

SECOND REGULAR SESSION  
[ P E R F E C T E D ]  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILLS NOS. 807 & 577**  
99TH GENERAL ASSEMBLY

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Reported from the Committee on Education, January 25, 2018, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bills Nos. 807 & 577, adopted February 6, 2018.

Taken up for Perfection February 6, 2018. Bill declared Perfected and Ordered Printed, as amended.

ADRIANE D. CROUSE, Secretary.

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**AN ACT**

To repeal sections 163.191, 172.280, 173.005, 174.160, 174.225, 174.231, 174.251, 174.324, 174.500, and 178.636, RSMo, and to enact in lieu thereof ten new sections relating to higher education, with an existing penalty provision.

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

Section A. Sections 163.191, 172.280, 173.005, 174.160, 174.225, 174.231, 174.251, 174.324, 174.500, and 178.636, RSMo, are repealed and ten new sections enacted in lieu thereof, to be known as sections 163.191, 172.280, 173.005, 173.2530, 174.160, 174.225, 174.231, 174.251, 174.500, and 178.636, to read as follows:

163.191. 1. As used in this section, the following terms shall mean:

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

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

(b) Occupational, vocational-technical; and

(c) A variety of educational community services.

Community college course offerings **shall generally** lead to the granting of certificates, diplomas, or associate degrees, [but do not] **and may** include baccalaureate [or higher] degrees **only when authorized by the coordinating**

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

12 **board for higher education in circumstances where the level of**  
13 **education required in a field for accreditation or licensure increases**  
14 **to the baccalaureate degree level or, in the case of applied bachelor's**  
15 **degrees, the level of education required for employment in a field**  
16 **increases to that level, and when doing so would not unnecessarily**  
17 **duplicate an existing program, collaboration with a university is not**  
18 **feasible or the approach is not a viable means of meeting the needs of**  
19 **students and employers, and the institution has the academic and**  
20 **financial capacity to offer the program in a high-quality**  
21 **manner. Quality for such baccalaureate degree programs shall be**  
22 **evaluated at least in part by the delivery of upper-level coursework or**  
23 **competencies, and defined by accreditation or compliance with the**  
24 **Higher Learning Commission standards for bachelor's degrees;**

25 (2) "Operating costs", all costs attributable to current operations,  
26 including all direct costs of instruction, instructors' and counselors' compensation,  
27 administrative costs, all normal operating costs and all similar noncapital  
28 expenditures during any year, excluding costs of construction of facilities and the  
29 purchase of equipment, furniture, and other capital items authorized and funded  
30 in accordance with subsection 6 of this section. Operating costs shall be  
31 computed in accordance with accounting methods and procedures to be specified  
32 by the department of higher education;

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

34 2. Each year public community colleges in the aggregate shall be eligible  
35 to receive from state funds, if state funds are available and appropriated, an  
36 amount up to but not more than fifty percent of the state community colleges'  
37 planned operating costs as determined by the department of higher  
38 education. The department of higher education shall review all institutional  
39 budget requests and prepare appropriation recommendations annually for the  
40 community colleges under the supervision of the department. The department's  
41 budget request shall include a recommended level of funding.

42 3. (1) Except as provided in subdivision (2) of this subsection, distribution  
43 of appropriated funds to community college districts shall be in accordance with  
44 the community college resource allocation model. This model shall be developed  
45 and revised as appropriate cooperatively by the community colleges and the  
46 department of higher education. The department of higher education shall  
47 recommend the model to the coordinating board for higher education for their

48 approval. The core funding level for each community college shall initially be  
49 established at an amount agreed upon by the community colleges and the  
50 department of higher education. This amount will be adjusted annually for  
51 inflation, limited growth, and program improvements in accordance with the  
52 resource allocation model starting with fiscal year 1993.

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

58 4. The department of higher education shall be responsible for evaluating  
59 the effectiveness of the resource allocation model and shall submit a report to the  
60 governor, the joint committee on education, the speaker of the house of  
61 representatives and president pro tempore of the senate by October 31, 2019, and  
62 every four years thereafter.

63 5. The department of higher education shall request new and separate  
64 state aid funds for any new community college district for its first six years of  
65 operation. The request for the new district shall be based upon the same level  
66 of funding being provided to the existing districts, and should be sufficient to  
67 provide for the growth required to reach a mature enrollment level.

68 6. In addition to state funds received for operating purposes, each  
69 community college district shall be eligible to receive an annual appropriation,  
70 exclusive of any capital appropriations, for the cost of maintenance and repair of  
71 facilities and grounds, including surface parking areas, and purchases of  
72 equipment and furniture. Such funds shall not exceed in any year an amount  
73 equal to ten percent of the state appropriations, exclusive of any capital  
74 appropriations, to community college districts for operating purposes during the  
75 most recently completed fiscal year. The department of higher education may  
76 include in its annual appropriations request the necessary funds to implement  
77 the provisions of this subsection and when appropriated shall distribute the funds  
78 to each community college district as appropriated. The department of higher  
79 education appropriations request shall be for specific maintenance, repair, and  
80 equipment projects at specific community college districts, shall be in an amount  
81 of fifty percent of the cost of a given project as determined by the coordinating  
82 board and shall be only for projects which have been approved by the coordinating  
83 board through a process of application, evaluation, and approval as established

84 by the coordinating board. The coordinating board, as part of its process of  
85 application, evaluation, and approval, shall require the community college district  
86 to provide proof that the fifty-percent share of funding to be defrayed by the  
87 district is either on hand or committed for maintenance, repair, and equipment  
88 projects. Only salaries or portions of salaries paid which are directly related to  
89 approved projects may be used as a part of the fifty-percent share of funding.

90 7. School districts offering two-year college courses pursuant to section  
91 178.370 on October 31, 1961, shall receive state aid pursuant to subsection 2,  
92 subdivision (1) of subsection 3, and subsection 6 of this section if all scholastic  
93 standards established pursuant to sections 178.770 to 178.890 are met.

94 8. In order to make postsecondary educational opportunities available to  
95 Missouri residents who do not reside in an existing community college district,  
96 community colleges organized pursuant to section 178.370 or sections 178.770 to  
97 178.890 shall be authorized pursuant to the funding provisions of this section to  
98 offer courses and programs outside the community college district with prior  
99 approval by the coordinating board for higher education. The classes conducted  
100 outside the district shall be self-sustaining except that the coordinating board  
101 shall promulgate rules to reimburse selected out-of-district instruction only where  
102 prior need has been established in geographical areas designated by the  
103 coordinating board for higher education. Funding for such off-campus instruction  
104 shall be included in the appropriation recommendations, shall be determined by  
105 the general assembly and shall continue, within the amounts appropriated  
106 therefor, unless the general assembly disapproves the action by concurrent  
107 resolution.

108 9. When distributing state aid authorized for community colleges, the  
109 state treasurer may, in any year if requested by a community college, disregard  
110 the provision in section 30.180 requiring the state treasurer to convert the  
111 warrant requesting payment into a check or draft and wire transfer the amount  
112 to be distributed to the community college directly to the community college's  
113 designated deposit for credit to the community college's account.

172.280. The curators shall have the authority to confer, by diploma,  
2 under their common seal, on any person whom they may judge worthy thereof,  
3 such degrees as are known to and usually granted by any college or  
4 university. **The University of Missouri is the state's only public research**  
5 **university and the exclusive grantor of research doctorates. As such,**  
6 **except as provided in section 175.040, the University of Missouri shall**

7 **be the only state college or university that may offer doctor of**  
8 **philosophy degrees or first-professional degrees, including**  
9 **chiropractic, dentistry, law, medicine, optometry, osteopathic medicine,**  
10 **pharmacy, podiatry, and veterinary medicine.**

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

5 2. The commission on higher education is abolished and all its powers,  
6 duties, personnel and property are transferred by type I transfer to the  
7 "Coordinating Board for Higher Education", which is hereby created, and the  
8 coordinating board shall be the head of the department. The coordinating board  
9 shall consist of nine members appointed by the governor with the advice and  
10 consent of the senate, and not more than five of its members shall be of the same  
11 political party. None of the members shall be engaged professionally as an  
12 educator or educational administrator with a public or private institution of  
13 higher education at the time appointed or during his term. Moreover, no person  
14 shall be appointed to the coordinating board who shall not be a citizen of the  
15 United States, and who shall not have been a resident of the state of Missouri two  
16 years next prior to appointment, and at least one but not more than two persons  
17 shall be appointed to said board from each congressional district. The term of  
18 service of a member of the coordinating board shall be six years and said  
19 members, while attending the meetings of the board, shall be reimbursed for their  
20 actual expenses. Notwithstanding any provision of law to the contrary, nothing  
21 in this section relating to a change in the composition and configuration of  
22 congressional districts in this state shall prohibit a member who is serving a term  
23 on August 28, 2011, from completing his or her term. The coordinating board  
24 may, in order to carry out the duties prescribed for it in subsections 1, 2, 3, 7, and  
25 8 of this section, employ such professional, clerical and research personnel as may  
26 be necessary to assist it in performing those duties, but this staff shall not, in any  
27 fiscal year, exceed twenty-five full-time equivalent employees regardless of the  
28 source of funding. In addition to all other powers, duties and functions  
29 transferred to it, the coordinating board for higher education shall have the  
30 following duties and responsibilities:

31 (1) The coordinating board for higher education [shall have approval of]  
32 **may approve, not approve, or provisionally approve** proposed new degree

33 programs to be offered by the state institutions of higher education. The  
34 **coordinating board may authorize a degree program outside an**  
35 **institution's coordinating board-approved mission only when the**  
36 **coordinating board has received clear evidence that the institution**  
37 **proposing to offer the program:**

38       **(a) Made a good-faith effort to explore the feasibility of offering**  
39 **the program in collaboration with an institution the mission of which**  
40 **includes offering the program;**

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

43       **(c) Has the existing capacity to ensure the program is delivered**  
44 **in a high-quality manner;**

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

46       **(e) Has a clear plan to meet the articulated workforce need; and**

47       **(f) Such other factors deemed relevant by the coordinating**  
48 **board;**

49       **(2) The board of regents of each public institution of higher**  
50 **education in the state shall have the power and authority to confer**  
51 **degrees in chiropractic, osteopathic medicine, and podiatry only in**  
52 **collaboration with the University of Missouri, provided that such**  
53 **collaborative agreements are approved by the governing board of each**  
54 **institution and that in these instances the University of Missouri will**  
55 **be the degree-granting institution. Should the University of Missouri**  
56 **decline to collaborate in the offering of such programs, any of these**  
57 **institutions may seek approval of the program through the**  
58 **coordinating board for higher education's comprehensive review**  
59 **process when doing so would not unnecessarily duplicate an existing**  
60 **program, collaboration is not feasible or a viable means of meeting the**  
61 **needs of students and employers, and the institution has the academic**  
62 **and financial capacity to offer the program in a high-quality manner.**

63       **(3) For purposes of subdivision (2) of this subsection, the term**  
64 **"board of regents" shall include a board of governors.**

65       **[(2)] (4) The coordinating board for higher education may promote and**  
66 **encourage the development of cooperative agreements between Missouri public**  
67 **four-year institutions of higher education which do not offer graduate degrees and**  
68 **Missouri public four-year institutions of higher education which do offer graduate**  
69 **degrees for the purpose of offering graduate degree programs on campuses of**

70 those public four-year institutions of higher education which do not otherwise  
71 offer graduate degrees. Such agreements shall identify the obligations and duties  
72 of the parties, including assignment of administrative responsibility. Any  
73 diploma awarded for graduate degrees under such a cooperative agreement shall  
74 include the names of both institutions inscribed thereon. Any cooperative  
75 agreement in place as of August 28, 2003, shall require no further approval from  
76 the coordinating board for higher education. Any costs incurred with respect to  
77 the administrative provisions of this subdivision may be paid from state funds  
78 allocated to the institution assigned the administrative authority for the  
79 program. The provisions of this subdivision shall not be construed to invalidate  
80 the provisions of subdivision (1) of this subsection;

81       [(3)] **(5)** In consultation with the heads of the institutions of higher  
82 education affected and against a background of carefully collected data on  
83 enrollment, physical facilities, manpower needs, **and** institutional missions, the  
84 coordinating board for higher education shall establish guidelines for  
85 appropriation requests by those institutions of higher education; however, other  
86 provisions of the Reorganization Act of 1974 notwithstanding, all funds shall be  
87 appropriated by the general assembly to the governing board of each public  
88 four-year institution of higher education which shall prepare expenditure budgets  
89 for the institution;

90       [(4)] **(6)** No new state-supported senior colleges or residence centers shall  
91 be established except as provided by law and with approval of the coordinating  
92 board for higher education;

93       [(5)] **(7)** The coordinating board for higher education shall establish  
94 admission guidelines consistent with institutional missions;

95       [(6)] **(8)** The coordinating board for higher education shall require all  
96 public two-year and four-year higher education institutions to replicate best  
97 practices in remediation identified by the coordinating board and institutions  
98 from research undertaken by regional educational laboratories, higher education  
99 research organizations, and similar organizations with expertise in the subject,  
100 and identify and reduce methods that have been found to be ineffective in  
101 preparing or retaining students or that delay students from enrollment in  
102 college-level courses;

103       [(7)] **(9)** The coordinating board shall establish policies and procedures  
104 for institutional decisions relating to the residence status of students;

105       [(8)] **(10)** The coordinating board shall establish guidelines to promote

106 and facilitate the transfer of students between institutions of higher education  
107 within the state and, with the assistance of the committee on transfer and  
108 articulation, shall require all public two-year and four-year higher education  
109 institutions to create by July 1, 2014, a statewide core transfer library of at least  
110 twenty-five lower division courses across all institutions that are transferable  
111 among all public higher education institutions. The coordinating board shall  
112 establish policies and procedures to ensure such courses are accepted in transfer  
113 among public institutions and treated as equivalent to similar courses at the  
114 receiving institutions. The coordinating board shall develop a policy to foster  
115 reverse transfer for any student who has accumulated enough hours in  
116 combination with at least one public higher education institution in Missouri that  
117 offers an associate degree and one public four-year higher education institution  
118 in the prescribed courses sufficient to meet the public higher education  
119 institution's requirements to be awarded an associate degree. The department  
120 of elementary and secondary education shall maintain the alignment of the  
121 assessments found in section 160.518 and successor assessments with the  
122 competencies previously established under this subdivision for entry-level  
123 collegiate courses in English, mathematics, foreign language, sciences, and social  
124 sciences associated with an institution's general education core;

125       **[(9)] (11)** The coordinating board shall collect the necessary information  
126 and develop comparable data for all institutions of higher education in the  
127 state. The coordinating board shall use this information to delineate the areas  
128 of competence of each of these institutions and for any other purposes deemed  
129 appropriate by the coordinating board;

130       **[(10)] (12)** Compliance with requests from the coordinating board for  
131 institutional information and the other powers, duties and responsibilities, herein  
132 assigned to the coordinating board, shall be a prerequisite to the receipt of any  
133 funds which the coordinating board is responsible for administering;

134       **[(11)] (13)** If any institution of higher education in this state, public or  
135 private, willfully fails or refuses to follow any lawful guideline, policy or  
136 procedure established or prescribed by the coordinating board, or knowingly  
137 deviates from any such guideline, or knowingly acts without coordinating board  
138 approval where such approval is required, or willfully fails to comply with any  
139 other lawful order of the coordinating board, the coordinating board may, after  
140 a public hearing, withhold or direct to be withheld from that institution any funds  
141 the disbursement of which is subject to the control of the coordinating board, or

142 may remove the approval of the institution as an approved institution within the  
143 meaning of section 173.1102. If any such public institution willfully disregards  
144 board policy, the commissioner of higher education may order such institution to  
145 remit a fine in an amount not to exceed one percent of the institution's current  
146 fiscal year state operating appropriation to the board. The board shall hold such  
147 funds until such time that the institution, as determined by the commissioner of  
148 higher education, corrects the violation, at which time the board shall refund such  
149 amount to the institution. If the commissioner determines that the institution  
150 has not redressed the violation within one year, the fine amount shall be  
151 deposited into the general revenue fund, unless the institution appeals such  
152 decision to the full coordinating board, which shall have the authority to make  
153 a binding and final decision, by means of a majority vote, regarding the  
154 matter. However, nothing in this section shall prevent any institution of higher  
155 education in this state from presenting additional budget requests or from  
156 explaining or further clarifying its budget requests to the governor or the general  
157 assembly;

158        **[(12)] (14)** In recognition of institutions that meet the requirements of  
159 subdivision (2), (3), or (4) of subsection 1 of section 173.616, are established by  
160 name as an educational institution in Missouri, and are authorized to operate  
161 programs beyond secondary education for purposes of authorization under 34 CFR  
162 600.9, the coordinating board for higher education shall maintain and publish on  
163 its website a list of such postsecondary educational institutions; and

164        **[(13)] (15)** (a) As used in this subdivision, the term "out-of-state public  
165 institution of higher education" shall mean an education institution located  
166 outside of Missouri that:

167           a. Is controlled or administered directly by a public agency or political  
168 subdivision or is classified as a public institution by the state;

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

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

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

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

177        (b) No later than July 1, 2008, the coordinating board shall promulgate

178 rules regarding:

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

182           b. The board's approval process of degree programs and courses offered  
183 by any out-of-state public institutions of higher education that, prior to July 1,  
184 2008, were approved by the board to operate a school in compliance with the  
185 provisions of sections 173.600 to 173.618. The rules shall ensure that, as of July  
186 1, 2008, all out-of-state public institutions seeking to offer degrees and courses  
187 within the state of Missouri are evaluated in a manner similar to Missouri public  
188 higher education institutions. Such out-of-state public institutions shall be held  
189 to standards no lower than the standards established by the coordinating board  
190 for program approval and the policy guidelines of the coordinating board for data  
191 collection, cooperation, and resolution of disputes between Missouri institutions  
192 of higher education under this section. Any such out-of-state public institutions  
193 of higher education wishing to continue operating within this state must be  
194 approved by the board under the rules promulgated under this subdivision. The  
195 coordinating board may charge and collect fees from out-of-state public  
196 institutions to cover the costs of reviewing and assuring the quality of programs  
197 offered by out-of-state public institutions. Any rule or portion of a rule, as that  
198 term is defined in section 536.010, that is created under the authority delegated  
199 in this section shall become effective only if it complies with and is subject to all  
200 of the provisions of chapter 536 and, if applicable, section 536.028. This section  
201 and chapter 536 are nonseverable and if any of the powers vested with the  
202 general assembly under chapter 536 to review, to delay the effective date, or to  
203 disapprove and annul a rule are subsequently held unconstitutional, then the  
204 grant of rulemaking authority and any rule proposed or adopted after August 28,  
205 2007, shall be invalid and void.

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

210           3. The coordinating board shall meet at least four times annually with an  
211 advisory committee who shall be notified in advance of such meetings. The  
212 coordinating board shall have exclusive voting privileges. The advisory  
213 committee shall consist of thirty-two members, who shall be the president or

214 other chief administrative officer of the University of Missouri; the chancellor of  
215 each campus of the University of Missouri; the president of each state-supported  
216 four-year college or university, including Harris-Stowe State University, Missouri  
217 Southern State University, Missouri Western State University, and Lincoln  
218 University; the president of State Technical College of Missouri; the president or  
219 chancellor of each public community college district; and representatives of each  
220 of five accredited private institutions selected biennially, under the supervision  
221 of the coordinating board, by the presidents of all of the state's privately  
222 supported institutions; but always to include at least one representative from one  
223 privately supported community college, one privately supported four-year college,  
224 and one privately supported university. The conferences shall enable the  
225 committee to advise the coordinating board of the views of the institutions on  
226 matters within the purview of the coordinating board.

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

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

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

235         7. All the powers, duties and functions vested in the division of public  
236 schools and state board of education relating to community college state aid and  
237 the supervision, formation of districts and all matters otherwise related to the  
238 state's relations with community college districts and matters pertaining to  
239 community colleges in public school districts, chapters 163, 178, and others, are  
240 transferred to the coordinating board for higher education by type I  
241 transfer. Provided, however, that all responsibility for administering the  
242 federal-state programs of vocational-technical education, except for the 1202a  
243 postsecondary educational amendments of 1972 program, shall remain with the  
244 department of elementary and secondary education. The department of  
245 elementary and secondary education and the coordinating board for higher  
246 education shall cooperate in developing the various plans for vocational-technical  
247 education; however, the ultimate responsibility will remain with the state board  
248 of education.

249         8. All the powers, duties, functions, and properties of the state poultry

250 experiment station, chapter 262, are transferred by type I transfer to the  
251 University of Missouri, and the state poultry association and state poultry board  
252 are abolished. In the event the University of Missouri shall cease to use the real  
253 estate of the poultry experiment station for the purposes of research or shall  
254 declare the same surplus, all real estate shall revert to the governor of the state  
255 of Missouri and shall not be disposed of without legislative approval.

**173.2530. 1. For the purposes of this section, the term "student  
2 counseling facility" means any entity that provides confidential mental  
3 health counseling, psychiatric services, or developmental counseling to  
4 college students that is located on campus or is associated with the  
5 institution of higher education and operates in accordance with state  
6 and federal law pertaining to mental health professions as well as  
7 applicable professional and ethical codes.**

**8 2. Prior to January 1, 2020, the coordinating board for higher  
9 education shall promulgate rules setting forth reasonable standards  
10 and regulations for student counseling facilities at public institutions  
11 of higher education in this state relating to average wait time to see a  
12 mental health professional for an initial appointment, the average  
13 number of sessions available to students, when appropriate, before an  
14 off-campus referral, prevention services and any other factors the  
15 coordinating board for higher education determines are contributing  
16 factors leading to the prevalence of mental health problems within the  
17 academic community. After establishing such standards and  
18 regulations, the coordinating board for higher education shall develop  
19 a process for measuring an institution's ability to adequately meet  
20 student mental health needs using assessment criteria developed in  
21 validated studies of well-being and student mental health in order to  
22 ensure that the effectiveness of the student counseling programs are  
23 objectively evaluated.**

**24 3. Beginning in the 2020-2021 school year, and continuing on an  
25 annual basis thereafter, each public institution of higher education  
26 shall publish a report measuring compliance with the standards  
27 established in subsection 2 of this section. If an institution does not  
28 meet these standards, it shall include in the report a plan to meet these  
29 standards within three academic years. Additionally, the report shall  
30 include a measure of the institution's ability to adequately meet  
31 student mental health needs, using the process established in**

32 subsection 2 of this section. All reports required by this section shall  
33 be made available to the public.

34 4. Any rule or portion of a rule, as that term is defined in section  
35 536.010 that is created under the authority delegated in this section  
36 shall become effective only if it complies with and is subject to all of  
37 the provisions of chapter 536, and, if applicable, section 536.028. This  
38 section and chapter 536 are nonseverable and if any of the powers  
39 vested with the general assembly pursuant to chapter 536, to review, to  
40 delay the effective date, or to disapprove and annul a rule are  
41 subsequently held unconstitutional, then the grant of rulemaking  
42 authority and any rule proposed or adopted after August 28, 2018, shall  
43 be invalid and void.

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

**26 quality manner.**

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

174.231. 1. On and after August 28, 2005, the institution formerly known  
2 as Missouri Southern State College located in Joplin, Jasper County, shall be  
3 known as "Missouri Southern State University". Missouri Southern State  
4 University is hereby designated and shall hereafter be operated as a statewide  
5 institution of international or global education. The Missouri Southern State  
6 University is hereby designated a moderately selective institution which shall  
7 provide associate degree programs except as provided in subsection 2 of this  
8 section, baccalaureate degree programs, and graduate degree programs pursuant  
9 to subdivisions (1) and (2) of subsection 2 of section 173.005. The institution  
10 shall develop such academic support programs and public service activities it  
11 deems necessary and appropriate to establish international or global education  
12 as a distinctive theme of its mission. [Consistent with the provisions of section  
13 174.324, Missouri Southern State University is authorized to offer master's level  
14 degree programs in accountancy, subject to the approval of the coordinating board

15 for higher education as provided in subdivision (1) of subsection 2 of section  
16 173.005.]

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

174.251. 1. On and after August 28, 2005, the institution formerly known  
2 as Missouri Western State College at St. Joseph, Buchanan County, shall  
3 hereafter be known as the "Missouri Western State University". Missouri  
4 Western State University is hereby designated and shall hereafter be operated  
5 as a statewide institution of applied learning. The Missouri Western State  
6 University is hereby designated an open enrollment institution which shall  
7 provide associate degree programs except as provided in subsection 2 of this  
8 section, baccalaureate degree programs, and graduate degree programs pursuant  
9 to subdivisions (1) and (2) of subsection 2 of section 173.005. The institution  
10 shall develop such academic support programs as it deems necessary and  
11 appropriate to an open enrollment institution with a statewide mission of applied  
12 learning. [Consistent with the provisions of section 174.324, Missouri Western  
13 State University is authorized to offer master's level degree programs in  
14 accountancy, subject to the approval of the coordinating board for higher  
15 education as provided in subdivision (1) of subsection 2 of section 173.005.]

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

174.500. 1. The board of governors of Missouri State University is  
2 authorized to continue the program of higher education at West Plains, Missouri,  
3 which was begun in 1963 and which shall be known as the "West Plains Campus  
4 of Missouri State University". Missouri State University may include an  
5 appropriation request for the branch facility at West Plains in its operating  
6 budget.

7 2. The coordinating board for higher education in cooperation with the  
8 board of governors shall develop a mission implementation plan for the campus  
9 at West Plains, Howell County, which is known as the "West Plains Campus of  
10 Missouri State University", and which shall be a teaching institution, offering  
11 one-year certificates, two-year associate degrees and credit and noncredit courses

12 to both traditional and nontraditional students to meet the ongoing and emerging  
13 employer and educational needs of the citizens of the area served. **The West  
14 Plains campus of Missouri State University may offer baccalaureate  
15 degrees only when authorized by the coordinating board for higher  
16 education in circumstances where the level of education required in a  
17 field for accreditation or licensure increases to the baccalaureate  
18 degree level or, in the case of applied bachelor's degrees, the level of  
19 education required for employment in a field increases to that level,  
20 and when doing so would not unnecessarily duplicate an existing  
21 program, collaboration with a university is not feasible or the approach  
22 is not a viable means of meeting the needs of students and employers,  
23 and the institution has the academic and financial capacity to offer the  
24 program in a high-quality manner. Quality for such baccalaureate  
25 degree programs shall be evaluated at least in part by delivery of  
26 upper-level coursework or competencies, and defined by accreditation  
27 or compliance with the Higher Learning Commission standards for  
28 bachelor's degrees.**

178.636. 1. State Technical College of Missouri shall be a special purpose  
2 institution that shall make available to students from all areas of the state  
3 exceptional educational opportunities through highly specialized and advanced  
4 technical education and training at the certificate and associate degree level in  
5 both emerging and traditional technologies with particular emphasis on technical  
6 and vocational programs not commonly offered by community colleges or area  
7 vocational technical schools. Primary consideration shall be placed on the  
8 industrial and technological manpower needs of the state. In addition, State  
9 Technical College of Missouri is authorized to assist the state in economic  
10 development initiatives and to facilitate the transfer of technology to Missouri  
11 business and industry directly through the graduation of technicians in advanced  
12 and emerging disciplines and through technical assistance provided to business  
13 and industry. State Technical College of Missouri is authorized to provide  
14 technical assistance to area vocational technical schools and community colleges  
15 through supplemental on-site instruction and distance learning as such area  
16 vocational technical schools and community colleges deem appropriate.

17 2. Consistent with the mission statement provided in subsection 1 of this  
18 section, State Technical College of Missouri shall offer vocational and technical  
19 programs leading to the granting of certificates, diplomas, and applied science

20 associate degrees, or a combination thereof[, but not including]. **State**  
21 **Technical College of Missouri may offer** associate of arts or baccalaureate  
22 [or higher] degrees **only when authorized by the coordinating board for**  
23 **higher education in circumstances where the level of education**  
24 **required in a field for accreditation or licensure increases to the**  
25 **baccalaureate degree level or, in the case of applied bachelor's degrees,**  
26 **the level of education required for employment in a field increases to**  
27 **that level, and when doing so would not unnecessarily duplicate an**  
28 **existing program, collaboration with a university is not feasible or the**  
29 **approach is not a viable means of meeting the needs of students and**  
30 **employers, and the institution has the academic and financial capacity**  
31 **to offer the program in a high-quality manner. Quality for such**  
32 **baccalaureate degree programs shall be evaluated at least in part by**  
33 **delivery of upper-level coursework or competencies, and defined by**  
34 **accreditation or compliance with the Higher Learning Commission**  
35 **standards for bachelor's degrees.** State Technical College of Missouri shall  
36 also continue its role as a recognized area vocational technical school as provided  
37 by policies and procedures of the state board of education.

[174.324. 1. Notwithstanding any law to the contrary,

2 Missouri Western State University and Missouri Southern State  
3 University may offer master's degrees in accounting, subject to any  
4 terms and conditions of the Missouri state board of accountancy  
5 applicable to any other institution of higher education in this state  
6 which offers such degrees, and subject to approval of the  
7 coordinating board for higher education.

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

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