

CONFERENCE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILLS NOS. 807 & 577

AN ACT

To repeal sections 34.010, 160.545, 162.441, 163.191, 172.280, 173.005, 173.260, 173.1003, 173.1101, 173.1102, 173.1104, 173.1105, 173.1107, 174.160, 174.225, 174.231, 174.251, 174.324, 174.500, and 178.636, RSMo, and to enact in lieu thereof twenty-two new sections relating to higher education, with penalty provisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Sections 34.010, 160.545, 162.441, 163.191,
2 172.280, 173.005, 173.260, 173.1003, 173.1101, 173.1102,
3 173.1104, 173.1105, 173.1107, 174.160, 174.225, 174.231, 174.251,
4 174.324, 174.500, and 178.636, RSMo, are repealed and twenty-two
5 new sections enacted in lieu thereof, to be known as sections
6 34.010, 160.545, 162.441, 163.191, 170.013, 172.280, 173.005,
7 173.260, 173.1003, 173.1101, 173.1102, 173.1104, 173.1105,
8 173.1107, 173.1450, 173.2530, 174.160, 174.225, 174.231, 174.251,
9 174.500, and 178.636, to read as follows:

10 34.010. 1. The term "department" as used in this chapter
11 shall be deemed to mean department, office, board, commission,
12 bureau, institution, or any other agency of the state, except the

1 legislative and judicial departments. The term "department"
2 shall not include public institutions of higher education.

3 2. The term "lowest and best" in determining the lowest and
4 best award, cost, and other factors are to be considered in the
5 evaluation process. Factors may include, but are not limited to,
6 value, performance, and quality of a product.

7 3. The term "Missouri product" refers to goods or
8 commodities which are manufactured, mined, produced, or grown by
9 companies in Missouri, or services provided by such companies.

10 4. The term "negotiation" as used in this chapter means the
11 process of selecting a contractor by the competitive methods
12 described in this chapter, whereby the commissioner of
13 administration can establish any and all terms and conditions of
14 a procurement contract by discussion with one or more prospective
15 contractors.

16 5. The term "purchase" as used in this chapter shall
17 include the rental or leasing of any equipment, articles or
18 things.

19 6. The term "supplies" used in this chapter shall be deemed
20 to mean supplies, materials, equipment, contractual services and
21 any and all articles or things, except for utility services
22 regulated under chapter 393 or as in this chapter otherwise
23 provided.

24 7. The term "value" includes but is not limited to price,
25 performance, and quality. In assessing value, the state
26 purchaser may consider the economic impact to the state of
27 Missouri for Missouri products versus the economic impact of
28 products generated from out of state. This economic impact may

1 include the revenues returned to the state through tax revenue
2 obligations.

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

8 (1) All students be graduated from school;

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

12 (3) All students proceed from high school graduation to a
13 college or postsecondary vocational or technical school or high-
14 wage job with work place skill development opportunities. 2.

15 The state board of education shall promulgate rules and
16 regulations for the approval of grants made under the program to
17 schools that:

18 (1) Establish measurable districtwide performance standards
19 for the goals of the program outlined in subsection 1 of this
20 section; and

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

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

28 (4) Require rigorous coursework with standards of

1 competency in basic academic subjects for students pursuing
2 vocational and technical education as prescribed by rule and
3 regulation of the state board of education; and

4 (5) Have a partnership plan developed in cooperation and
5 with the advice of local business persons, labor leaders,
6 parents, and representatives of college and postsecondary
7 vocational and technical school representatives, with the plan
8 then approved by the local board of education. The plan shall
9 specify a mechanism to receive information on an annual basis
10 from those who developed the plan in addition to senior citizens,
11 community leaders, and teachers to update the plan in order to
12 best meet the goals of the program as provided in subsection 1 of
13 this section. Further, the plan shall detail the procedures used
14 in the school to identify students that may drop out of school
15 and the intervention services to be used to meet the needs of
16 such students. The plan shall outline counseling and mentoring
17 services provided to students who will enter the work force upon
18 graduation from high school, address apprenticeship and intern
19 programs, and shall contain procedures for the recruitment of
20 volunteers from the community of the school to serve in schools
21 receiving program grants.

22 3. Any nonpublic school in this state may apply to the
23 state board of education for certification that it meets the
24 requirements of this section subject to the same criteria as
25 public high schools. Every nonpublic school that applies and has
26 met the requirements of this section shall have its students
27 eligible for reimbursement of postsecondary education under
28 subsection 8 of this section on an equal basis to students who

graduate from public schools that meet the requirements of this section. Any nonpublic school that applies shall not be eligible for any grants under this section. Students of certified nonpublic schools shall be eligible for reimbursement of postsecondary education under subsection 8 of this section so long as they meet the other requirements of such subsection. For purposes of subdivision (5) of subsection 2 of this section, the nonpublic school shall be included in the partnership plan developed by the public school district in which the nonpublic school is located. For purposes of subdivision (1) of subsection 2 of this section, the nonpublic school shall establish measurable performance standards for the goals of the program for every school and grade level over which the nonpublic school maintains control.

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

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

1 by rule of the state board of education.

2 6. For any school that meets the requirements for the
3 approval of the grants authorized by this section and specified
4 in subsection 2 of this section for three successive school
5 years, by August first following the third such school year, the
6 commissioner of education shall present a plan to the
7 superintendent of the school district in which such school is
8 located for the waiver of rules and regulations to promote
9 flexibility in the operations of the school and to enhance and
10 encourage efficiency in the delivery of instructional services in
11 the school. The provisions of other law to the contrary
12 notwithstanding, the plan presented to the superintendent shall
13 provide a summary waiver, with no conditions, for the pupil
14 testing requirements pursuant to section 160.257 in the school.
15 Further, the provisions of other law to the contrary
16 notwithstanding, the plan shall detail a means for the waiver of
17 requirements otherwise imposed on the school related to the
18 authority of the state board of education to classify school
19 districts pursuant to subdivision (9) of section 161.092 and such
20 other rules and regulations as determined by the commissioner of
21 education, except such waivers shall be confined to the school
22 and not other schools in the school district unless such other
23 schools meet the requirements of this subsection. However, any
24 waiver provided to any school as outlined in this subsection
25 shall be void on June thirtieth of any school year in which the
26 school fails to meet the requirements for the approval of the
27 grants authorized by this section as specified in subsection 2 of
28 this section.

1 7. For any school year, grants authorized by subsections 1,
2 2, and 5 of this section shall be funded with the amount
3 appropriated for this program, less those funds necessary to
4 reimburse eligible students pursuant to subsection 8 of this
5 section.

6 8. The department of higher education shall, by rule,
7 establish a procedure for the reimbursement of the cost of
8 tuition, books and fees to any public community college or
9 vocational or technical school or within the limits established
10 in subsection 10 of this section for any two-year private
11 vocational or technical school for any student:

12 (1) Who has attended a high school in the state for at
13 least three years [immediately] prior to graduation that meets
14 the requirements of subsection 2 of this section and who has
15 graduated from such school; except that, students who are active
16 duty military dependents, and students who are dependants of
17 retired military who relocate to Missouri within one year of the
18 date of the parent's retirement from active duty, who, in the
19 school year immediately preceding graduation, meet all other
20 requirements of this subsection and are attending a school that
21 meets the requirements of subsection 2 of this section shall be
22 exempt from the three-year attendance requirement of this
23 subdivision; and

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

27 (3) Who has earned a minimal grade average while in high
28 school as determined by rule of the department of higher

1 education, and other requirements for the reimbursement
2 authorized by this subsection as determined by rule and
3 regulation of the department; and

4 (4) Who is a citizen or permanent resident of the United
5 States.

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

11 10. For a two-year private vocational or technical school
12 to obtain reimbursements under subsection 8 of this section, the
13 following requirements shall be satisfied:

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

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

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

26 (4) The reimbursements provided to any two-year private
27 vocational or technical school shall not violate the provisions
28 of Article IX, Section 8, or Article I, Section 7, of the

1 Missouri Constitution or the first amendment of the United States
2 Constitution.

3 162.441. 1. If any school district desires to be attached
4 to a community college district organized under sections 178.770
5 to 178.890 or to one or more adjacent seven-director school
6 districts for school purposes, upon the receipt of a petition
7 setting forth such fact, signed either by voters of the district
8 equal in number to ten percent of those voting in the last school
9 election at which school board members were elected or by a
10 majority of the voters of the district, whichever is the lesser,
11 the school board of the district desiring to be so attached shall
12 submit the question to the voters.

13 2. As an alternative to the procedure in subsection 1 of
14 this section, a seven-director district may, by a majority vote
15 of its board of education, propose a plan to the voters of the
16 district to attach the district to one or more adjacent seven-
17 director districts and call [for] an election upon the question
18 of such plan.

19 3. As an alternative to the procedures in subsection 1 or 2
20 of this section, a community college district organized under
21 sections 178.770 to 178.890 may, by a majority vote of its board
22 of trustees, propose a plan to the voters of the school district
23 to attach the school district to the community college district,
24 levy the tax rate applicable to the community college district at
25 the time of the vote of the board of trustees, and call an
26 election upon the question of such plan. The tax rate applicable
27 to the community college district shall not be levied as to the
28 school district until the proposal by the board of trustees of

1 the community college district has been approved by a majority
2 vote of the voters of the school district at the election called
3 for that purpose. The community college district shall be
4 responsible for the costs associated with the election.

5 4. A plat of the proposed changes to all affected districts
6 shall be published and posted with the notice of election.

7 [4.] 5. The question shall be submitted in substantially
8 the following form:

9 Shall the _____ school district be annexed to the _____
10 school districts effective the _____ day of _____, _____?

11 [5.] 6. If a majority of the votes cast in the district
12 proposing annexation favor annexation, the secretary shall
13 certify the fact, with a copy of the record, to the board of the
14 district and to the boards of the districts to which annexation
15 is proposed; whereupon the boards of the seven-director districts
16 to which annexation is proposed shall meet to consider the
17 advisability of receiving the district or a portion thereof, and
18 if a majority of all the members of each board favor annexation,
19 the boundary lines of the seven-director school districts from
20 the effective date shall be changed to include the district, and
21 the board shall immediately notify the secretary of the district
22 which has been annexed of its action.

23 [6.] 7. Upon the effective date of the annexation, all
24 indebtedness, property and money on hand belonging thereto shall
25 immediately pass to the seven-director school district. If the
26 district is annexed to more than one district, the provisions of
27 sections 162.031 and 162.041 shall apply.

28 163.191. 1. As used in this section, the following terms

1 shall mean:

2 (1) "Community college", an institution of higher education
3 deriving financial resources from local, state, and federal
4 sources, and providing postsecondary education primarily for
5 persons above the twelfth grade age level, including courses in:

6 (a) Liberal arts and sciences, including general education;

7 (b) Occupational, vocational-technical; and

8 (c) A variety of educational community services.

9
10 Community college course offerings shall generally lead to the
11 granting of certificates, diplomas, or associate degrees, [but do
12 not] and may include baccalaureate [or higher] degrees only when
13 authorized by the coordinating board for higher education in
14 circumstances where the level of education required in a field
15 for accreditation or licensure increases to the baccalaureate
16 degree level or, in the case of applied bachelor's degrees, the
17 level of education required for employment in a field increases
18 to that level, and when doing so would not unnecessarily
19 duplicate an existing program, collaboration with a university is
20 not feasible or the approach is not a viable means of meeting the
21 needs of students and employers, and the institution has the
22 academic and financial capacity to offer the program in a high
23 quality manner. Quality for such baccalaureate degree programs
24 shall be evaluated at least in part by the delivery of upper-
25 level coursework or competencies, and defined by accreditation or
26 compliance with the Higher Learning Commission standards for
27 bachelor's degrees;

28 (2) "Operating costs", all costs attributable to current

1 operations, including all direct costs of instruction,
2 instructors' and counselors' compensation, administrative costs,
3 all normal operating costs and all similar noncapital
4 expenditures during any year, excluding costs of construction of
5 facilities and the purchase of equipment, furniture, and other
6 capital items authorized and funded in accordance with subsection
7 6 of this section. Operating costs shall be computed in
8 accordance with accounting methods and procedures to be specified
9 by the department of higher education;

10 (3) "Year", from July first to June thirtieth of the
11 following year.

12 2. Each year public community colleges in the aggregate
13 shall be eligible to receive from state funds, if state funds are
14 available and appropriated, an amount up to but not more than
15 fifty percent of the state community colleges' planned operating
16 costs as determined by the department of higher education. The
17 department of higher education shall review all institutional
18 budget requests and prepare appropriation recommendations
19 annually for the community colleges under the supervision of the
20 department. The department's budget request shall include a
21 recommended level of funding.

22 3. (1) Except as provided in subdivision (2) of this
23 subsection, distribution of appropriated funds to community
24 college districts shall be in accordance with the community
25 college resource allocation model. This model shall be developed
26 and revised as appropriate cooperatively by the community
27 colleges and the department of higher education. The department
28 of higher education shall recommend the model to the coordinating

1 board for higher education for their approval. The core funding
2 level for each community college shall initially be established
3 at an amount agreed upon by the community colleges and the
4 department of higher education. This amount will be adjusted
5 annually for inflation, limited growth, and program improvements
6 in accordance with the resource allocation model starting with
7 fiscal year 1993.

8 (2) Unless the general assembly chooses to otherwise
9 appropriate state funding, beginning in fiscal year 2016, at
10 least ninety percent of any increase in core funding over the
11 appropriated amount for the previous fiscal year shall be
12 distributed in accordance with the achievement of
13 performance-funding measures under section 173.1006.

14 4. The department of higher education shall be responsible
15 for evaluating the effectiveness of the resource allocation model
16 and shall submit a report to the governor, the joint committee on
17 education, the speaker of the house of representatives and
18 president pro tempore of the senate by October 31, 2019, and
19 every four years thereafter.

20 5. The department of higher education shall request new and
21 separate state aid funds for any new community college district
22 for its first six years of operation. The request for the new
23 district shall be based upon the same level of funding being
24 provided to the existing districts, and should be sufficient to
25 provide for the growth required to reach a mature enrollment
26 level.

27 6. In addition to state funds received for operating
28 purposes, each community college district shall be eligible to

1 receive an annual appropriation, exclusive of any capital
2 appropriations, for the cost of maintenance and repair of
3 facilities and grounds, including surface parking areas, and
4 purchases of equipment and furniture. Such funds shall not
5 exceed in any year an amount equal to ten percent of the state
6 appropriations, exclusive of any capital appropriations, to
7 community college districts for operating purposes during the
8 most recently completed fiscal year. The department of higher
9 education may include in its annual appropriations request the
10 necessary funds to implement the provisions of this subsection
11 and when appropriated shall distribute the funds to each
12 community college district as appropriated. The department of
13 higher education appropriations request shall be for specific
14 maintenance, repair, and equipment projects at specific community
15 college districts, shall be in an amount of fifty percent of the
16 cost of a given project as determined by the coordinating board
17 and shall be only for projects which have been approved by the
18 coordinating board through a process of application, evaluation,
19 and approval as established by the coordinating board. The
20 coordinating board, as part of its process of application,
21 evaluation, and approval, shall require the community college
22 district to provide proof that the fifty-percent share of funding
23 to be defrayed by the district is either on hand or committed for
24 maintenance, repair, and equipment projects. Only salaries or
25 portions of salaries paid which are directly related to approved
26 projects may be used as a part of the fifty-percent share of
27 funding.

28 7. School districts offering two-year college courses

1 pursuant to section 178.370 on October 31, 1961, shall receive
2 state aid pursuant to subsection 2, subdivision (1) of subsection
3 3, and subsection 6 of this section if all scholastic standards
4 established pursuant to sections 178.770 to 178.890 are met.

5 8. In order to make postsecondary educational opportunities
6 available to Missouri residents who do not reside in an existing
7 community college district, community colleges organized pursuant
8 to section 178.370 or sections 178.770 to 178.890 shall be
9 authorized pursuant to the funding provisions of this section to
10 offer courses and programs outside the community college district
11 with prior approval by the coordinating board for higher
12 education. The classes conducted outside the district shall be
13 self-sustaining except that the coordinating board shall
14 promulgate rules to reimburse selected out-of-district
15 instruction only where prior need has been established in
16 geographical areas designated by the coordinating board for
17 higher education. Funding for such off-campus instruction shall
18 be included in the appropriation recommendations, shall be
19 determined by the general assembly and shall continue, within the
20 amounts appropriated therefor, unless the general assembly
21 disapproves the action by concurrent resolution.

22 9. When distributing state aid authorized for community
23 colleges, the state treasurer may, in any year if requested by a
24 community college, disregard the provision in section 30.180
25 requiring the state treasurer to convert the warrant requesting
26 payment into a check or draft and wire transfer the amount to be
27 distributed to the community college directly to the community
28 college's designated deposit for credit to the community

1 college's account.

2 170.013. 1. Any student entering a public institution of
3 higher education for the first time after July 2019 who is
4 pursuing an associate's or bachelor's degree from such
5 institution shall successfully pass an examination on the
6 provisions and principles of American civics with a score of
7 seventy percent or greater as a condition of graduation from such
8 institution. The examination shall be known as the "Missouri
9 Higher Education Civics Achievement Examination".

10 2. The examination required under this section shall
11 consist of at least fifty questions, but shall not exceed one
12 hundred questions, and shall be similar to the one hundred
13 questions administered to applicants for United States
14 citizenship by the United States Citizenship and Immigration
15 Services division of the Department of Homeland Security.
16 Subject matter on the examination shall include the United States
17 Constitution, the United States Bill of Rights, governmental
18 institutions, historical manifestations of federalism, and
19 history of constitutional interpretation and amendments.

20 3. The examination required under this section may be
21 included within any other examination that is administered on the
22 provisions and principles of the Constitution of the United
23 States and the Constitution of the state of Missouri, and on
24 American history and American institutions, as required in
25 subsection 3 of section 170.011.

26 4. Institutions of higher education may use online testing
27 to comply with the provisions of this section.

28 172.280. The curators shall have the authority to confer,

1 by diploma, under their common seal, on any person whom they may
2 judge worthy thereof, such degrees as are known to and usually
3 granted by any college or university. The University of Missouri
4 is the state's only public research university and the exclusive
5 grantor of research doctorates. As such, except as provided in
6 section 175.040, the University of Missouri shall be the only
7 state college or university that may offer doctor of philosophy
8 degrees or first-professional degrees, including dentistry, law,
9 medicine, optometry, pharmacy, and veterinary medicine.

10 173.005. 1. There is hereby created a "Department of
11 Higher Education", and the division of higher education of the
12 department of education is abolished and all its powers, duties,
13 functions, personnel and property are transferred as provided by
14 the Reorganization Act of 1974, Appendix B, RSMo.

15 2. The commission on higher education is abolished and all
16 its powers, duties, personnel and property are transferred by
17 type I transfer to the "Coordinating Board for Higher Education",
18 which is hereby created, and the coordinating board shall be the
19 head of the department. The coordinating board shall consist of
20 nine members appointed by the governor with the advice and
21 consent of the senate, and not more than five of its members
22 shall be of the same political party. None of the members shall
23 be engaged professionally as an educator or educational
24 administrator with a public or private institution of higher
25 education at the time appointed or during his term. Moreover, no
26 person shall be appointed to the coordinating board who shall not
27 be a citizen of the United States, and who shall not have been a
28 resident of the state of Missouri two years next prior to

1 appointment, and at least one but not more than two persons shall
2 be appointed to said board from each congressional district. The
3 term of service of a member of the coordinating board shall be
4 six years and said members, while attending the meetings of the
5 board, shall be reimbursed for their actual expenses.

6 Notwithstanding any provision of law to the contrary, nothing in
7 this section relating to a change in the composition and
8 configuration of congressional districts in this state shall
9 prohibit a member who is serving a term on August 28, 2011, from
10 completing his or her term. The coordinating board may, in order
11 to carry out the duties prescribed for it in subsections 1, 2, 3,
12 7, and 8 of this section, employ such professional, clerical and
13 research personnel as may be necessary to assist it in performing
14 those duties, but this staff shall not, in any fiscal year,
15 exceed twenty-five full-time equivalent employees regardless of
16 the source of funding. In addition to all other powers, duties
17 and functions transferred to it, the coordinating board for
18 higher education shall have the following duties and
19 responsibilities:

20 (1) The coordinating board for higher education [shall have
21 approval of] may approve, not approve, or provisionally approve
22 proposed new degree programs to be offered by the state
23 institutions of higher education. The coordinating board may
24 authorize a degree program outside an institution's coordinating
25 board-approved mission only when the coordinating board has
26 received clear evidence that the institution proposing to offer
27 the program:

28 (a) Made a good faith effort to explore the feasibility of

1 offering the program in collaboration with an institution the
2 mission of which includes offering the program;

3 (b) Is contributing substantially to the goals in the
4 coordinating board's coordinated plan for higher education;

5 (c) Has the existing capacity to ensure the program is
6 delivered in a high quality manner;

7 (d) Has demonstrated that the proposed program is needed;

8 (e) Has a clear plan to meet the articulated workforce
9 need; and

10 (f) Such other factors deemed relevant by the coordinating
11 board;

12 (2) The governing board of each public institution of
13 higher education in the state shall have the power and authority
14 to confer degrees in chiropractic, osteopathic medicine, and
15 podiatry only in collaboration with the University of Missouri,
16 provided that such collaborative agreements are approved by the
17 governing board of each institution and that in these instances
18 the University of Missouri will be the degree granting
19 institution. Should the University of Missouri decline to
20 collaborate in the offering of such programs, any of these
21 institutions may seek approval of the program through the
22 coordinating board for higher education's comprehensive review
23 process when doing so would not unnecessarily duplicate an
24 existing program, collaboration is not feasible or a viable means
25 of meeting the needs of students and employers, and the
26 institution has the academic and financial capacity to offer the
27 program in a high quality manner;

28 [(2)] (3) The coordinating board for higher education may

1 promote and encourage the development of cooperative agreements
2 between Missouri public four-year institutions of higher
3 education which do not offer graduate degrees and Missouri public
4 four-year institutions of higher education which do offer
5 graduate degrees for the purpose of offering graduate degree
6 programs on campuses of those public four-year institutions of
7 higher education which do not otherwise offer graduate degrees.
8 Such agreements shall identify the obligations and duties of the
9 parties, including assignment of administrative responsibility.
10 Any diploma awarded for graduate degrees under such a cooperative
11 agreement shall include the names of both institutions inscribed
12 thereon. Any cooperative agreement in place as of August 28,
13 2003, shall require no further approval from the coordinating
14 board for higher education. Any costs incurred with respect to
15 the administrative provisions of this subdivision may be paid
16 from state funds allocated to the institution assigned the
17 administrative authority for the program. The provisions of this
18 subdivision shall not be construed to invalidate the provisions
19 of subdivision (1) of this subsection;

20 ~~[(3)]~~ (4) In consultation with the heads of the
21 institutions of higher education affected and against a
22 background of carefully collected data on enrollment, physical
23 facilities, manpower needs, and institutional missions, the
24 coordinating board for higher education shall establish
25 guidelines for appropriation requests by those institutions of
26 higher education; however, other provisions of the Reorganization
27 Act of 1974 notwithstanding, all funds shall be appropriated by
28 the general assembly to the governing board of each public

1 four-year institution of higher education which shall prepare
2 expenditure budgets for the institution;

3 [(4)] (5) No new state-supported senior colleges or
4 residence centers shall be established except as provided by law
5 and with approval of the coordinating board for higher education;

6 [(5)] (6) The coordinating board for higher education shall
7 establish admission guidelines consistent with institutional
8 missions;

9 [(6)] (7) The coordinating board for higher education shall
10 require all public two-year and four-year higher education
11 institutions to replicate best practices in remediation
12 identified by the coordinating board and institutions from
13 research undertaken by regional educational laboratories, higher
14 education research organizations, and similar organizations with
15 expertise in the subject, and identify and reduce methods that
16 have been found to be ineffective in preparing or retaining
17 students or that delay students from enrollment in college-level
18 courses;

19 [(7)] (8) The coordinating board shall establish policies
20 and procedures for institutional decisions relating to the
21 residence status of students;

22 [(8)] (9) The coordinating board shall establish guidelines
23 to promote and facilitate the transfer of students between
24 institutions of higher education within the state and, with the
25 assistance of the committee on transfer and articulation, shall
26 require all public two-year and four-year higher education
27 institutions to create by July 1, 2014, a statewide core transfer
28 library of at least twenty-five lower division courses across all

1 institutions that are transferable among all public higher
2 education institutions. The coordinating board shall establish
3 policies and procedures to ensure such courses are accepted in
4 transfer among public institutions and treated as equivalent to
5 similar courses at the receiving institutions. The coordinating
6 board shall develop a policy to foster reverse transfer for any
7 student who has accumulated enough hours in combination with at
8 least one public higher education institution in Missouri that
9 offers an associate degree and one public four-year higher
10 education institution in the prescribed courses sufficient to
11 meet the public higher education institution's requirements to be
12 awarded an associate degree. The department of elementary and
13 secondary education shall maintain the alignment of the
14 assessments found in section 160.518 and successor assessments
15 with the competencies previously established under this
16 subdivision for entry-level collegiate courses in English,
17 mathematics, foreign language, sciences, and social sciences
18 associated with an institution's general education core;

19 **[(9)]** (10) The coordinating board shall collect the
20 necessary information and develop comparable data for all
21 institutions of higher education in the state. The coordinating
22 board shall use this information to delineate the areas of
23 competence of each of these institutions and for any other
24 purposes deemed appropriate by the coordinating board;

25 **[(10)]** (11) Compliance with requests from the coordinating
26 board for institutional information and the other powers, duties
27 and responsibilities, herein assigned to the coordinating board,
28 shall be a prerequisite to the receipt of any funds which the

1 coordinating board is responsible for administering;

2 [(11)] (12) If any institution of higher education in this
3 state, public or private, willfully fails or refuses to follow
4 any lawful guideline, policy or procedure established or
5 prescribed by the coordinating board, or knowingly deviates from
6 any such guideline, or knowingly acts without coordinating board
7 approval where such approval is required, or willfully fails to
8 comply with any other lawful order of the coordinating board, the
9 coordinating board may, after a public hearing, withhold or
10 direct to be withheld from that institution any funds the
11 disbursement of which is subject to the control of the
12 coordinating board, or may remove the approval of the institution
13 as an approved institution within the meaning of section
14 173.1102. If any such public institution willfully disregards
15 board policy, the commissioner of higher education may order such
16 institution to remit a fine in an amount not to exceed one
17 percent of the institution's current fiscal year state operating
18 appropriation to the board. The board shall hold such funds
19 until such time that the institution, as determined by the
20 commissioner of higher education, corrects the violation, at
21 which time the board shall refund such amount to the institution.
22 If the commissioner determines that the institution has not
23 redressed the violation within one year, the fine amount shall be
24 deposited into the general revenue fund, unless the institution
25 appeals such decision to the full coordinating board, which shall
26 have the authority to make a binding and final decision, by means
27 of a majority vote, regarding the matter. However, nothing in
28 this section shall prevent any institution of higher education in

1 this state from presenting additional budget requests or from
2 explaining or further clarifying its budget requests to the
3 governor or the general assembly;

4 [(12)] (13) In recognition of institutions that meet the
5 requirements of subdivision (2), (3), or (4) of subsection 1 of
6 section 173.616, are established by name as an educational
7 institution in Missouri, and are authorized to operate programs
8 beyond secondary education for purposes of authorization under 34
9 CFR 600.9, the coordinating board for higher education shall
10 maintain and publish on its website a list of such postsecondary
11 educational institutions; and

12 [(13)] (14) (a) As used in this subdivision, the term
13 "out-of-state public institution of higher education" shall mean
14 an education institution located outside of Missouri that:

15 a. Is controlled or administered directly by a public
16 agency or political subdivision or is classified as a public
17 institution by the state;

18 b. Receives appropriations for operating expenses directly
19 or indirectly from a state other than Missouri;

20 c. Provides a postsecondary course of instruction at least
21 six months in length leading to or directly creditable toward a
22 degree or certificate;

23 d. Meets the standards for accreditation by an accrediting
24 body recognized by the United States Department of Education or
25 any successor agency; and

26 e. Permits faculty members to select textbooks without
27 influence or pressure by any religious or sectarian source.

28 (b) No later than July 1, 2008, the coordinating board

1 shall promulgate rules regarding:

2 a. The board's approval process of proposed new degree
3 programs and course offerings by any out-of-state public
4 institution of higher education seeking to offer degree programs
5 or course work within the state of Missouri; and

6 b. The board's approval process of degree programs and
7 courses offered by any out-of-state public institutions of higher
8 education that, prior to July 1, 2008, were approved by the board
9 to operate a school in compliance with the provisions of sections
10 173.600 to 173.618. The rules shall ensure that, as of July 1,
11 2008, all out-of-state public institutions seeking to offer
12 degrees and courses within the state of Missouri are evaluated in
13 a manner similar to Missouri public higher education
14 institutions. Such out-of-state public institutions shall be
15 held to standards no lower than the standards established by the
16 coordinating board for program approval and the policy guidelines
17 of the coordinating board for data collection, cooperation, and
18 resolution of disputes between Missouri institutions of higher
19 education under this section. Any such out-of-state public
20 institutions of higher education wishing to continue operating
21 within this state must be approved by the board under the rules
22 promulgated under this subdivision. The coordinating board may
23 charge and collect fees from out-of-state public institutions to
24 cover the costs of reviewing and assuring the quality of programs
25 offered by out-of-state public institutions. Any rule or portion
26 of a rule, as that term is defined in section 536.010, that is
27 created under the authority delegated in this section shall
28 become effective only if it complies with and is subject to all

1 of the provisions of chapter 536 and, if applicable, section
2 536.028. This section and chapter 536 are nonseverable and if
3 any of the powers vested with the general assembly under chapter
4 536 to review, to delay the effective date, or to disapprove and
5 annul a rule are subsequently held unconstitutional, then the
6 grant of rulemaking authority and any rule proposed or adopted
7 after August 28, 2007, shall be invalid and void.

8 (c) Nothing in this subdivision or in section 173.616 shall
9 be construed or interpreted so that students attending an
10 out-of-state public institution are considered to be attending a
11 Missouri public institution of higher education for purposes of
12 obtaining student financial assistance.

13 3. The coordinating board shall meet at least four times
14 annually with an advisory committee who shall be notified in
15 advance of such meetings. The coordinating board shall have
16 exclusive voting privileges. The advisory committee shall
17 consist of thirty-two members, who shall be the president or
18 other chief administrative officer of the University of Missouri;
19 the chancellor of each campus of the University of Missouri; the
20 president of each state-supported four-year college or
21 university, including Harris-Stowe State University, Missouri
22 Southern State University, Missouri Western State University, and
23 Lincoln University; the president of State Technical College of
24 Missouri; the president or chancellor of each public community
25 college district; and representatives of each of five accredited
26 private institutions selected biennially, under the supervision
27 of the coordinating board, by the presidents of all of the
28 state's privately supported institutions; but always to include

1 at least one representative from one privately supported
2 community college, one privately supported four-year college, and
3 one privately supported university. The conferences shall enable
4 the committee to advise the coordinating board of the views of
5 the institutions on matters within the purview of the
6 coordinating board.

7 4. The University of Missouri, Lincoln University, and all
8 other state-governed colleges and universities, chapters 172,
9 174, 175, and others, are transferred by type III transfers to
10 the department of higher education subject to the provisions of
11 subsection 2 of this section.

12 5. The state historical society, chapter 183, is
13 transferred by type III transfer to the University of Missouri.

14 6. The state anatomical board, chapter 194, is transferred
15 by type II transfer to the department of higher education.

16 7. All the powers, duties and functions vested in the
17 division of public schools and state board of education relating
18 to community college state aid and the supervision, formation of
19 districts and all matters otherwise related to the state's
20 relations with community college districts and matters pertaining
21 to community colleges in public school districts, chapters 163,
22 178, and others, are transferred to the coordinating board for
23 higher education by type I transfer. Provided, however, that all
24 responsibility for administering the federal-state programs of
25 vocational-technical education, except for the 1202a
26 postsecondary educational amendments of 1972 program, shall
27 remain with the department of elementary and secondary education.
28 The department of elementary and secondary education and the

1 coordinating board for higher education shall cooperate in
2 developing the various plans for vocational-technical education;
3 however, the ultimate responsibility will remain with the state
4 board of education.

5 8. All the powers, duties, functions, and properties of the
6 state poultry experiment station, chapter 262, are transferred by
7 type I transfer to the University of Missouri, and the state
8 poultry association and state poultry board are abolished. In
9 the event the University of Missouri shall cease to use the real
10 estate of the poultry experiment station for the purposes of
11 research or shall declare the same surplus, all real estate shall
12 revert to the governor of the state of Missouri and shall not be
13 disposed of without legislative approval.

14 173.260. 1. As used in this section, unless the context
15 clearly requires otherwise, the following terms mean:

16 (1) "Air ambulance pilot", a person certified as an air
17 ambulance pilot in accordance with sections 190.001 to 190.245
18 and corresponding regulations applicable to air ambulances
19 adopted by the department of health and senior services;

20 (2) "Air ambulance registered professional nurse", a person
21 licensed as a registered professional nurse in accordance with
22 sections 335.011 to 335.096 and corresponding regulations adopted
23 by the state board of nursing, 20 CSR 2200-4, et seq., who
24 provides registered professional nursing services as a flight
25 nurse in conjunction with an air ambulance program that is
26 certified in accordance with sections 190.001 to 190.245 and the
27 corresponding regulations applicable to such programs;

28 (3) "Air ambulance registered respiratory therapist", a

1 person licensed as a registered respiratory therapist in
2 accordance with sections 334.800 to 334.930 and corresponding
3 regulations adopted by the state board for respiratory care, who
4 provides respiratory therapy services in conjunction with an air
5 ambulance program that is certified in accordance with sections
6 190.001 to 190.245 and corresponding regulations applicable to
7 such programs;

8 (4) "Board", the coordinating board for higher education;

9 ~~[(2)]~~ (5) "Eligible child", the natural, adopted or
10 stepchild of a public safety officer or employee, as defined in
11 this section, who is less than twenty-four years of age and who
12 is a dependent of a public safety officer or employee or was a
13 dependent at the time of death or permanent and total disability
14 of a public safety officer or employee;

15 (6) "Emergency medical technician", a person licensed in
16 emergency medical care in accordance with standards prescribed by
17 sections 190.001 to 190.245 and by rules adopted by the
18 department of health and senior services under sections 190.001
19 to 190.245;

20 ~~[(3)]~~ (7) "Employee", any full-time employee of the
21 department of transportation engaged in the construction or
22 maintenance of the state's highways, roads and bridges;

23 (8) "Flight crew member", an individual engaged in flight
24 responsibilities with an air ambulance licensed in accordance
25 with sections 190.001 to 190.245 and corresponding regulations
26 applicable to such programs;

27 ~~[(4)]~~ (9) "Grant", the public safety officer or employee
28 survivor grant as established by this section;

1 [(5)] (10) "Institution of postsecondary education", any
2 approved public or private institution as defined in section
3 173.205;

4 [(6)] (11) "Line of duty", any action of a public safety
5 officer, whose primary function is crime control or reduction,
6 enforcement of the criminal law, or suppression of fires, is
7 authorized or obligated by law, rule, regulation or condition of
8 employment or service to perform;

9 [(7)] (12) "Public safety officer", any firefighter,
10 uniformed employee of the office of the state fire marshal,
11 police officer, capitol police officer, parole officer, probation
12 officer, state correctional employee, water safety officer, park
13 ranger, conservation officer or highway patrolman employed by the
14 state of Missouri or a political subdivision thereof who is
15 killed or permanently and totally disabled in the line of duty or
16 any emergency medical technician, air ambulance pilot, air
17 ambulance registered professional nurse, air ambulance registered
18 respiratory therapist, or flight crew member who is killed or
19 permanently and totally disabled in the line of duty;

20 [(8)] (13) "Permanent and total disability", a disability
21 which renders a person unable to engage in any gainful work;

22 [(9)] (14) "Spouse", the husband, wife, widow or widower of
23 a public safety officer or employee at the time of death or
24 permanent and total disability of such public safety officer;

25 [(10)] (15) "Tuition", any tuition or incidental fee or
26 both charged by an institution of postsecondary education, as
27 defined in this section, for attendance at that institution by a
28 student as a resident of this state.

1 2. Within the limits of the amounts appropriated therefor,
2 the coordinating board for higher education shall provide, as
3 defined in this section, a grant for either of the following to
4 attend an institution of postsecondary education:

5 (1) An eligible child of a public safety officer or
6 employee killed or permanently and totally disabled in the line
7 of duty; or

8 (2) A spouse of a public safety officer killed or
9 permanently and totally disabled in the line of duty.

10 3. An eligible child or spouse may receive a grant under
11 this section only so long as the child or spouse is enrolled in a
12 program leading to a certificate, or an associate or
13 baccalaureate degree. In no event shall a child or spouse
14 receive a grant beyond the completion of the first baccalaureate
15 degree or, in the case of a child, age twenty-four years, except
16 that the child may receive a grant through the completion of the
17 semester or similar grading period in which the child reaches his
18 twenty-fourth year. No child or spouse shall receive more than
19 one hundred percent of tuition when combined with similar funds
20 made available to such child or spouse.

21 4. The coordinating board for higher education shall:

22 (1) Promulgate all necessary rules and regulations for the
23 implementation of this section;

24 (2) Determine minimum standards of performance in order for
25 a child or spouse to remain eligible to receive a grant under
26 this program;

27 (3) Make available on behalf of an eligible child or spouse
28 an amount toward the child's or spouse's tuition which is equal

1 to the grant to which the child or spouse is entitled under the
2 provisions of this section;

3 (4) Provide the forms and determine the procedures
4 necessary for an eligible child or spouse to apply for and
5 receive a grant under this program.

6 5. An eligible child or spouse who is enrolled or has been
7 accepted for enrollment as an undergraduate postsecondary student
8 at an approved institution of postsecondary education shall
9 receive a grant in an amount not to exceed the least of the
10 following:

11 (1) The actual tuition, as defined in this section, charged
12 at an approved institution where the child or spouse is enrolled
13 or accepted for enrollment; or

14 (2) The amount of tuition charged a Missouri resident at
15 the University of Missouri for attendance as a full-time student,
16 as defined in section 173.205.

17 6. An eligible child or spouse who is a recipient of a
18 grant may transfer from one approved public or private
19 institution of postsecondary education to another without losing
20 his entitlement under this section. The board shall make
21 necessary adjustments in the amount of the grant. If a grant
22 recipient at anytime withdraws from the institution of
23 postsecondary education so that under the rules and regulations
24 of that institution he is entitled to a refund of any tuition,
25 fees, or other charges, the institution shall pay the portion of
26 the refund to which he is entitled attributable to the grant for
27 that semester or similar grading period to the board.

28 7. If an eligible child or spouse is granted financial

1 assistance under any other student aid program, public or
2 private, the full amount of such aid shall be reported to the
3 board by the institution and the eligible child or spouse.

4 8. Nothing in this section shall be construed as a promise
5 or guarantee that a person will be admitted to an institution of
6 postsecondary education or to a particular institution of
7 postsecondary education, will be allowed to continue to attend an
8 institution of postsecondary education after having been
9 admitted, or will be graduated from an institution of
10 postsecondary education.

11 9. A public safety officer who is permanently and totally
12 disabled shall be eligible for a grant pursuant to the provisions
13 of this section.

14 10. An eligible child of a public safety officer or
15 employee, spouse of a public safety officer or public safety
16 officer shall cease to be eligible for a grant pursuant to this
17 section when such public safety officer or employee is no longer
18 permanently and totally disabled.

19 173.1003. 1. Beginning with the 2008-09 academic year,
20 each approved public institution, as such term is defined in
21 section 173.1102, shall submit its percentage change in the
22 amount of tuition from the current academic year compared to the
23 upcoming academic year to the coordinating board for higher
24 education by July first preceding such academic year.

25 2. For institutions whose tuition is greater than the
26 average tuition, the percentage change in tuition shall not
27 exceed the percentage change of the consumer price index [or
28 zero, whichever is greater] plus a percentage of not more than

1 five percent that would produce an increase in net tuition
2 revenue no greater than the dollar amount by which the state
3 operating support was reduced for the prior fiscal year, if
4 applicable.

5 3. For institutions whose tuition is less than the average
6 tuition, the dollar increase in tuition shall not exceed the
7 product of [zero or] the percentage change of the consumer price
8 index[, whichever is greater,] times the average tuition, plus a
9 percentage of not more than five percent that would produce an
10 increase in net tuition revenue no greater than the dollar amount
11 by which the state operating support was reduced for the prior
12 fiscal year, if applicable.

13 4. If a tuition increase exceeds the limits set forth in
14 subsections 2 or 3 of this section, then the institution shall be
15 subject to the provisions of subsection 5 of this section.

16 5. Any institution that exceeds the limits set forth in
17 subsections 2 or 3 of this section shall remit to the board an
18 amount equal to five percent of its current year state operating
19 [appropriation] support amount which shall be deposited into the
20 general revenue fund unless the institution appeals, within
21 thirty days of such notice, to the commissioner of higher
22 education for a waiver of this provision. The commissioner,
23 after meeting with appropriate representatives of the
24 institution, shall determine whether the institution's waiver
25 request is sufficiently warranted, in which case no fund
26 remission shall occur. In making this determination, the factors
27 considered by the commissioner shall include but not be limited
28 to the relationship between state appropriations and the consumer

1 price index and any extraordinary circumstances. If the
2 commissioner determines that an institution's tuition percent
3 increase is not sufficiently warranted and declines the waiver
4 request, the commissioner shall recommend to the full
5 coordinating board that the institution shall remit an amount up
6 to five percent of its current year state operating appropriation
7 to the board, which shall deposit the amount into the general
8 revenue fund. The coordinating board shall have the authority to
9 make a binding and final decision, by means of a majority vote,
10 regarding the matter.

11 6. The provisions of subsections 2 to 5 of this section
12 shall not apply to any community college unless any such
13 community college's tuition for any Missouri resident is greater
14 than or equal to the average tuition. If the provisions of
15 subsections 2 to 5 of this section apply to a community college,
16 subsections 2 to 5 of this section shall only apply to out-of-
17 district Missouri resident tuition.

18 7. For purposes of this section, the term "average tuition"
19 shall be the sum of the tuition amounts for the previous academic
20 year for each approved public institution that is not excluded
21 under subsection 6 of this section, divided by the number of such
22 institutions. The term "consumer price index" shall mean the
23 Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 =
24 100, not seasonally adjusted, as defined and officially recorded
25 by the United States Department of Labor, or its successor
26 agency, from January first of the current year compared to
27 January first of the preceding year. The term "state
28 appropriation" shall mean the state operating appropriation for

1 the prior year per full-time equivalent student for the prior
2 year compared to state operating appropriation for the current
3 year per full-time equivalent student for the prior year. The
4 term "tuition" shall mean the amount of tuition and required
5 fees, excluding any fee established by the student body of the
6 institution, charged to a Missouri resident undergraduate
7 enrolled in fifteen credit hours at the institution. The term
8 "state operating support" shall mean the funding actually
9 disbursed from state operating appropriations to approved public
10 institutions and shall not include appropriations or disbursement
11 for special initiatives or specific program additions or
12 expansions. The term "net tuition revenue" shall mean the net
13 amount of resident undergraduate tuition and required fees
14 reduced by institutional aid only. "Institutional aid" includes
15 all aid awarded to the student by the student's institution of
16 higher education only from such institutions's funds.
17 "Institutional aid" does not include the following: Pell Grants;
18 state awards such as the Missouri higher education academic
19 scholarship program, the A+ schools program, and the access
20 Missouri financial aid program; foundation scholarships; third
21 party scholarships; employee and dependent fee waivers; and
22 student loans.

23 8. Nothing in this section shall be construed to usurp or
24 preclude the ability of the governing board of an institution of
25 higher education to establish tuition or required fee rates.

26 173.1101. The financial assistance program established
27 under sections 173.1101 to 173.1107 shall be hereafter known as
28 the "Access Missouri Financial Assistance Program". The

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

10 173.1102. 1. As used in sections 173.1101 to 173.1107,
11 unless the context requires otherwise, the following terms mean:

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

14 (2) "Approved private institution", a nonprofit
15 institution, dedicated to educational purposes, located in
16 Missouri which:

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

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

23 (c) Meets the standards for accreditation as determined by
24 either the Higher Learning Commission or by other accrediting
25 bodies recognized by the United States Department of Education or
26 by utilizing accreditation standards applicable to nondegree-
27 granting institutions as established by the coordinating board
28 for higher education;

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

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

10 (3) "Approved public institution", an educational
11 institution located in Missouri which:

12 (a) Is directly controlled or administered by a public
13 agency or political subdivision;

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

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

19 (d) Meets the standards for accreditation as determined by
20 either the Higher Learning Commission, or if a public community
21 college created under the provisions of sections 178.370 to
22 178.400 meets the standards established by the coordinating board
23 for higher education for such public community colleges, or by
24 other accrediting bodies recognized by the United States
25 Department of Education or by utilizing accreditation standards
26 applicable to the institution as established by the coordinating
27 board for higher education;

28 (e) Does not discriminate in the hiring of administrators,

1 faculty and staff or in the admission of students on the basis of
2 race, color, religion, sex, or national origin and is otherwise
3 in compliance with the Federal Civil Rights Acts of 1964 and 1968
4 and executive orders issued pursuant thereto;

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

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

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

11 (b) Is recognized as a qualifying institution through a
12 memorandum of understanding between the state of Missouri and the
13 approved virtual institution;

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

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

18 (e) Maintains at least twenty-five full-time Missouri
19 employees, at least one-half of which shall be faculty or
20 administrators engaged in operations;

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

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

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

26 (i) Utilizes an exclusively competency-based education
27 model;

28 (5) "Coordinating board", the coordinating board for higher

1 education;

2 [(5)] (6) "Expected family contribution", the amount of
3 money a student and family should pay toward the cost of
4 postsecondary education as calculated by the United States
5 Department of Education and reported on the student aid report or
6 the institutional student information record;

7 [(6)] (7) "Financial assistance", an amount of money paid
8 by the state of Missouri to a qualified applicant under sections
9 173.1101 to 173.1107;

10 [(7)] (8) "Full-time student", an individual who is
11 enrolled in and is carrying a sufficient number of credit hours
12 or their equivalent at an approved private, [or] public, or
13 virtual institution to secure the degree or certificate toward
14 which he or she is working in no more than the number of
15 semesters or their equivalent normally required by that
16 institution in the program in which the individual is enrolled.
17 This definition shall be construed as the successor to
18 subdivision (7) of section 173.205 for purposes of eligibility
19 requirements of other financial assistance programs that refer to
20 section 173.205.

21 2. The failure of an approved virtual institution to
22 continuously maintain all of the requirements in subdivision (4)
23 of subsection 1 of this section shall preclude such institution's
24 students or applicants from being eligible for assistance under
25 sections 173.1104 and 173.1105.

26 173.1104. 1. An applicant shall be eligible for initial or
27 renewed financial assistance only if, at the time of application
28 and throughout the period during which the applicant is receiving

1 such assistance, the applicant:

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

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

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

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

12 2. If an applicant is found guilty of or pleads guilty to
13 any criminal offense during the period of time in which the
14 applicant is receiving financial assistance, such applicant shall
15 not be eligible for renewal of such assistance, provided such
16 offense would disqualify the applicant from receiving federal
17 student aid under Title IV of the Higher Education Act of 1965,
18 as amended.

19 3. Financial assistance shall be allotted for one academic
20 year, but a recipient shall be eligible for renewed assistance
21 until he or she has obtained a baccalaureate degree, provided
22 such financial assistance shall not exceed a total of ten
23 semesters or fifteen quarters or their equivalent. Standards of
24 eligibility for renewed assistance shall be the same as for an
25 initial award of financial assistance, except that for renewal,
26 an applicant shall demonstrate a grade-point average of two and
27 five-tenths on a four-point scale, or the equivalent on another
28 scale. This subsection shall be construed as the successor to

1 section 173.215 for purposes of eligibility requirements of other
2 financial assistance programs that refer to section 173.215.

3 173.1105. 1. An applicant who is an undergraduate
4 postsecondary student at an approved private, or public, or
5 virtual institution and who meets the other eligibility criteria
6 shall be eligible for financial assistance, with a minimum and
7 maximum award amount as follows:

8 (1) For academic years 2010-11, 2011-12, 2012-13, and 2013-
9 14:

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

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

17 (c) Four thousand six hundred dollars maximum and two
18 thousand dollars minimum for students attending approved private
19 institutions;

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

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

24 (b) Two thousand eight hundred fifty dollars maximum and
25 one thousand five hundred dollars minimum for students attending
26 institutions classified as part of the public four-year sector,
27 including State Technical College of Missouri, or approved
28 private institutions, or approved virtual institutions.

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

13 3. If appropriated funds are insufficient to fund the
14 program as described, the maximum award shall be reduced across
15 all sectors by the percentage of the shortfall. If appropriated
16 funds exceed the amount necessary to fund the program, the
17 additional funds shall be used to increase the number of
18 recipients by raising the cutoff for the expected family
19 contribution rather than by increasing the size of the award.

20 4. Every three years, beginning with academic year 2009-10,
21 the award amount may be adjusted to increase no more than the
22 Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 =
23 100, not seasonally adjusted, as defined and officially recorded
24 by the United States Department of Labor, or its successor
25 agency, for the previous academic year. The coordinating board
26 shall prepare a report prior to the legislative session for use
27 of the general assembly and the governor in determining budget
28 requests which shall include the amount of funds necessary to

1 maintain full funding of the program based on the baseline
2 established for the program upon the effective date of sections
3 173.1101 to 173.1107. Any increase in the award amount shall not
4 become effective unless an increase in the amount of money
5 appropriated to the program necessary to cover the increase in
6 award amount is passed by the general assembly.

7 173.1107. A recipient of financial assistance may transfer
8 from one approved public [or], private, or virtual institution to
9 another without losing eligibility for assistance under sections
10 173.1101 to 173.1107, but the coordinating board shall make any
11 necessary adjustments in the amount of the award. If a recipient
12 of financial assistance at any time is entitled to a refund of
13 any tuition, fees, or other charges under the rules and
14 regulations of the institution in which he or she is enrolled,
15 the institution shall pay the portion of the refund which may be
16 attributed to the state grant to the coordinating board. The
17 coordinating board will use these refunds to make additional
18 awards under the provisions of sections 173.1101 to 173.1107.

19 173.1450. 1. The provisions of this section shall be known
20 and cited as the "College Credit Disclosure Act".

21 2. Except as provided in subsection 4 of this section,
22 institutions of higher education located within the state that
23 grant college-level credit but are not accredited by a regional
24 accrediting body recognized by the United States Department of
25 Education shall disclose during the admission application
26 process, in writing, that the institution has not achieved
27 regional accreditation recognized by the department.

28 3. The disclosure required in subsection 2 of this section

1 shall be provided to an enrolling student prior to registering
2 for any class granting credit, and the student shall sign the
3 disclosure, either in writing or electronically, acknowledging
4 receipt of such disclosure. The disclosure provided shall
5 contain the following wording, in no less than fourteen-point
6 font:

7 "College level credits earned at (Institution name) may not
8 be transferrable to other higher learning/postsecondary learning
9 institutions, including, but not limited to, universities,
10 colleges, junior colleges, community colleges, or trade schools
11 accredited by a regional accrediting body recognized by the
12 United States Department of Higher Education.

13 Contact the institution receiving the transferred credit(s)
14 for more information.".

15 4. Notwithstanding any provision of this section or any
16 other law, institutions of higher education affiliated with
17 religious organizations that are accredited by a national faith-
18 related accrediting organization recognized by the United States
19 Department of Education shall be exempt from the disclosure
20 requirements of this section.

21 173.2530. Beginning in the 2020-21 school year, and
22 continuing on an annual basis thereafter, each public institution
23 of higher education shall publish a report measuring compliance
24 with the standards promulgated by the International Association
25 of Counseling Services, Inc. relating to mental health services
26 provided on college campuses. The report shall include a measure
27 of the institution's ability to adequately meet student mental
28 health needs. All reports required by this section shall be made

1 available to the public.

2 174.160. The board of regents of each state college and
3 each state teachers college shall have power and authority to
4 confer upon students, by diploma under the common seal, such
5 degrees as are usually granted by such colleges, and additional
6 degrees only when authorized by the coordinating board for higher
7 education in circumstances in which offering such degree would
8 not unnecessarily duplicate an existing program, collaboration is
9 not feasible or a viable means of meeting the needs of students
10 and employers, and the institution has the academic and financial
11 capacity to offer the program in a high quality manner. In the
12 case of nonresearch doctoral degrees in allied health
13 professions, an institution may be authorized to offer such
14 degree independently if offering it in collaboration with another
15 institution would not increase the quality of the program or
16 allow it to be delivered more efficiently. Such boards shall
17 have the power and authority to confer degrees in engineering
18 only in collaboration with the University of Missouri, provided
19 that such collaborative agreements are approved by the governing
20 board of each institution and that in these instances the
21 University of Missouri will be the degree granting institution.
22 Should the University of Missouri decline to collaborate in the
23 offering of such programs, one of these institutions may seek
24 approval of the program through the coordinating board for higher
25 education's comprehensive review process when doing so would not
26 unnecessarily duplicate an existing program, collaboration is not
27 feasible or a viable means of meeting the needs of students and
28 employers, and the institution has the academic and financial

1 capacity to offer the program in a high quality manner.

2 174.225. [Missouri State University] No state college or
3 university shall [not] seek the land grant designation held by
4 Lincoln University and the University of Missouri [nor shall
5 Missouri State University seek] or the research designation
6 currently held by the University of Missouri. [Missouri State
7 University shall offer engineering programs and doctoral programs
8 only in cooperation with the University of Missouri; provided
9 that such cooperative agreements are approved by the governing
10 boards of each institution and that in these instances the
11 University of Missouri shall be the degree-granting institution.
12 Should the University of Missouri decline to cooperate in the
13 offering of such programs within one year of the formal approval
14 of the coordinating board, Missouri State University may
15 cooperate with another educational institution, or directly offer
16 the degree. In all cases, the offering of such degree programs
17 shall be subject to the approval of the coordinating board for
18 higher education, or any other higher education governing
19 authority that may replace it. Missouri State University may
20 offer doctoral programs in audiology and physical therapy.
21 Missouri State University shall neither offer nor duplicate the
22 professional programs at the University of Missouri including,
23 without limitation, those that train medical doctors,
24 pharmacists, dentists, veterinarians, optometrists, lawyers, and
25 architects. The alteration of the name of Southwest Missouri
26 State University to Missouri State University shall not entitle
27 Missouri State University to any additional state funding.]

28 174.231. 1. On and after August 28, 2005, the institution

1 formerly known as Missouri Southern State College located in
2 Joplin, Jasper County, shall be known as "Missouri Southern State
3 University". Missouri Southern State University is hereby
4 designated and shall hereafter be operated as a statewide
5 institution of international or global education. The Missouri
6 Southern State University is hereby designated a moderately
7 selective institution which shall provide associate degree
8 programs except as provided in subsection 2 of this section,
9 baccalaureate degree programs, and graduate degree programs
10 pursuant to subdivisions (1) and ~~[(2)]~~ (3) of subsection 2 of
11 section 173.005. The institution shall develop such academic
12 support programs and public service activities it deems necessary
13 and appropriate to establish international or global education as
14 a distinctive theme of its mission. [Consistent with the
15 provisions of section 174.324, Missouri Southern State University
16 is authorized to offer master's level degree programs in
17 accountancy, subject to the approval of the coordinating board
18 for higher education as provided in subdivision (1) of subsection
19 2 of section 173.005.]

20 2. As of July 1, 2008, Missouri Southern State University
21 shall discontinue any and all associate degree programs unless
22 the continuation of such associate degree programs is approved by
23 the coordinating board for higher education pursuant to
24 subdivision (1) of subsection 2 of section 173.005.

25 174.251. 1. On and after August 28, 2005, the institution
26 formerly known as Missouri Western State College at St. Joseph,
27 Buchanan County, shall hereafter be known as the "Missouri
28 Western State University". Missouri Western State University is

1 hereby designated and shall hereafter be operated as a statewide
2 institution of applied learning. The Missouri Western State
3 University is hereby designated an open enrollment institution
4 which shall provide associate degree programs except as provided
5 in subsection 2 of this section, baccalaureate degree programs,
6 and graduate degree programs pursuant to [subdivisions (1) and
7 (2) of] subsection 2 of section 173.005. The institution shall
8 develop such academic support programs as it deems necessary and
9 appropriate to an open enrollment institution with a statewide
10 mission of applied learning. [Consistent with the provisions of
11 section 174.324, Missouri Western State University is authorized
12 to offer master's level degree programs in accountancy, subject
13 to the approval of the coordinating board for higher education as
14 provided in subdivision (1) of subsection 2 of section 173.005.]

15 2. As of July 1, 2010, Missouri Western State University
16 shall discontinue any and all associate degree programs unless
17 the continuation of such associate degree program is approved by
18 the coordinating board for higher education pursuant to
19 [subdivision] subsection 2 of section 173.005.

20 174.500. 1. The board of governors of Missouri State
21 University is authorized to continue the program of higher
22 education at West Plains, Missouri, which was begun in 1963 and
23 which shall be known as the "West Plains Campus of Missouri State
24 University". Missouri State University may include an
25 appropriation request for the branch facility at West Plains in
26 its operating budget.

27 2. The coordinating board for higher education in
28 cooperation with the board of governors shall develop a mission

1 implementation plan for the campus at West Plains, Howell County,
2 which is known as the "West Plains Campus of Missouri State
3 University", and which shall be a teaching institution, offering
4 one-year certificates, two-year associate degrees and credit and
5 noncredit courses to both traditional and nontraditional students
6 to meet the ongoing and emerging employer and educational needs
7 of the citizens of the area served. The West Plains campus of
8 Missouri State University may offer baccalaureate degrees only
9 when authorized by the coordinating board for higher education in
10 circumstances where the level of education required in a field
11 for accreditation or licensure increases to the baccalaureate
12 degree level or, in the case of applied bachelor's degrees, the
13 level of education required for employment in a field increases
14 to that level, and when doing so would not unnecessarily
15 duplicate an existing program, collaboration with a university is
16 not feasible or the approach is not a viable means of meeting the
17 needs of students and employers, and the institution has the
18 academic and financial capacity to offer the program in a high
19 quality manner. Quality for such baccalaureate degree programs
20 shall be evaluated at least in part by delivery of upper-level
21 coursework or competencies, and defined by accreditation or
22 compliance with the Higher Learning Commission standards for
23 bachelor's degrees.

24 178.636. 1. State Technical College of Missouri shall be a
25 special purpose institution that shall make available to students
26 from all areas of the state exceptional educational opportunities
27 through highly specialized and advanced technical education and
28 training at the certificate and associate degree level in both

1 emerging and traditional technologies with particular emphasis on
2 technical and vocational programs not commonly offered by
3 community colleges or area vocational technical schools. Primary
4 consideration shall be placed on the industrial and technological
5 manpower needs of the state. In addition, State Technical
6 College of Missouri is authorized to assist the state in economic
7 development initiatives and to facilitate the transfer of
8 technology to Missouri business and industry directly through the
9 graduation of technicians in advanced and emerging disciplines
10 and through technical assistance provided to business and
11 industry. State Technical College of Missouri is authorized to
12 provide technical assistance to area vocational technical schools
13 and community colleges through supplemental on-site instruction
14 and distance learning as such area vocational technical schools
15 and community colleges deem appropriate.

16 2. Consistent with the mission statement provided in
17 subsection 1 of this section, State Technical College of Missouri
18 shall offer vocational and technical programs leading to the
19 granting of certificates, diplomas, and applied science associate
20 degrees, or a combination thereof[, but not including]. State
21 Technical College of Missouri may offer associate of arts or
22 baccalaureate [or higher] degrees only when authorized by the
23 coordinating board for higher education in circumstances where
24 the level of education required in a field for accreditation or
25 licensure increases to the baccalaureate degree level or, in the
26 case of applied bachelor's degrees, the level of education
27 required for employment in a field increases to that level, and
28 when doing so would not unnecessarily duplicate an existing

program, collaboration with a university is not feasible or the approach is not a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high quality manner. Quality for such baccalaureate degree programs shall be evaluated at least in part by delivery of upper-level coursework or competencies, and defined by accreditation or compliance with the Higher Learning Commission standards for bachelor's degrees.

State Technical College of Missouri shall also continue its role as a recognized area vocational technical school as provided by policies and procedures of the state board of education.

[174.324. 1. Notwithstanding any law to the contrary, Missouri Western State University and Missouri Southern State University may offer master's degrees in accounting, subject to any terms and conditions of the Missouri state board of accountancy applicable to any other institution of higher education in this state which offers such degrees, and subject to approval of the coordinating board for higher education.

2. Any new master's degree program offered at Missouri Southern State University, Missouri Western State University, or any other public institution of higher education in this state must be approved by the coordinating board for higher education pursuant to the provisions of subdivision (1) or (2) of subsection 2 of section 173.005.]

✓

Jay Wasson

Donna Lichtenegger