 institutions classified as part of the public four-year sector,
6 including State Technical College of Missouri[, or;], approved
7 private institutions, or approved virtual institutions.

8 2. All students with an expected family contribution of
9 twelve thousand dollars or less shall receive at least the
10 minimum award amount for his or her institution. Maximum award
11 amounts for an eligible student with an expected family
12 contribution above seven thousand dollars shall be reduced by ten
13 percent of the maximum expected family contribution for his or
14 her increment group. Any award amount shall be reduced by the
15 amount of a student's payment from the A+ schools program or any
16 successor program to it. For purposes of this subsection, the
17 term "increment group" shall mean a group organized by expected
18 family contribution in five hundred dollar increments into which
19 all eligible students shall be placed.

20 3. If appropriated funds are insufficient to fund the
21 program as described, the maximum award shall be reduced across
22 all sectors by the percentage of the shortfall. If appropriated
23 funds exceed the amount necessary to fund the program, the
24 additional funds shall be used to increase the number of
25 recipients by raising the cutoff for the expected family
26 contribution rather than by increasing the size of the award.

27 4. Every three years, beginning with academic year 2009-10,
28 the award amount may be adjusted to increase no more than the
29 Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 =

1 100, not seasonally adjusted, as defined and officially recorded
2 by the United States Department of Labor, or its successor
3 agency, for the previous academic year. The coordinating board
4 shall prepare a report prior to the legislative session for use
5 of the general assembly and the governor in determining budget
6 requests which shall include the amount of funds necessary to
7 maintain full funding of the program based on the baseline
8 established for the program upon the effective date of sections
9 173.1101 to 173.1107. Any increase in the award amount shall not
10 become effective unless an increase in the amount of money
11 appropriated to the program necessary to cover the increase in
12 award amount is passed by the general assembly.

13 173.1107. A recipient of financial assistance may transfer
14 from one approved public [or], private, or virtual institution to
15 another without losing eligibility for assistance under sections
16 173.1101 to 173.1107, but the coordinating board shall make any
17 necessary adjustments in the amount of the award. If a recipient
18 of financial assistance at any time is entitled to a refund of
19 any tuition, fees, or other charges under the rules and
20 regulations of the institution in which he or she is enrolled,
21 the institution shall pay the portion of the refund which may be
22 attributed to the state grant to the coordinating board. The
23 coordinating board will use these refunds to make additional
24 awards under the provisions of sections 173.1101 to 173.1107.";
25 and

26 Further amend the title and enacting clause accordingly.