

HOUSE BILL NO. 1438

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MIMS.

4725H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to favoritism in higher education.

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

Section A. Chapter 173, RSMo, is amended by adding thereto one new section, to be
2 known as section 173.1410, to read as follows:

**173.1410. 1. Prior to September 1, 2017, each public institution of higher education
2 within the state shall adopt a policy on student favoritism. The policy, which shall
3 establish a procedure for addressing allegations of favoritism towards any given student,
4 shall include, but not be limited to, the following:**

5 **(1) A statement of the institution's commitment to a nondiscriminatory educational
6 environment;**

7 **(2) A statement prohibiting unfair advantage to any student including, but not
8 limited to, unfair preferential treatment in grading, class selection, class assignments, class
9 attendance, or any kind of grade inflation or course work requirement modification aimed
10 solely at qualifying a student for participation in an extracurricular activity or sport;**

11 **(3) Specific provisions discouraging or prohibiting relationships or environments
12 that encourage favoritism;**

13 **(4) A method for reporting an allegation of favoritism that allows allegations to be
14 brought by any individual or any group; and**

15 **(5) A method for resolving allegations of favoritism including determinations as to
16 appropriate consequences for confirmed acts of favoritism.**

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.

17 **2. Upon implementation of a policy required under subsection 1 of this section, an**
18 **institution shall uniformly and consistently apply such policy, make it easily accessible, and**
19 **train campus leaders on the policy.**

20 **3. The department of higher education may promulgate all necessary rules and**
21 **regulations for the administration of this section. Any rule or portion of a rule, as that**
22 **term is defined in section 536.010, that is created under the authority delegated in this**
23 **section shall become effective only if it complies with and is subject to all of the provisions**
24 **of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**
25 **nonseverable, and if any of the powers vested with the general assembly pursuant to**
26 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**
27 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**
28 **proposed or adopted after August 28, 2016, shall be invalid and void.**

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