

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 67, Page 26, Section 173.262, Line 35, by
2 inserting after all of said section and line the following:

3
4 "173.616. 1. The following schools, training programs, and courses of instruction shall be
5 exempt from the provisions of sections 173.600 to 173.618:

6 (1) A public institution;

7 (2) Any college or university represented directly or indirectly on the advisory committee of
8 the coordinating board for higher education as provided in subsection 3 of section 173.005;

9 (3) An institution that is certified by the board as an "approved private institution" under
10 subdivision (2) of section 173.1102;

11 (4) A not-for-profit religious school that is accredited by the American Association of Bible
12 Colleges, the Association of Theological Schools in the United States and Canada, or a regional
13 accrediting association, such as the North Central Association, which is recognized by the Council
14 on Postsecondary Accreditation and the United States Department of Education; and

15 (5) Beginning July 1, 2008, all out-of-state public institutions of higher education, as such
16 term is defined in subdivision (12) of subsection 2 of section 173.005.

17 2. The coordinating board shall exempt the following schools, training programs and courses
18 of instruction from the provisions of sections 173.600 to 173.618:

19 (1) A not-for-profit school owned, controlled and operated by a bona fide religious or
20 denominational organization which offers no programs or degrees and grants no degrees or
21 certificates other than those specifically designated as theological, bible, divinity or other religious
22 designation;

23 (2) A not-for-profit school owned, controlled and operated by a bona fide eleemosynary
24 organization which provides instruction with no financial charge to its students and at which no part
25 of the instructional cost is defrayed by or through programs of governmental student financial aid,
26 including grants and loans, provided directly to or for individual students;

27 (3) A school which offers instruction only in subject areas which are primarily for
28 avocational or recreational purposes as distinct from courses to teach employable, marketable
29 knowledge or skills, which does not advertise occupational objectives and which does not grant
30 degrees;

31 (4) A course of instruction, study or training program sponsored by an employer for the
32 training and preparation of its own employees;

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1 (5) A course of study or instruction conducted by a trade, business or professional
2 organization with a closed membership where participation in the course is limited to bona fide
3 members of the trade, business or professional organization, or a course of instruction for persons in
4 preparation for an examination given by a state board or commission where the state board or
5 commission approves that course and school;

6 (6) A school or person whose clientele are primarily students aged sixteen or under.

7 3. A school which is otherwise licensed and approved under and pursuant to any other
8 licensing law of this state shall be exempt from sections 173.600 to 173.618, but a state certificate of
9 incorporation shall not constitute licensing for the purpose of sections 173.600 to 173.618.

10 4. Any school, training program or course of instruction exempted herein may elect by
11 majority action of its governing body or by action of its director to apply for approval of the school,
12 training program or course of instruction under the provisions of sections 173.600 to 173.618.
13 Notwithstanding the provisions of subsections 1 and 2 of section 173.606 to the contrary, any
14 approval granted under this section to an otherwise exempt school, training program, or course of
15 instruction shall expire at the end of five years. Upon application to and approval by the
16 coordinating board, such school training program or course of instruction may become exempt from
17 the provisions of sections 173.600 to 173.618 at any subsequent time, except the board shall not
18 approve an application for exemption if the approved school is then in any status of noncompliance
19 with certification standards and a reversion to exempt status shall not relieve the school of any
20 liability for indemnification or any penalty for noncompliance with certification standards during the
21 period of the school's approved status." ; and

22
23 Further amend said bill by amending the title, enacting clause, and intersectional references
24 accordingly.