

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 758
99TH GENERAL ASSEMBLY

Reported from the Committee on Education, April 13, 2017, with recommendation that the Senate Committee Substitute do pass.

ADRIANE D. CROUSE, Secretary.

1599S.02C

AN ACT

To repeal sections 104.1205, 163.191, 172.280, 173.005, 174.160, 174.225, 174.231, 174.251, 174.324, 174.500, and 178.636, RSMo, and to enact in lieu thereof ten new sections relating to higher education, with an existing penalty provision and an effective date for a certain section.

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

Section A. Sections 104.1205, 163.191, 172.280, 173.005, 174.160, 174.225, 2 174.231, 174.251, 174.324, 174.500, and 178.636, RSMo, are repealed and ten new 3 sections enacted in lieu thereof, to be known as sections 104.1205, 163.191, 4 172.280, 173.005, 174.160, 174.225, 174.231, 174.251, 174.500, and 178.636, to 5 read as follows:

104.1205. The board of trustees of the Missouri state employees' 2 retirement system shall:

3 (1) Establish a defined contribution plan for outside employees which, 4 among other things, provides for immediate vesting;

5 (2) Select a third-party administrator to provide such services as the 6 board determines to be necessary for the proper administration of the defined 7 contribution plan;

8 (3) Select the investment products which shall be made available to the 9 participants in the defined contribution plan;

10 (4) Annually establish the contribution rate used for purposes of 11 subsection 3 of section 104.1066 for employees of institutions who are other than 12 outside employees, which shall be done by considering all such employees to be 13 part of the general employee population within the Missouri state employees' 14 retirement system;

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

15 (5) Establish the contribution rate for outside employees which shall be
16 equal to [one] **six** percent of payroll [less than the normal cost contribution rate
17 established pursuant to subdivision (4) of this section; and];

18 (6) **Require outside employees hired on or after July 1, 2018, to**
19 **contribute two percent of the employee's pay to the defined**
20 **contribution plan which shall be credited to a separate account within**
21 **the outside employee's individual account. The employing institution,**
22 **pursuant to the provisions of 26 U.S.C. Section 414(h)(2), shall pick up**
23 **and pay such contributions. The contributions so picked up shall be**
24 **treated as employer contributions for purposes of determining the**
25 **outside employee's pay that is includable in the outside employee's**
26 **gross income for federal income tax purposes. The outside employee's**
27 **contributions picked up by the employing institution shall be:**

28 (a) **Paid from the same source of funds used for the payment of**
29 **pay to an outside employee. A deduction shall be made from each**
30 **outside employee's pay equal to the amount of the outside employee's**
31 **contributions picked up by the employing institution; and**

32 (b) **Paid by the employing institution in lieu of the contributions**
33 **by the outside employee, although designated as employee**
34 **contributions. The outside employee shall not have the option of**
35 **choosing to receive the contributed amounts directly instead of having**
36 **them paid by the employing institution to the defined contribution**
37 **plan;**

38 (7) **Establish such rules and regulations as may be necessary to carry out**
39 **the purposes of this section; and**

40 (8) **Allow outside employees to contribute to a supplemental**
41 **account established by the employer. Such employees may elect to**
42 **change the contribution rate in accordance with the terms of the**
43 **supplemental account.**

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.

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**
9 **chiropractic, dentistry, law, medicine, optometry, osteopathic medicine,**
10 **pharmacy, podiatry, 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 coordinating board for higher education may promote and
50 encourage the development of cooperative agreements between Missouri public
51 four-year institutions of higher education which do not offer graduate degrees and
52 Missouri public four-year institutions of higher education which do offer graduate
53 degrees for the purpose of offering graduate degree programs on campuses of
54 those public four-year institutions of higher education which do not otherwise
55 offer graduate degrees. Such agreements shall identify the obligations and duties
56 of the parties, including assignment of administrative responsibility. Any
57 diploma awarded for graduate degrees under such a cooperative agreement shall
58 include the names of both institutions inscribed thereon. Any cooperative
59 agreement in place as of August 28, 2003, shall require no further approval from
60 the coordinating board for higher education. Any costs incurred with respect to
61 the administrative provisions of this subdivision may be paid from state funds
62 allocated to the institution assigned the administrative authority for the
63 program. The provisions of this subdivision shall not be construed to invalidate
64 the provisions of subdivision (1) of this subsection;

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

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

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

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

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

88 (8) The coordinating board shall establish guidelines to promote and
89 facilitate the transfer of students between institutions of higher education within
90 the state and, with the assistance of the committee on transfer and articulation,
91 shall require all public two-year and four-year higher education institutions to
92 create by July 1, 2014, a statewide core transfer library of at least twenty-five
93 lower division courses across all institutions that are transferable among all
94 public higher education institutions. The coordinating board shall establish
95 policies and procedures to ensure such courses are accepted in transfer among
96 public institutions and treated as equivalent to similar courses at the receiving
97 institutions. The coordinating board shall develop a policy to foster reverse
98 transfer for any student who has accumulated enough hours in combination with
99 at least one public higher education institution in Missouri that offers an
100 associate degree and one public four-year higher education institution in the

101 prescribed courses sufficient to meet the public higher education institution's
102 requirements to be awarded an associate degree. The department of elementary
103 and secondary education shall maintain the alignment of the assessments found
104 in section 160.518 and successor assessments with the competencies previously
105 established under this subdivision for entry-level collegiate courses in English,
106 mathematics, foreign language, sciences, and social sciences associated with an
107 institution's general education core;

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

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

117 (11) If any institution of higher education in this state, public or private,
118 willfully fails or refuses to follow any lawful guideline, policy or procedure
119 established or prescribed by the coordinating board, or knowingly deviates from
120 any such guideline, or knowingly acts without coordinating board approval where
121 such approval is required, or willfully fails to comply with any other lawful order
122 of the coordinating board, the coordinating board may, after a public hearing,
123 withhold or direct to be withheld from that institution any funds the
124 disbursement of which is subject to the control of the coordinating board, or may
125 remove the approval of the institution as an approved institution within the
126 meaning of section 173.1102. If any such public institution willfully disregards
127 board policy, the commissioner of higher education may order such institution to
128 remit a fine in an amount not to exceed one percent of the institution's current
129 fiscal year state operating appropriation to the board. The board shall hold such
130 funds until such time that the institution, as determined by the commissioner of
131 higher education, corrects the violation, at which time the board shall refund such
132 amount to the institution. If the commissioner determines that the institution
133 has not redressed the violation within one year, the fine amount shall be
134 deposited into the general revenue fund, unless the institution appeals such
135 decision to the full coordinating board, which shall have the authority to make
136 a binding and final decision, by means of a majority vote, regarding the

137 matter. However, nothing in this section shall prevent any institution of higher
138 education in this state from presenting additional budget requests or from
139 explaining or further clarifying its budget requests to the governor or the general
140 assembly;

141 (12) In recognition of institutions that meet the requirements of
142 subdivision (2), (3), or (4) of subsection 1 of section 173.616, are established by
143 name as an educational institution in Missouri, and are authorized to operate
144 programs beyond secondary education for purposes of authorization under 34 CFR
145 600.9, the coordinating board for higher education shall maintain and publish on
146 its website a list of such postsecondary educational institutions; and

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

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

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

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

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

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

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

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

165 b. The board's approval process of degree programs and courses offered
166 by any out-of-state public institutions of higher education that, prior to July 1,
167 2008, were approved by the board to operate a school in compliance with the
168 provisions of sections 173.600 to 173.618. The rules shall ensure that, as of July
169 1, 2008, all out-of-state public institutions seeking to offer degrees and courses
170 within the state of Missouri are evaluated in a manner similar to Missouri public
171 higher education institutions. Such out-of-state public institutions shall be held
172 to standards no lower than the standards established by the coordinating board

173 for program approval and the policy guidelines of the coordinating board for data
174 collection, cooperation, and resolution of disputes between Missouri institutions
175 of higher education under this section. Any such out-of-state public institutions
176 of higher education wishing to continue operating within this state must be
177 approved by the board under the rules promulgated under this subdivision. The
178 coordinating board may charge and collect fees from out-of-state public
179 institutions to cover the costs of reviewing and assuring the quality of programs
180 offered by out-of-state public institutions. Any rule or portion of a rule, as that
181 term is defined in section 536.010, that is created under the authority delegated
182 in this section shall become effective only if it complies with and is subject to all
183 of the provisions of chapter 536 and, if applicable, section 536.028. This section
184 and chapter 536 are nonseverable and if any of the powers vested with the
185 general assembly under chapter 536 to review, to delay the effective date, or to
186 disapprove and annul a rule are subsequently held unconstitutional, then the
187 grant of rulemaking authority and any rule proposed or adopted after August 28,
188 2007, shall be invalid and void.

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

193 3. The coordinating board shall meet at least four times annually with an
194 advisory committee who shall be notified in advance of such meetings. The
195 coordinating board shall have exclusive voting privileges. The advisory
196 committee shall consist of thirty-two members, who shall be the president or
197 other chief administrative officer of the University of Missouri; the chancellor of
198 each campus of the University of Missouri; the president of each state-supported
199 four-year college or university, including Harris-Stowe State University, Missouri
200 Southern State University, Missouri Western State University, and Lincoln
201 University; the president of State Technical College of Missouri; the president or
202 chancellor of each public community college district; and representatives of each
203 of five accredited private institutions selected biennially, under the supervision
204 of the coordinating board, by the presidents of all of the state's privately
205 supported institutions; but always to include at least one representative from one
206 privately supported community college, one privately supported four-year college,
207 and one privately supported university. The conferences shall enable the
208 committee to advise the coordinating board of the views of the institutions on

209 matters within the purview of the coordinating board.

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

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

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

218 7. All the powers, duties and functions vested in the division of public
219 schools and state board of education relating to community college state aid and
220 the supervision, formation of districts and all matters otherwise related to the
221 state's relations with community college districts and matters pertaining to
222 community colleges in public school districts, chapters 163, 178, and others, are
223 transferred to the coordinating board for higher education by type I
224 transfer. Provided, however, that all responsibility for administering the
225 federal-state programs of vocational-technical education, except for the 1202a
226 postsecondary educational amendments of 1972 program, shall remain with the
227 department of elementary and secondary education. The department of
228 elementary and secondary education and the coordinating board for higher
229 education shall cooperate in developing the various plans for vocational-technical
230 education; however, the ultimate responsibility will remain with the state board
231 of education.

232 8. All the powers, duties, functions, and properties of the state poultry
233 experiment station, chapter 262, are transferred by type I transfer to the
234 University of Missouri, and the state poultry association and state poultry board
235 are abolished. In the event the University of Missouri shall cease to use the real
236 estate of the poultry experiment station for the purposes of research or shall
237 declare the same surplus, all real estate shall revert to the governor of the state
238 of Missouri and shall not be disposed of without legislative approval.

 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) 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 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.

2 [174.324. 1. Notwithstanding any law to the
3 contrary, Missouri Western State University and Missouri
4 Southern State University may offer master's degrees in
5 accounting, subject to any terms and conditions of the
6 Missouri state board of accountancy applicable to any other
7 institution of higher education in this state which offers
8 such degrees, and subject to approval of the coordinating
9 board for higher education.

10 2. Any new master's degree program offered at
11 Missouri Southern State University, Missouri Western State
12 University, or any other public institution of higher
13 education in this state must be approved by the
14 coordinating board for higher education pursuant to the
15 provisions of subdivision (1) or (2) of subsection 2 of section
16 173.005.]

Section B. The repeal and reenactment of section 104.1205 of section A of
2 this act shall become effective July 1, 2018.

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