

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILLS NOS. 807 & 577

99TH GENERAL ASSEMBLY

2018

5054S.06T

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:

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173.1102, 173.1104, 173.1105, 173.1107, 174.160, 3 174.225, 174.231, 174.251, 174.324, 174.500, and 178.636, RSMo, are repealed and 4 twenty-two new sections enacted in lieu thereof, to be known as sections 34.010, 5 160.545, 162.441, 163.191, 170.013, 172.280, 173.005, 173.260,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

34.010. 1. The term "department" as used in this chapter shall be deemed 2 to mean department, office, board, commission, bureau, institution, or any other 3 agency of the state, except the legislative and judicial departments. **The term 4 "department" shall not include public institutions of higher education.**

2. The term "lowest and best" in determining the lowest and best award, 6 cost, and other factors are to be considered in the evaluation process. Factors 7 may include, but are not limited to, value, performance, and quality of a product.

3. The term "Missouri product" refers to goods or commodities which are 8

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

9 manufactured, mined, produced, or grown by companies in Missouri, or services
10 provided by such companies.

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

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

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

22 7. The term "value" includes but is not limited to price, performance, and
23 quality. In assessing value, the state purchaser may consider the economic
24 impact to the state of Missouri for Missouri products versus the economic impact
25 of products generated from out of state. This economic impact may include the
26 revenues returned to the state through tax revenue obligations.

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

- 5 (1) All students be graduated from school;
- 6 (2) All students complete a selection of high school studies that is
7 challenging and for which there are identified learning expectations; and
- 8 (3) All students proceed from high school graduation to a college or
9 postsecondary vocational or technical school or high-wage job with work place
10 skill development opportunities.

11 2. The state board of education shall promulgate rules and regulations for
12 the approval of grants made under the program to schools that:

- 13 (1) Establish measurable districtwide performance standards for the goals
14 of the program outlined in subsection 1 of this section; and
- 15 (2) Specify the knowledge, skills and competencies, in measurable terms,
16 that students must demonstrate to successfully complete any individual course
17 offered by the school, and any course of studies which will qualify a student for
18 graduation from the school; and

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

21 (4) Require rigorous coursework with standards of competency in basic
22 academic subjects for students pursuing vocational and technical education as
23 prescribed by rule and regulation of the state board of education; and

24 (5) Have a partnership plan developed in cooperation and with the advice
25 of local business persons, labor leaders, parents, and representatives of college
26 and postsecondary vocational and technical school representatives, with the plan
27 then approved by the local board of education. The plan shall specify a
28 mechanism to receive information on an annual basis from those who developed
29 the plan in addition to senior citizens, community leaders, and teachers to update
30 the plan in order to best meet the goals of the program as provided in subsection
31 1 of this section. Further, the plan shall detail the procedures used in the school
32 to identify students that may drop out of school and the intervention services to
33 be used to meet the needs of such students. The plan shall outline counseling
34 and mentoring services provided to students who will enter the work force upon
35 graduation from high school, address apprenticeship and intern programs, and
36 shall contain procedures for the recruitment of volunteers from the community
37 of the school to serve in schools receiving program grants.

38 3. Any nonpublic school in this state may apply to the state board of
39 education for certification that it meets the requirements of this section subject
40 to the same criteria as public high schools. Every nonpublic school that applies
41 and has met the requirements of this section shall have its students eligible for
42 reimbursement of postsecondary education under subsection 8 of this section on
43 an equal basis to students who graduate from public schools that meet the
44 requirements of this section. Any nonpublic school that applies shall not be
45 eligible for any grants under this section. Students of certified nonpublic schools
46 shall be eligible for reimbursement of postsecondary education under subsection
47 8 of this section so long as they meet the other requirements of such
48 subsection. For purposes of subdivision (5) of subsection 2 of this section, the
49 nonpublic school shall be included in the partnership plan developed by the
50 public school district in which the nonpublic school is located. For purposes of
51 subdivision (1) of subsection 2 of this section, the nonpublic school shall establish
52 measurable performance standards for the goals of the program for every school
53 and grade level over which the nonpublic school maintains control.

54 4. A school district may participate in the program irrespective of its

55 accreditation classification by the state board of education, provided it meets all
56 other requirements.

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

67 6. For any school that meets the requirements for the approval of the
68 grants authorized by this section and specified in subsection 2 of this section for
69 three successive school years, by August first following the third such school year,
70 the commissioner of education shall present a plan to the superintendent of the
71 school district in which such school is located for the waiver of rules and
72 regulations to promote flexibility in the operations of the school and to enhance
73 and encourage efficiency in the delivery of instructional services in the
74 school. The provisions of other law to the contrary notwithstanding, the plan
75 presented to the superintendent shall provide a summary waiver, with no
76 conditions, for the pupil testing requirements pursuant to section 160.257 in the
77 school. Further, the provisions of other law to the contrary notwithstanding, the
78 plan shall detail a means for the waiver of requirements otherwise imposed on
79 the school related to the authority of the state board of education to classify
80 school districts pursuant to subdivision (9) of section 161.092 and such other rules
81 and regulations as determined by the commissioner of education, except such
82 waivers shall be confined to the school and not other schools in the school district
83 unless such other schools meet the requirements of this subsection. However, any
84 waiver provided to any school as outlined in this subsection shall be void on June
85 thirtieth of any school year in which the school fails to meet the requirements for
86 the approval of the grants authorized by this section as specified in subsection 2
87 of this section.

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

91 section.

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

97 (1) Who has attended a high school in the state for at least three years
98 [immediately] prior to graduation that meets the requirements of subsection 2 of
99 this section **and who has graduated from such school**; except that, students
100 who are active duty military dependents, and students who are dependants of
101 retired military who relocate to Missouri within one year of the date of the
102 parent's retirement from active duty, who, in the school year immediately
103 preceding graduation, meet all other requirements of this subsection and are
104 attending a school that meets the requirements of subsection 2 of this section
105 shall be exempt from the three-year attendance requirement of this subdivision;
106 and

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

110 (3) Who has earned a minimal grade average while in high school as
111 determined by rule of the department of higher education, and other
112 requirements for the reimbursement authorized by this subsection as determined
113 by rule and regulation of the department; and

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

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

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

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

125 (2) Such two-year private vocational or technical school shall be
126 designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code

127 of 1986, as amended;

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

132 (4) The reimbursements provided to any two-year private vocational or
133 technical school shall not violate the provisions of Article IX, Section 8, or Article
134 I, Section 7, of the Missouri Constitution or the first amendment of the United
135 States Constitution.

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

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

13 3. **As an alternative to the procedures in subsection 1 or 2 of this**
14 **section, a community college district organized under sections 178.770**
15 **to 178.890 may, by a majority vote of its board of trustees, propose a**
16 **plan to the voters of the school district to attach the school district to**
17 **the community college district, levy the tax rate applicable to the**
18 **community college district at the time of the vote of the board of**
19 **trustees, and call an election upon the question of such plan. The tax**
20 **rate applicable to the community college district shall not be levied as**
21 **to the school district until the proposal by the board of trustees of the**
22 **community college district has been approved by a majority vote of the**
23 **voters of the school district at the election called for that purpose. The**
24 **community college district shall be responsible for the costs associated**
25 **with the election.**

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

28 [4.] 5. The question shall be submitted in substantially the following
29 form:

30 Shall the _____ school district be annexed to the _____ school districts
31 effective the _____ day of _____, _____?

32 [5.] 6. If a majority of the votes cast in the district proposing annexation
33 favor annexation, the secretary shall certify the fact, with a copy of the record,
34 to the board of the district and to the boards of the districts to which annexation
35 is proposed; whereupon the boards of the seven-director districts to which
36 annexation is proposed shall meet to consider the advisability of receiving the
37 district or a portion thereof, and if a majority of all the members of each board
38 favor annexation, the boundary lines of the seven-director school districts from
39 the effective date shall be changed to include the district, and the board shall
40 immediately notify the secretary of the district which has been annexed of its
41 action.

42 [6.] 7. Upon the effective date of the annexation, all indebtedness,
43 property and money on hand belonging thereto shall immediately pass to the
44 seven-director school district. If the district is annexed to more than one district,
45 the provisions of sections 162.031 and 162.041 shall apply.

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

2 (1) "Community college", an institution of higher education deriving
3 financial resources from local, state, and federal sources, and providing
4 postsecondary education primarily for persons above the twelfth grade age level,
5 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 Community college course offerings **shall generally** lead to the granting of
10 certificates, diplomas, or associate degrees, [but do not] **and may** include
11 baccalaureate [or higher] degrees **only when authorized by the coordinating**
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.

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

8 **2. The examination required under this section shall consist of
9 at least fifty questions, but shall not exceed one hundred questions, and
10 shall be similar to the one hundred questions administered to
11 applicants for United States citizenship by the United States
12 Citizenship and Immigration Services division of the Department of
13 Homeland Security. Subject matter on the examination shall include**

14 **the United States Constitution, the United States Bill of Rights,**
15 **governmental institutions, historical manifestations of federalism, and**
16 **history of constitutional interpretation and amendments.**

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

22 **4. Institutions of higher education may use online testing to**
23 **comply with the provisions of this section.**

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 dentistry,**
9 **law, medicine, optometry, pharmacy, 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 governing board 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 [(2)] (3) The coordinating board for higher education may promote and
64 encourage the development of cooperative agreements between Missouri public
65 four-year institutions of higher education which do not offer graduate degrees and
66 Missouri public four-year institutions of higher education which do offer graduate
67 degrees for the purpose of offering graduate degree programs on campuses of
68 those public four-year institutions of higher education which do not otherwise
69 offer graduate degrees. Such agreements shall identify the obligations and duties
70 of the parties, including assignment of administrative responsibility. Any
71 diploma awarded for graduate degrees under such a cooperative agreement shall
72 include the names of both institutions inscribed thereon. Any cooperative
73 agreement in place as of August 28, 2003, shall require no further approval from
74 the coordinating board for higher education. Any costs incurred with respect to
75 the administrative provisions of this subdivision may be paid from state funds
76 allocated to the institution assigned the administrative authority for the
77 program. The provisions of this subdivision shall not be construed to invalidate
78 the provisions of subdivision (1) of this subsection;

79 [(3)] (4) In consultation with the heads of the institutions of higher
80 education affected and against a background of carefully collected data on
81 enrollment, physical facilities, manpower needs, **and** institutional missions, the
82 coordinating board for higher education shall establish guidelines for
83 appropriation requests by those institutions of higher education; however, other
84 provisions of the Reorganization Act of 1974 notwithstanding, all funds shall be
85 appropriated by the general assembly to the governing board of each public
86 four-year institution of higher education which shall prepare expenditure budgets
87 for the institution;

88 [(4)] (5) No new state-supported senior colleges or residence centers shall
89 be established except as provided by law and with approval of the coordinating

90 board for higher education;

91 [(5)] **(6)** The coordinating board for higher education shall establish
92 admission guidelines consistent with institutional missions;

93 [(6)] **(7)** The coordinating board for higher education shall require all
94 public two-year and four-year higher education institutions to replicate best
95 practices in remediation identified by the coordinating board and institutions
96 from research undertaken by regional educational laboratories, higher education
97 research organizations, and similar organizations with expertise in the subject,
98 and identify and reduce methods that have been found to be ineffective in
99 preparing or retaining students or that delay students from enrollment in
100 college-level courses;

101 [(7)] **(8)** The coordinating board shall establish policies and procedures
102 for institutional decisions relating to the residence status of students;

103 [(8)] **(9)** The coordinating board shall establish guidelines to promote and
104 facilitate the transfer of students between institutions of higher education within
105 the state and, with the assistance of the committee on transfer and articulation,
106 shall require all public two-year and four-year higher education institutions to
107 create by July 1, 2014, a statewide core transfer library of at least twenty-five
108 lower division courses across all institutions that are transferable among all
109 public higher education institutions. The coordinating board shall establish
110 policies and procedures to ensure such courses are accepted in transfer among
111 public institutions and treated as equivalent to similar courses at the receiving
112 institutions. The coordinating board shall develop a policy to foster reverse
113 transfer for any student who has accumulated enough hours in combination with
114 at least one public higher education institution in Missouri that offers an
115 associate degree and one public four-year higher education institution in the
116 prescribed courses sufficient to meet the public higher education institution's
117 requirements to be awarded an associate degree. The department of elementary
118 and secondary education shall maintain the alignment of the assessments found
119 in section 160.518 and successor assessments with the competencies previously
120 established under this subdivision for entry-level collegiate courses in English,
121 mathematics, foreign language, sciences, and social sciences associated with an
122 institution's general education core;

123 [(9)] **(10)** The coordinating board shall collect the necessary information
124 and develop comparable data for all institutions of higher education in the
125 state. The coordinating board shall use this information to delineate the areas

126 of competence of each of these institutions and for any other purposes deemed
127 appropriate by the coordinating board;

128 [(10)] **(11)** Compliance with requests from the coordinating board for
129 institutional information and the other powers, duties and responsibilities, herein
130 assigned to the coordinating board, shall be a prerequisite to the receipt of any
131 funds which the coordinating board is responsible for administering;

132 [(11)] **(12)** If any institution of higher education in this state, public or
133 private, willfully fails or refuses to follow any lawful guideline, policy or
134 procedure established or prescribed by the coordinating board, or knowingly
135 deviates from any such guideline, or knowingly acts without coordinating board
136 approval where such approval is required, or willfully fails to comply with any
137 other lawful order of the coordinating board, the coordinating board may, after
138 a public hearing, withhold or direct to be withheld from that institution any funds
139 the disbursement of which is subject to the control of the coordinating board, or
140 may remove the approval of the institution as an approved institution within the
141 meaning of section 173.1102. If any such public institution willfully disregards
142 board policy, the commissioner of higher education may order such institution to
143 remit a fine in an amount not to exceed one percent of the institution's current
144 fiscal year state operating appropriation to the board. The board shall hold such
145 funds until such time that the institution, as determined by the commissioner of
146 higher education, corrects the violation, at which time the board shall refund such
147 amount to the institution. If the commissioner determines that the institution
148 has not redressed the violation within one year, the fine amount shall be
149 deposited into the general revenue fund, unless the institution appeals such
150 decision to the full coordinating board, which shall have the authority to make
151 a binding and final decision, by means of a majority vote, regarding the
152 matter. However, nothing in this section shall prevent any institution of higher
153 education in this state from presenting additional budget requests or from
154 explaining or further clarifying its budget requests to the governor or the general
155 assembly;

156 [(12)] **(13)** In recognition of institutions that meet the requirements of
157 subdivision (2), (3), or (4) of subsection 1 of section 173.616, are established by
158 name as an educational institution in Missouri, and are authorized to operate
159 programs beyond secondary education for purposes of authorization under 34 CFR
160 600.9, the coordinating board for higher education shall maintain and publish on
161 its website a list of such postsecondary educational institutions; and

162 [(13)] **(14)** (a) As used in this subdivision, the term "out-of-state public
163 institution of higher education" shall mean an education institution located
164 outside of Missouri that:

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

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

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

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

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

175 (b) No later than July 1, 2008, the coordinating board shall promulgate
176 rules regarding:

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

180 b. The board's approval process of degree programs and courses offered
181 by any out-of-state public institutions of higher education that, prior to July 1,
182 2008, were approved by the board to operate a school in compliance with the
183 provisions of sections 173.600 to 173.618. The rules shall ensure that, as of July
184 1, 2008, all out-of-state public institutions seeking to offer degrees and courses
185 within the state of Missouri are evaluated in a manner similar to Missouri public
186 higher education institutions. Such out-of-state public institutions shall be held
187 to standards no lower than the standards established by the coordinating board
188 for program approval and the policy guidelines of the coordinating board for data
189 collection, cooperation, and resolution of disputes between Missouri institutions
190 of higher education under this section. Any such out-of-state public institutions
191 of higher education wishing to continue operating within this state must be
192 approved by the board under the rules promulgated under this subdivision. The
193 coordinating board may charge and collect fees from out-of-state public
194 institutions to cover the costs of reviewing and assuring the quality of programs
195 offered by out-of-state public institutions. Any rule or portion of a rule, as that
196 term is defined in section 536.010, that is created under the authority delegated
197 in this section shall become effective only if it complies with and is subject to all

198 of the provisions of chapter 536 and, if applicable, section 536.028. This section
199 and chapter 536 are nonseverable and if any of the powers vested with the
200 general assembly under chapter 536 to review, to delay the effective date, or to
201 disapprove and annul a rule are subsequently held unconstitutional, then the
202 grant of rulemaking authority and any rule proposed or adopted after August 28,
203 2007, shall be invalid and void.

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

208 3. The coordinating board shall meet at least four times annually with an
209 advisory committee who shall be notified in advance of such meetings. The
210 coordinating board shall have exclusive voting privileges. The advisory
211 committee shall consist of thirty-two members, who shall be the president or
212 other chief administrative officer of the University of Missouri; the chancellor of
213 each campus of the University of Missouri; the president of each state-supported
214 four-year college or university, including Harris-Stowe State University, Missouri
215 Southern State University, Missouri Western State University, and Lincoln
216 University; the president of State Technical College of Missouri; the president or
217 chancellor of each public community college district; and representatives of each
218 of five accredited private institutions selected biennially, under the supervision
219 of the coordinating board, by the presidents of all of the state's privately
220 supported institutions; but always to include at least one representative from one
221 privately supported community college, one privately supported four-year college,
222 and one privately supported university. The conferences shall enable the
223 committee to advise the coordinating board of the views of the institutions on
224 matters within the purview of the coordinating board.

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

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

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

233 7. All the powers, duties and functions vested in the division of public

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

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

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

3 (1) **"Air ambulance pilot", a person certified as an air ambulance**
4 **pilot in accordance with sections 190.001 to 190.245 and corresponding**
5 **regulations applicable to air ambulances adopted by the department of**
6 **health and senior services;**

7 (2) **"Air ambulance registered professional nurse", a person**
8 **licensed as a registered professional nurse in accordance with sections**
9 **335.011 to 335.096 and corresponding regulations adopted by the state**
10 **board of nursing, 20 CSR 2200-4, et seq., who provides registered**
11 **professional nursing services as a flight nurse in conjunction with an**
12 **air ambulance program that is certified in accordance with sections**
13 **190.001 to 190.245 and the corresponding regulations applicable to such**
14 **programs;**

15 (3) **"Air ambulance registered respiratory therapist", a person**
16 **licensed as a registered respiratory therapist in accordance with**

17 **sections 334.800 to 334.930 and corresponding regulations adopted by**
18 **the state board for respiratory care, who provides respiratory therapy**
19 **services in conjunction with an air ambulance program that is certified**
20 **in accordance with sections 190.001 to 190.245 and corresponding**
21 **regulations applicable to such programs;**

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

23 [(2)] (5) "Eligible child", the natural, adopted or stepchild of a public
24 safety officer or employee, as defined in this section, who is less than twenty-four
25 years of age and who is a dependent of a public safety officer or employee or was
26 a dependent at the time of death or permanent and total disability of a public
27 safety officer or employee;

28 (6) "Emergency medical technician", a person licensed in
29 emergency medical care in accordance with standards prescribed by
30 sections 190.001 to 190.245 and by rules adopted by the department of
31 health and senior services under sections 190.001 to 190.245;

32 [(3)] (7) "Employee", any full-time employee of the department of
33 transportation engaged in the construction or maintenance of the state's
34 highways, roads and bridges;

35 (8) "Flight crew member", an individual engaged in flight
36 responsibilities with an air ambulance licensed in accordance with
37 sections 190.001 to 190.245 and corresponding regulations applicable to
38 such programs;

39 [(4)] (9) "Grant", the public safety officer or employee survivor grant as
40 established by this section;

41 [(5)] (10) "Institution of postsecondary education", any approved public
42 or private institution as defined in section 173.205;

43 [(6)] (11) "Line of duty", any action of a public safety officer, whose
44 primary function is crime control or reduction, enforcement of the criminal law,
45 or suppression of fires, is authorized or obligated by law, rule, regulation or
46 condition of employment or service to perform;

47 [(7)] (12) "Public safety officer", any firefighter, **uniformed employee**
48 **of the office of the state fire marshal**, police officer, capitol police officer,
49 parole officer, probation officer, state correctional employee, water safety officer,
50 park ranger, conservation officer or highway patrolman employed by the state of
51 Missouri or a political subdivision thereof who is killed or permanently and
52 totally disabled in the line of duty **or any emergency medical technician, air**

53 **ambulance pilot, air ambulance registered professional nurse, air**
54 **ambulance registered respiratory therapist, or flight crew member who**
55 **is killed or permanently and totally disabled in the line of duty;**

56 [(8)] (13) "Permanent and total disability", a disability which renders a
57 person unable to engage in any gainful work;

58 [(9)] (14) "Spouse", the husband, wife, widow or widower of a public
59 safety officer or employee at the time of death or permanent and total disability
60 of such public safety officer;

61 [(10)] (15) "Tuition", any tuition or incidental fee or both charged by an
62 institution of postsecondary education, as defined in this section, for attendance
63 at that institution by a student as a resident of this state.

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

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

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

72 3. An eligible child or spouse may receive a grant under this section only
73 so long as the child or spouse is enrolled in a program leading to a certificate, or
74 an associate or baccalaureate degree. In no event shall a child or spouse receive
75 a grant beyond the completion of the first baccalaureate degree or, in the case of
76 a child, age twenty-four years, except that the child may receive a grant through
77 the completion of the semester or similar grading period in which the child
78 reaches his twenty-fourth year. No child or spouse shall receive more than one
79 hundred percent of tuition when combined with similar funds made available to
80 such child or spouse.

81 4. The coordinating board for higher education shall:

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

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

86 (3) Make available on behalf of an eligible child or spouse an amount
87 toward the child's or spouse's tuition which is equal to the grant to which the
88 child or spouse is entitled under the provisions of this section;

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

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

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

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

99 6. An eligible child or spouse who is a recipient of a grant may transfer
100 from one approved public or private institution of postsecondary education to
101 another without losing his entitlement under this section. The board shall make
102 necessary adjustments in the amount of the grant. If a grant recipient at
103 anytime withdraws from the institution of postsecondary education so that under
104 the rules and regulations of that institution he is entitled to a refund of any
105 tuition, fees, or other charges, the institution shall pay the portion of the refund
106 to which he is entitled attributable to the grant for that semester or similar
107 grading period to the board.

108 7. If an eligible child or spouse is granted financial assistance under any
109 other student aid program, public or private, the full amount of such aid shall be
110 reported to the board by the institution and the eligible child or spouse.

111 8. Nothing in this section shall be construed as a promise or guarantee
112 that a person will be admitted to an institution of postsecondary education or to
113 a particular institution of postsecondary education, will be allowed to continue to
114 attend an institution of postsecondary education after having been admitted, or
115 will be graduated from an institution of postsecondary education.

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

118 10. An eligible child of a public safety officer or employee, spouse of a
119 public safety officer or public safety officer shall cease to be eligible for a grant
120 pursuant to this section when such public safety officer or employee is no longer
121 permanently and totally disabled.

173.1003. 1. Beginning with the 2008-09 academic year, each approved
2 public institution, as such term is defined in section 173.1102, shall submit its
3 percentage change in the amount of tuition from the current academic year

4 compared to the upcoming academic year to the coordinating board for higher
5 education by July first preceding such academic year.

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

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

19 4. If a tuition increase exceeds the limits set forth in subsections 2 or 3
20 of this section, then the institution shall be subject to the provisions of subsection
21 5 of this section.

22 5. Any institution that exceeds the limits set forth in subsections 2 or 3
23 of this section shall remit to the board an amount equal to five percent of its
24 current year state operating [appropriation] **support** amount which shall be
25 deposited into the general revenue fund unless the institution appeals, within
26 thirty days of such notice, to the commissioner of higher education for a waiver
27 of this provision. The commissioner, after meeting with appropriate
28 representatives of the institution, shall determine whether the institution's
29 waiver request is sufficiently warranted, in which case no fund remission shall
30 occur. In making this determination, the factors considered by the commissioner
31 shall include but not be limited to the relationship between state appropriations
32 and the consumer price index and any extraordinary circumstances. If the
33 commissioner determines that an institution's tuition percent increase is not
34 sufficiently warranted and declines the waiver request, the commissioner shall
35 recommend to the full coordinating board that the institution shall remit an
36 amount up to five percent of its current year state operating appropriation to the
37 board, which shall deposit the amount into the general revenue fund. The
38 coordinating board shall have the authority to make a binding and final decision,
39 by means of a majority vote, regarding the matter.

40 6. The provisions of subsections 2 to 5 of this section shall not apply to
41 any community college unless any such community college's tuition for any
42 Missouri resident is greater than or equal to the average tuition. If the
43 provisions of subsections 2 to 5 of this section apply to a community college,
44 subsections 2 to 5 of this section shall only apply to out-of-district Missouri
45 resident tuition.

46 7. For purposes of this section, the term "average tuition" shall be the sum
47 of the tuition amounts for the previous academic year for each approved public
48 institution that is not excluded under subsection 6 of this section, divided by the
49 number of such institutions. The term "consumer price index" shall mean the
50 Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 = 100, not
51 seasonally adjusted, as defined and officially recorded by the United States
52 Department of Labor, or its successor agency, from January first of the current
53 year compared to January first of the preceding year. The term "state
54 appropriation" shall mean the state operating appropriation for the prior year per
55 full-time equivalent student for the prior year compared to state operating
56 appropriation for the current year per full-time equivalent student for the prior
57 year. The term "tuition" shall mean the amount of tuition and required fees,
58 excluding any fee established by the student body of the institution, charged to
59 a Missouri resident undergraduate enrolled in fifteen credit hours at the
60 institution. **The term "state operating support" shall mean the funding**
61 **actually disbursed from state operating appropriations to approved**
62 **public institutions and shall not include appropriations or**
63 **disbursement for special initiatives or specific program additions or**
64 **expansions. The term "net tuition revenue" shall mean the net amount**
65 **of resident undergraduate tuition and required fees reduced by**
66 **institutional aid only. "Institutional aid" includes all aid awarded to**
67 **the student by the student's institution of higher education only from**
68 **such institutions's funds. "Institutional aid" does not include the**
69 **following: Pell Grants; state awards such as the Missouri higher**
70 **education academic scholarship program, the A+ schools program, and**
71 **the access Missouri financial aid program; foundation scholarships;**
72 **third party scholarships; employee and dependent fee waivers; and**
73 **student loans.**

74 8. Nothing in this section shall be construed to usurp or preclude the
75 ability of the governing board of an institution of higher education to establish

76 tuition or required fee rates.

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

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

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

5 (2) "Approved private institution", a nonprofit institution, dedicated to
6 educational purposes, located in Missouri which:

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

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

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

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

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

25 (3) "Approved public institution", an educational institution located in

26 Missouri which:

27 (a) Is directly controlled or administered by a public agency or political
28 subdivision;

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

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

33 (d) Meets the standards for accreditation as determined by either the
34 Higher Learning Commission, or if a public community college created under the
35 provisions of sections 178.370 to 178.400 meets the standards established by the
36 coordinating board for higher education for such public community colleges, or by
37 other accrediting bodies recognized by the United States Department of Education
38 or by utilizing accreditation standards applicable to the institution as established
39 by the coordinating board for higher education;

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

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

46 (4) **"Approved virtual institution", an educational institution that**
47 **meets all of the following requirements:**

48 (a) **Is recognized as a qualifying institution by gubernatorial**
49 **executive order, unless such order is rescinded;**

50 (b) **Is recognized as a qualifying institution through a**
51 **memorandum of understanding between the state of Missouri and the**
52 **approved virtual institution;**

53 (c) **Is accredited by a regional accrediting agency recognized by**
54 **the United States Department of Education;**

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

57 (e) **Maintains at least twenty-five full-time Missouri employees,**
58 **at least one-half of which shall be faculty or administrators engaged in**
59 **operations;**

60 (f) **Enrolls at least one thousand Missouri residents as degree or**
61 **certificate seeking students;**

62 **(g) Maintains a governing body or advisory board based in**
63 **Missouri with oversight of Missouri operations;**

64 **(h) Is organized as a nonprofit institution; and**

65 **(i) Utilizes an exclusively competency-based education model;**

66 **(5) "Coordinating board", the coordinating board for higher education;**

67 **[(5)] (6) "Expected family contribution", the amount of money a student**
68 **and family should pay toward the cost of postsecondary education as calculated**
69 **by the United States Department of Education and reported on the student aid**
70 **report or the institutional student information record;**

71 **[(6)] (7) "Financial assistance", an amount of money paid by the state of**
72 **Missouri to a qualified applicant under sections 173.1101 to 173.1107;**

73 **[(7)] (8) "Full-time student", an individual who is enrolled in and is**
74 **carrying a sufficient number of credit hours or their equivalent at an approved**
75 **private, [or] public, or virtual institution to secure the degree or certificate**
76 **toward which he or she is working in no more than the number of semesters or**
77 **their equivalent normally required by that institution in the program in which**
78 **the individual is enrolled. This definition shall be construed as the successor to**
79 **subdivision (7) of section 173.205 for purposes of eligibility requirements of other**
80 **financial assistance programs that refer to section 173.205.**

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

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

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

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

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

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

12 2. If an applicant is found guilty of or pleads guilty to any criminal
13 offense during the period of time in which the applicant is receiving financial

14 assistance, such applicant shall not be eligible for renewal of such assistance,
15 provided such offense would disqualify the applicant from receiving federal
16 student aid under Title IV of the Higher Education Act of 1965, as amended.

17 3. Financial assistance shall be allotted for one academic year, but a
18 recipient shall be eligible for renewed assistance until he or she has obtained a
19 baccalaureate degree, provided such financial assistance shall not exceed a total
20 of ten semesters or fifteen quarters or their equivalent. Standards of eligibility
21 for renewed assistance shall be the same as for an initial award of financial
22 assistance, except that for renewal, an applicant shall demonstrate a grade-point
23 average of two and five-tenths on a four-point scale, or the equivalent on another
24 scale. This subsection shall be construed as the successor to section 173.215 for
25 purposes of eligibility requirements of other financial assistance programs that
26 refer to section 173.215.

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

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

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

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

11 (c) Four thousand six hundred dollars maximum and two thousand dollars
12 minimum for students attending approved private institutions;

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

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

17 (b) Two thousand eight hundred fifty dollars maximum and one thousand
18 five hundred dollars minimum for students attending institutions classified as
19 part of the public four-year sector, including State Technical College of Missouri,
20 [or] approved private institutions, **or approved virtual institutions**.

21 2. All students with an expected family contribution of twelve thousand
22 dollars or less shall receive at least the minimum award amount for his or her
23 institution. Maximum award amounts for an eligible student with an expected

24 family contribution above seven thousand dollars shall be reduced by ten percent
25 of the maximum expected family contribution for his or her increment group. Any
26 award amount shall be reduced by the amount of a student's payment from the
27 A+ schools program or any successor program to it. For purposes of this
28 subsection, the term "increment group" shall mean a group organized by expected
29 family contribution in five hundred dollar increments into which all eligible
30 students shall be placed.

31 3. If appropriated funds are insufficient to fund the program as described,
32 the maximum award shall be reduced across all sectors by the percentage of the
33 shortfall. If appropriated funds exceed the amount necessary to fund the
34 program, the additional funds shall be used to increase the number of recipients
35 by raising the cutoff for the expected family contribution rather than by
36 increasing the size of the award.

37 4. Every three years, beginning with academic year 2009-10, the award
38 amount may be adjusted to increase no more than the Consumer Price Index for
39 All Urban Consumers (CPI-U), 1982-1984 = 100, not seasonally adjusted, as
40 defined and officially recorded by the United States Department of Labor, or its
41 successor agency, for the previous academic year. The coordinating board shall
42 prepare a report prior to the legislative session for use of the general assembly
43 and the governor in determining budget requests which shall include the amount
44 of funds necessary to maintain full funding of the program based on the baseline
45 established for the program upon the effective date of sections 173.1101 to
46 173.1107. Any increase in the award amount shall not become effective unless
47 an increase in the amount of money appropriated to the program necessary to
48 cover the increase in award amount is passed by the general assembly.

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

173.1450. 1. The provisions of this section shall be known and

2 cited as the "College Credit Disclosure Act".

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

9 3. The disclosure required in subsection 2 of this section shall be
10 provided to an enrolling student prior to registering for any class
11 granting credit, and the student shall sign the disclosure, either in
12 writing or electronically, acknowledging receipt of such
13 disclosure. The disclosure provided shall contain the following
14 wording, in no less than fourteen-point font:

15 "College level credits earned at (Institution name) may not be
16 transferrable to other higher learning/postsecondary learning
17 institutions, including, but not limited to, universities, colleges, junior
18 colleges, community colleges, or trade schools accredited by a regional
19 accrediting body recognized by the United States Department of Higher
20 Education.

21 Contact the institution receiving the transferred credit(s) for
22 more information."

23 4. Notwithstanding any provision of this section or any other
24 law, institutions of higher education affiliated with religious
25 organizations that are accredited by a national faith-related
26 accrediting organization recognized by the United States Department
27 of Education shall be exempt from the disclosure requirements of this
28 section.

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

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)] (3) 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] **subsection 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.]

Bill

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