

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Bill No. 997, Page 1, Section A, Line 3, by inserting after all of said section and
2 line the following:

3
4 "105.1445. 1. On or before January 1, 2017, the department of higher education shall create
5 guidance regarding notice of public employee eligibility for public service loan forgiveness. Public
6 employers may use the guidance in providing notice to employees under subsection 2 of this
7 section. The guidance shall include, but not be limited to, the following:

8 (1) Up-to-date, accurate, and complete information regarding eligibility for participation in
9 existing public service loan forgiveness programs;

10 (2) Contact information and relevant forms for applying for existing public service loan
11 forgiveness programs; and

12 (3) Other relevant information as determined by the department of higher education.

13 2. On or before April 1, 2017, the governing body of each public employer in this state shall
14 adopt a policy that provides up-to-date, accurate, and complete information to each new employee
15 regarding eligibility for public service loan forgiveness. Notice to new employees shall be provided
16 within ten days following the start of employment with the public employer. On or before June 30,
17 2017, the public employer shall provide the same information to all current employees employed on
18 that date.

19 167.223. 1. Public high schools may, in cooperation with Missouri public [community]
20 two-year colleges and public or private four-year colleges and universities, offer postsecondary
21 course options to high school students. A postsecondary course option allows eligible students to
22 attend vocational or academic classes on a college or university campus and receive both high
23 school and college credit upon successful completion of the course.

24 2. For purposes of state aid, the pupil's resident district shall continue to count the pupil in
25 the average daily attendance of such resident district for any time the student is attending a
26 postsecondary course.

27 3. Any pupil enrolled in a [community] two-year college under a postsecondary course
28 option shall be considered a resident student for the purposes of calculating state aid to the
29 [community] two-year college.

30 4. [Community] Two-year colleges and four-year colleges and universities may charge
31 reasonable fees for pupils enrolled in courses under a postsecondary course option. Such fees may
32 be paid by the district of residence or by the pupil, as determined by the agreement between the
33 district of residence and the college or university.

34 173.005. 1. There is hereby created a "Department of Higher Education", and the division
35 of higher education of the department of education is abolished and all its powers, duties, functions,
36 personnel and property are transferred as provided by the Reorganization Act of 1974, Appendix B,

Standing Action Taken _____ Date _____

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

23 (1) The coordinating board for higher education shall have approval of proposed new
24 degree programs to be offered by the state institutions of higher education;

25 (2) The coordinating board for higher education may promote and encourage the
26 development of cooperative agreements between Missouri public four-year institutions of higher
27 education which do not offer graduate degrees and Missouri public four-year institutions of higher
28 education which do offer graduate degrees for the purpose of offering graduate degree programs on
29 campuses of those public four-year institutions of higher education which do not otherwise offer
30 graduate degrees. Such agreements shall identify the obligations and duties of the parties, including
31 assignment of administrative responsibility. Any diploma awarded for graduate degrees under such
32 a cooperative agreement shall include the names of both institutions inscribed thereon. Any
33 cooperative agreement in place as of August 28, 2003, shall require no further approval from the
34 coordinating board for higher education. Any costs incurred with respect to the administrative
35 provisions of this subdivision may be paid from state funds allocated to the institution assigned the
36 administrative authority for the program. The provisions of this subdivision shall not be construed
37 to invalidate the provisions of subdivision (1) of this subsection;

38 (3) In consultation with the heads of the institutions of higher education affected and against
39 a background of carefully collected data on enrollment, physical facilities, manpower needs,
40 institutional missions, the coordinating board for higher education shall establish guidelines for
41 appropriation requests by those institutions of higher education; however, other provisions of the
42 Reorganization Act of 1974 notwithstanding, all funds shall be appropriated by the general
43 assembly to the governing board of each public four-year institution of higher education which shall
44 prepare expenditure budgets for the institution;

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

47 (5) The coordinating board for higher education shall establish admission guidelines
48 consistent with institutional missions;

1 (6) The coordinating board for higher education shall require all public two-year and four-
2 year higher education institutions to replicate best practices in remediation identified by the
3 coordinating board and institutions from research undertaken by regional educational laboratories,
4 higher education research organizations, and similar organizations with expertise in the subject, and
5 identify and reduce methods that have been found to be ineffective in preparing or retaining students
6 or that delay students from enrollment in college-level courses;

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

9 (8) The coordinating board shall establish guidelines to promote and facilitate the transfer of
10 students between institutions of higher education within the state and, with the assistance of the
11 committee on transfer and articulation, shall require all public two-year and four-year higher
12 education institutions to create by July 1, 2014, a statewide core transfer library of at least twenty-
13 five lower division courses across all institutions that are transferable among all public higher
14 education institutions. The coordinating board shall establish policies and procedures to ensure such
15 courses are accepted in transfer among public institutions and treated as equivalent to similar
16 courses at the receiving institutions. The coordinating board shall develop a policy to foster reverse
17 transfer for any student who has accumulated enough hours in combination with at least one public
18 higher education institution in Missouri that offers an associate degree and one public four-year
19 higher education institution in the prescribed courses sufficient to meet the public higher education
20 institution's requirements to be awarded an associate degree. The department of elementary and
21 secondary education shall maintain the alignment of the assessments found in section 160.518 and
22 successor assessments with the competencies previously established under this subdivision for entry-
23 level collegiate courses in English, mathematics, foreign language, sciences, and social sciences
24 associated with an institution's general education core;

25 (9) The coordinating board shall collect the necessary information and develop comparable
26 data for all institutions of higher education in the state. The coordinating board shall use this
27 information to delineate the areas of competence of each of these institutions and for any other
28 purposes deemed appropriate by the coordinating board;

29 (10) Compliance with requests from the coordinating board for institutional information and
30 the other powers, duties and responsibilities, herein assigned to the coordinating board, shall be a
31 prerequisite to the receipt of any funds which the coordinating board is responsible for
32 administering;

33 (11) If any institution of higher education in this state, public or private, willfully fails or
34 refuses to follow any lawful guideline, policy or procedure established or prescribed by the
35 coordinating board, or knowingly deviates from any such guideline, or knowingly acts without
36 coordinating board approval where such approval is required, or willfully fails to comply with any
37 other lawful order of the coordinating board, the coordinating board may, after a public hearing,
38 withhold or direct to be withheld from that institution any funds the disbursement of which is
39 subject to the control of the coordinating board, or may remove the approval of the institution as an
40 approved institution within the meaning of section 173.1102. If any such public institution willfully
41 disregards board policy, the commissioner of higher education may order such institution to remit a
42 fine in an amount not to exceed one percent of the institution's current fiscal year state operating
43 appropriation to the board. The board shall hold such funds until such time that the institution, as
44 determined by the commissioner of higher education, corrects the violation, at which time the board
45 shall refund such amount to the institution. If the commissioner determines that the institution has
46 not redressed the violation within one year, the fine amount shall be deposited into the general
47 revenue fund, unless the institution appeals such decision to the full coordinating board, which shall
48 have the authority to make a binding and final decision, by means of a majority vote, regarding the

1 matter. However, nothing in this section shall prevent any institution of higher education in this
2 state from presenting additional budget requests or from explaining or further clarifying its budget
3 requests to the governor or the general assembly; [and]

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

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

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

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

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

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

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

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

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

25 b. The board's approval process of degree programs and courses offered by any out-of-state
26 public institutions of higher education that, prior to July 1, 2008, were approved by the board to
27 operate a school in compliance with the provisions of sections 173.600 to 173.618. The rules shall
28 ensure that, as of July 1, 2008, all out-of-state public institutions seeking to offer degrees and
29 courses within the state of Missouri are evaluated in a manner similar to Missouri public higher
30 education institutions. Such out-of-state public institutions shall be held to standards no lower than
31 the standards established by the coordinating board for program approval and the policy guidelines
32 of the coordinating board for data collection, cooperation, and resolution of disputes between
33 Missouri institutions of higher education under this section. Any such out-of-state public
34 institutions of higher education wishing to continue operating within this state must be approved by
35 the board under the rules promulgated under this subdivision. The coordinating board may charge
36 and collect fees from out-of-state public institutions to cover the costs of reviewing and assuring the
37 quality of programs offered by out-of-state public institutions. Any rule or portion of a rule, as that
38 term is defined in section 536.010, that is created under the authority delegated in this section shall
39 become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
40 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers
41 vested with the general assembly under chapter 536 to review, to delay the effective date, or to
42 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
43 authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

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

47 3. The coordinating board shall meet at least four times annually with an advisory
48 committee who shall be notified in advance of such meetings. The coordinating board shall have

1 exclusive voting privileges. The advisory committee shall consist of thirty-two members, who shall
 2 be the president or other chief administrative officer of the University of Missouri; the chancellor of
 3 each campus of the University of Missouri; the president of each state-supported four-year college
 4 or university, including Harris-Stowe State University, Missouri Southern State University, Missouri
 5 Western State University, and Lincoln University; the president of State Technical College of
 6 Missouri; the president or chancellor of each public community college district; and representatives
 7 of each of five accredited private institutions selected biennially, under the supervision of the
 8 coordinating board, by the presidents of all of the state's privately supported institutions; but always
 9 to include at least one representative from one privately supported community college, one privately
 10 supported four-year college, and one privately supported university. The conferences shall enable
 11 the committee to advise the coordinating board of the views of the institutions on matters within the
 12 purview of the coordinating board.

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

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

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

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

31 8. All the powers, duties, functions, and properties of the state poultry experiment station,
 32 chapter 262, are transferred by type I transfer to the University of Missouri, and the state poultry
 33 association and state poultry board are abolished. In the event the University of Missouri shall cease
 34 to use the real estate of the poultry experiment station for the purposes of research or shall declare
 35 the same surplus, all real estate shall revert to the governor of the state of Missouri and shall not be
 36 disposed of without legislative approval."; and
 37

38 Further amend said bill, Page 7, Section 173.2510, Lines 11 through 15, by deleting all of said lines
 39 and inserting in lieu thereof the following:

40
 41 "than eight semesters; and

42 (3) Reducing, when feasible and permitted by accreditation or"; and
 43

44 Further amend said bill, Page 10, Section B, Line 7, by inserting after all of said section and line the
 45 following:

46
 47 "Section C. Because of the importance of improving and sustaining the access to federal
 48 financial aid for higher education students in Missouri, the repeal and reenactment of section

1 173.005 of section A of this act is deemed necessary for the immediate preservation of the public
2 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning
3 of the constitution, and the repeal and reenactment of section 173.005 of section A of this act shall
4 be in full force and effect upon its passage and approval."; and

5

6 Further amend said bill by amending the title, enacting clause, and intersectional references
7 accordingly.

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