

FIRST REGULAR SESSION

# HOUSE BILL NO. 745

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES THOMSON (Sponsor), FREDERICK,  
LICHTENEGGER AND DOHRMAN (Co-sponsors).

1736L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 160.545, 173.250, and 173.1104, RSMo, and to enact in lieu thereof four new sections relating to higher education scholarship programs.

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

Section A. Sections 160.545, 173.250, and 173.1104, RSMo, are repealed and four new  
2 sections enacted in lieu thereof, to be known as sections 160.520, 160.545, 173.250, and  
3 173.1104, to read as follows:

**160.520. When eligibility for a scholarship or financial aid program established  
2 under section 160.645, 173.250, or 173.1104 is conditioned upon achievement of a specific  
3 level of attainment on a Missouri assessment program instrument, the department of  
4 elementary and secondary education shall provide guidance to the school districts for  
5 allowing a student to retake the instrument. The department shall include best practices  
6 information for increasing the probability that the student will successfully achieve the  
7 required level.**

160.545. 1. There is hereby established within the department of elementary and  
2 secondary education the "A+ Schools Program" to be administered by the commissioner of  
3 education. The program shall consist of grant awards made to public secondary schools that  
4 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 challenging and for  
7 which there are identified learning expectations; and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 8 (3) All students proceed from high school graduation to a college or postsecondary  
9 vocational or technical school or high-wage job with work place skill development opportunities.
- 10 2. The state board of education shall promulgate rules and regulations for the approval  
11 of grants made under the program to schools that:
- 12 (1) Establish measurable districtwide performance standards for the goals of the program  
13 outlined in subsection 1 of this section; and
- 14 (2) Specify the knowledge, skills and competencies, in measurable terms, that students  
15 must demonstrate to successfully complete any individual course offered by the school, and any  
16 course of studies which will qualify a student for graduation from the school; and
- 17 (3) Do not offer a general track of courses that, upon completion, can lead to a high  
18 school diploma; and
- 19 (4) Require rigorous coursework with standards of competency in basic academic  
20 subjects for students pursuing vocational and technical education as prescribed by rule and  
21 regulation of the state board of education; and
- 22 (5) Have a partnership plan developed in cooperation and with the advice of local  
23 business persons, labor leaders, parents, and representatives of college and postsecondary  
24 vocational and technical school representatives, with the plan then approved by the local board  
25 of education. The plan shall specify a mechanism to receive information on an annual basis from  
26 those who developed the plan in addition to senior citizens, community leaders, and teachers to  
27 update the plan in order to best meet the goals of the program as provided in subsection 1 of this  
28 section. Further, the plan shall detail the procedures used in the school to identify students that  
29 may drop out of school and the intervention services to be used to meet the needs of such  
30 students. The plan shall outline counseling and mentoring services provided to students who will  
31 enter the work force upon graduation from high school, address apprenticeship and intern  
32 programs, and shall contain procedures for the recruitment of volunteers from the community  
33 of the school to serve in schools receiving program grants.
- 34 3. A school district may participate in the program irrespective of its accreditation  
35 classification by the state board of education, provided it meets all other requirements.
- 36 4. By rule and regulation, the state board of education may determine a local school  
37 district variable fund match requirement in order for a school or schools in the district to receive  
38 a grant under the program. However, no school in any district shall receive a grant under the  
39 program unless the district designates a salaried employee to serve as the program coordinator,  
40 with the district assuming a minimum of one-half the cost of the salary and other benefits  
41 provided to the coordinator. Further, no school in any district shall receive a grant under the  
42 program unless the district makes available facilities and services for adult literacy training as  
43 specified by rule of the state board of education.

44           5. For any school that meets the requirements for the approval of the grants authorized  
45 by this section and specified in subsection 2 of this section for three successive school years, by  
46 August first following the third such school year, the commissioner of education shall present  
47 a plan to the superintendent of the school district in which such school is located for the waiver  
48 of rules and regulations to promote flexibility in the operations of the school and to enhance and  
49 encourage efficiency in the delivery of instructional services in the school. The provisions of  
50 other law to the contrary notwithstanding, the plan presented to the superintendent shall provide  
51 a summary waiver, with no conditions, for the pupil testing requirements pursuant to section  
52 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the  
53 plan shall detail a means for the waiver of requirements otherwise imposed on the school related  
54 to the authority of the state board of education to classify school districts pursuant to subdivision  
55 (9) of section 161.092 and such other rules and regulations as determined by the commissioner  
56 of education, except such waivers shall be confined to the school and not other schools in the  
57 school district unless such other schools meet the requirements of this subsection. However, any  
58 waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any  
59 school year in which the school fails to meet the requirements for the approval of the grants  
60 authorized by this section as specified in subsection 2 of this section.

61           6. For any school year, grants authorized by subsections 1 to 3 of this section shall be  
62 funded with the amount appropriated for this program, less those funds necessary to reimburse  
63 eligible students pursuant to subsection 7 of this section.

64           7. The commissioner of education shall, by rule and regulation of the state board of  
65 education and with the advice of the coordinating board for higher education, establish a  
66 procedure for the reimbursement of the cost of tuition, books and fees to any public community  
67 college or vocational or technical school or within the limits established in subsection 9 of this  
68 section for any two-year private vocational or technical school for any student:

69           (1) Who has attended a public high school in the state for at least three years immediately  
70 prior to graduation that meets the requirements of subsection 2 of this section, except that  
71 students who are active duty military dependents, and students who are dependants of retired  
72 military who relocate to Missouri within one year of the date of the parent's retirement from  
73 active duty, who, in the school year immediately preceding graduation, meet all other  
74 requirements of this subsection and are attending a school that meets the requirements of  
75 subsection 2 of this section shall be exempt from the three-year attendance requirement of this  
76 subdivision; [and]

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

79 (3) Who has earned a minimal grade average while in high school as determined by rule  
80 of the state board of education, and other requirements for the reimbursement authorized by this  
81 subsection as determined by rule and regulation of said board;

82 (4) Who has achieved:

83 (a) A score of proficient or advanced on the official Algebra I end-of-course  
84 assessment or the equivalent level on a higher level department of elementary and  
85 secondary education-approved end-of-course assessment in the field of mathematics, unless  
86 the student's high school has met all of the department of elementary and secondary  
87 education's requirements for waiver of the Algebra I end-of-course assessment for the  
88 recipient; or

89 (b) A qualifying score, as established annually by the coordinating board for higher  
90 education, on the COMPASS exam published by ACT or the mathematics component of  
91 the ACT test as a high school or postsecondary student; except that the provisions of this  
92 subdivision shall not be required of a student who is enrolling in a certificate program;

93 (5) Who has achieved:

94 (a) A score of proficient or advanced on the official English I end-of-course  
95 assessment, or the equivalent level on a higher level department of elementary and  
96 secondary education-approved end-of-course assessment in the field of English, unless the  
97 student's high school district has met all of the department of elementary and secondary  
98 education's requirements for waiver of the English I end-of-course assessment for the  
99 recipient; or

100 (b) A qualifying score, as established annually by the coordinating board for higher  
101 education, on the COMPASS exam published by ACT or the English component of the  
102 ACT test as a high school or postsecondary student; except that the provisions of this  
103 subdivision shall not be required of a student who is enrolling in a certificate program; and

104 (6) For a student who remains continuously enrolled in postsecondary education,  
105 the successful completion of at least twenty-four semester credit hours during the twelve  
106 months following their initial enrollment and twenty-four semester credit hours during  
107 each subsequent twelve-month period.

108 8. If an eligible student is unable to enroll or ceases attendance at an approved  
109 institution because of illness, disability, pregnancy, or other medical need or for the  
110 purpose of providing service to a nonprofit organization, a state or federal government  
111 agency, or any branch of the Armed Forces of the United States, such student shall be  
112 eligible for A+ reimbursements upon enrollment in any approved institution if the student  
113 meets all other requirements for an initial or renewal award and if the following criteria  
114 are met:

115           **(1) For an eligible student who cannot attend an approved institution as a result of**  
116 **service to a nonprofit organization or the state or federal government, the student returns**  
117 **to full-time status within twenty-seven months and provides verification to the**  
118 **coordinating board for higher education that the service to the nonprofit organization was**  
119 **satisfactorily completed and was not compensated other than for expenses, or that the**  
120 **service to the state or federal government was satisfactorily completed; or**

121           **(2) For an eligible student who cannot attend an approved institution as a result of**  
122 **military service in the Armed Forces of the United States, the student returns to full-time**  
123 **status within six months after the eligible student first ceases service to the Armed Forces**  
124 **and provides verification to the coordinating board for higher education that the military**  
125 **service was satisfactorily completed; or**

126           **(3) For an eligible student who cannot attend an approved institution as a result of**  
127 **a medical need, the student returns to full-time status within twenty-seven months and**  
128 **provides verification in compliance with coordinating board for higher education rules of**  
129 **sufficient medical evidence documenting an illness, disability, pregnancy, or other medical**  
130 **need of such person to require that the person cannot enroll at an approved institution.**

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

135           **[9.] 10.** For a two-year private vocational or technical school to obtain reimbursements  
136 under subsection 7 of this section, the following requirements shall be satisfied:

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

140           (2) Such two-year private vocational or technical school shall be designated as a  
141 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

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

146           (4) The reimbursements provided to any two-year private vocational or technical school  
147 shall not violate the provisions of article IX, section 8, or article I, section 7, of the Missouri  
148 Constitution or the first amendment of the United States Constitution.

173.250. 1. There is hereby established a "Higher Education Academic Scholarship  
2 Program" and any moneys appropriated by the general assembly for this program shall be used

3 to provide scholarships for Missouri citizens to attend a Missouri college or university of their  
4 choice pursuant to the provisions of this section.

5 2. The definitions of terms set forth in section 173.1102 shall be applicable to such terms  
6 as used in this section. In addition, the following definitions shall apply:

7 (1) "Academic scholarship", an amount of money paid by the state of Missouri to a  
8 student pursuant to the provisions of this section;

9 (2) "ACT", the American College Testing program examination;

10 (3) "Approved institution", an approved public or approved private institution as defined  
11 in section 173.1102;

12 (4) "Eligible student", an individual who meets the criteria set forth in section 173.1104,  
13 excluding the requirements of financial need and undergraduate status and, in addition, meets  
14 the following requirements:

15 (a) Has achieved a qualifying score on the ACT or SAT;

16 (b) Is a Missouri resident who has completed secondary coursework through graduation  
17 from high school or the virtual public school established in section 161.670, receipt of a general  
18 education development (GED) diploma, completion of a program of study through  
19 homeschooling or any other program of academic instruction that satisfies the compulsory  
20 attendance requirement under section 167.031; [and]

21 (c) Is enrolled full time or accepted for full-time enrollment as a postsecondary student  
22 at an approved institution during the academic year immediately following the completion of his  
23 or her secondary coursework;

24 (d) **Has achieved:**

25 **a. A score of proficient or advanced on the official Algebra I end-of-course**  
26 **assessment, or the equivalent level on a higher level department of elementary and**  
27 **secondary education-approved end-of-course assessment in the field of mathematics, unless**  
28 **the student's high school has met all of the department of elementary and secondary**  
29 **education's requirements for waiver of the Algebra I end of course assessment for the**  
30 **recipient; or**

31 **b. A qualifying score, as established annually by the coordinating board for higher**  
32 **education, on the COMPASS exam published by ACT or the mathematics component of**  
33 **the ACT test as a high school or postsecondary student; except that the provisions of this**  
34 **paragraph shall not be required of a student who is enrolling in a certificate program; and**

35 (e) **Has achieved:**

36 **a. A score of proficient or advanced on the official English I end-of-course**  
37 **assessment, or the equivalent level on a higher level department of elementary and**  
38 **secondary education-approved end-of-course assessment in the field of English, unless the**

39 student's high school has met all of the department of elementary and secondary  
40 education's requirements for waiver of the English I end-of-course assessment for the  
41 recipient; or

42 **b. A qualifying score, as established annually by the coordinating board for higher**  
43 **education, on the COMPASS exam published by ACT or the English component of the**  
44 **ACT test as a high school or postsecondary student; except that the provisions of this**  
45 **paragraph shall not be required of a student who is enrolling in a certificate program;**

46 (5) "Missouri test-takers", all Missouri high school seniors who take the ACT or the  
47 SAT;

48 (6) "Qualifying score", a composite score on the ACT or the SAT achieved in an eligible  
49 student's high school sophomore, junior, or senior year that is in the top five percent of Missouri  
50 test-takers, as established at the beginning of an eligible student's final year of secondary  
51 coursework;

52 (7) "Recipient", an eligible or renewal student who receives an academic scholarship  
53 pursuant to this section;

54 (8) "Renewal student", an eligible student who remains in compliance with the  
55 provisions of section 173.1104, maintains continuous enrollment **by successfully completing**  
56 **at least twenty-four semester credit hours during the twelve months following his or her**  
57 **initial enrollment and twenty-four semester credit hours during each subsequent twelve-**  
58 **month period**, and makes satisfactory academic degree progress; and

59 (9) "SAT", the Scholastic Aptitude Test.

60 3. The coordinating board for higher education shall be the administrative agency for the  
61 implementation of the program established by this section, and shall:

62 (1) Promulgate reasonable rules and regulations for the exercise of its functions and the  
63 effectuation of the purposes of this section, including regulations for granting scholarship  
64 deferments;

65 (2) Prescribe the form and the time and method of awarding academic scholarships, and  
66 shall supervise the processing thereof; and

67 (3) Select qualified recipients to receive academic scholarships, make such awards of  
68 academic scholarships to qualified recipients and determine the manner and method of payment  
69 to the recipient.

70 4. Eligible students shall be offered academic scholarships in the following amounts and  
71 in the following order of priority, within the limits of the funds appropriated and made available:

72 (1) Each eligible student with a qualifying score in the top three percent of all Missouri  
73 test-takers shall be offered an academic scholarship of up to three thousand dollars per year. All

74 students in the top three percent shall receive awards of three thousand dollars before any student  
75 in the top fourth and fifth percentiles receives any award;

76 (2) Provided sufficient funds are appropriated, each eligible student with a qualifying  
77 score in the top fourth and fifth percentiles shall be offered an academic scholarship of up to one  
78 thousand dollars per year.

79 5. Eligible students may renew academic scholarships for their second, third, and fourth  
80 years of postsecondary education, or as long as the recipient is in compliance with the criteria  
81 to be a renewal student.

82 6. If an eligible student is unable to enroll during the first academic year or a renewal  
83 student ceases attendance at an approved institution for the purpose of providing service to a  
84 nonprofit organization, a state or federal government agency, or any branch of the Armed Forces  
85 of the United States, such student shall be offered an academic scholarship upon enrollment in  
86 any approved institution after the completion of their service, if the student meets all other  
87 requirements for an initial or renewal award and if the following criteria are met:

88 (1) For an eligible student who cannot attend an approved institution as a result of  
89 service to a nonprofit organization or the state or federal government, the student returns to  
90 full-time status within twenty-seven months and provides verification to the coordinating board  
91 for higher education that the service to the nonprofit organization was satisfactorily completed  
92 and was not compensated other than for expenses, or that the service to the state or federal  
93 government was satisfactorily completed; or

94 (2) For an eligible student who cannot attend an approved institution as a result of  
95 military service in the Armed Forces of the United States, the student returns to full-time status  
96 within six months after the eligible student first ceases service to the Armed Forces and provides  
97 verification to the coordinating board for higher education that the military service was  
98 satisfactorily completed.

99 7. A recipient of an academic scholarship awarded under this section may transfer from  
100 one approved institution to another without losing eligibility for the academic scholarship.

101 8. If a recipient of an academic scholarship at any time withdraws from an approved  
102 institution so that under the rules and regulations of that institution he or she is entitled to a  
103 refund of any tuition, fees or other charges, the institution shall pay the portion of the refund  
104 attributable to the academic scholarship for that term to the coordinating board for higher  
105 education.

106 9. Other provisions of this section to the contrary notwithstanding, if an eligible student  
107 has been awarded an initial academic scholarship pursuant to the provisions of this section but  
108 is unable to attend an approved institution during the first academic year because of illness,  
109 disability, pregnancy or other medical need or if a renewal student ceases all attendance at an

110 approved institution because of illness, disability, pregnancy or other medical need, the recipient  
111 shall be eligible for an initial or renewal academic scholarship upon enrollment in or return to  
112 any approved institution, provided the recipient:

- 113 (1) Enrolls in or returns to full-time status within twenty-seven months;  
114 (2) Provides verification in compliance with coordinating board for higher education  
115 rules of sufficient medical evidence documenting an illness, disability, pregnancy or other  
116 medical need of such person to require that that person will not be able to use the academic  
117 scholarship during the time period for which it was originally offered; and  
118 (3) Meets all other requirements established for eligibility to receive an academic  
119 scholarship.

173.1104. 1. An applicant shall be eligible for initial or renewed financial assistance  
2 only if, at the time of application and throughout the period during which the applicant is  
3 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 standards  
6 promulgated by the coordinating board;  
7 (3) Is enrolled, or has been accepted for enrollment, as a full-time undergraduate student  
8 in an approved private or public institution; [and]  
9 (4) Is not enrolled or does not intend to use the award to enroll in a course of study  
10 leading to a degree in theology or divinity;

11 **(5) For an applicant who graduates from high school during the 2016-17 academic**  
12 **year or after, has achieved:**

13 **(a) A score of proficient or advanced on the official Algebra I end-of-course**  
14 **assessment, or the equivalent level on a higher level department of elementary and**  
15 **secondary education-approved end-of-course assessment in the field of mathematics, unless**  
16 **the student's high school has met all of the department of elementary and secondary**  
17 **education's requirements for waiver of the Algebra I end-of-course assessment for the**  
18 **recipient; or**

19 **(b) A qualifying score, as established annually by the coordinating board for higher**  
20 **education, on the COMPASS exam published by ACT or the mathematics component of**  
21 **the ACT test as a high school or postsecondary student; except that the provisions of this**  
22 **subdivision shall not be required of a student who is enrolling in a certificate program; and**

23 **(6) For an applicant who graduates from high school during the 2016-17 academic**  
24 **year or after, has achieved:**

25 **(a) A score of proficient or advanced on the official English I end-of-course**  
26 **assessment, or the equivalent level on a higher level department of elementary and**

27 secondary education-approved end-of-course assessment in the field of English, unless the  
28 student's high school has met all of the department of elementary and secondary  
29 education's requirements for waiver of the English I end-of-course assessment for the  
30 recipient; or

31 **(b) A qualifying score, as established annually by the coordinating board for higher**  
32 **education, on the COMPASS exam published by ACT or the English component of the**  
33 **ACT test as a high school or postsecondary student; except that the provisions of this**  
34 **subdivision shall not be required of a student who is enrolling in a certificate program.**

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

40 3. Financial assistance shall be allotted for one academic year, but a recipient shall be  
41 eligible for renewed assistance until he or she has obtained a baccalaureate degree, provided such  
42 financial assistance shall not exceed a total of ten semesters or fifteen quarters or their  
43 equivalent. Standards of eligibility for renewed assistance shall be the same as for an initial  
44 award of financial assistance, except that for renewal, an applicant shall demonstrate a  
45 grade-point average of two and five-tenths on a four-point scale, or the equivalent on another  
46 scale **and, beginning with the 2014-15 academic year, has successfully completed the**  
47 **following number of semester credit hours or an equivalent:**

- 48 **(1) For the first renewal, twenty-four semester hours;**  
49 **(2) For the second renewal, forty-eight semester credit hours;**  
50 **(3) For the third renewal, seventy-two semester credit hours;**  
51 **(4) For the fourth renewal, ninety-six semester credit hours.**

52

53 This subsection shall be construed as the successor to section 173.215 for purposes of eligibility  
54 requirements of other financial assistance programs that refer to section 173.215.

55 **4. If an eligible student is unable to enroll or ceases attendance at an approved**  
56 **institution because of illness, disability, pregnancy, or other medical need or for the**  
57 **purpose of providing service to a nonprofit organization, a state or federal government**  
58 **agency, or any branch of the Armed Forces of the United States, such student shall be**  
59 **eligible for an access Missouri award upon enrollment in any approved institution if the**  
60 **student meets all other requirements for an initial or renewal award and if the following**  
61 **criteria are met:**

62           **(1) For an eligible student who cannot attend an approved institution as a result of**  
63 **service to a nonprofit organization or the state or federal government, the student returns**  
64 **to full-time status within twenty-seven months and provides verification to the**  
65 **coordinating board for higher education that the service to the nonprofit organization was**  
66 **satisfactorily completed and was not compensated other than for expenses, or that the**  
67 **service to the state or federal government was satisfactorily completed; or**

68           **(2) For an eligible student who cannot attend an approved institution as a result of**  
69 **military service in the Armed Forces of the United States, the student returns to full-time**  
70 **status within six months after the eligible student first ceases service to the Armed Forces**  
71 **and provides verification to the coordinating board for higher education that the military**  
72 **service was satisfactorily completed; or**

73           **(3) For an eligible student who cannot attend an approved institution as a result of**  
74 **a medical need, the student returns to full-time status within twenty-seven months and**  
75 **provides verification in compliance with coordinating board for higher education rules of**  
76 **sufficient medical evidence documenting an illness, disability, pregnancy, or other medical**  
77 **need of such person to require that the person cannot enroll at an approved institution.**

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