

FIRST REGULAR SESSION

# SENATE BILL NO. 410

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KEHOE.

Read 1st time February 27, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1840S.011

## AN ACT

To repeal sections 173.005, 173.1105, 174.020, 176.010, 178.420, 178.530, 178.560, 178.585, 178.631, 178.632, 178.634, 178.635, 178.636, 178.637, 178.638, 178.639, and 178.640, RSMo, and to enact in lieu thereof seventeen new sections relating to the renaming of Linn State Technical College, with an effective date.

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

Section A. Sections 173.005, 173.1105, 174.020, 176.010, 178.420, 178.530, 178.560, 178.585, 178.631, 178.632, 178.634, 178.635, 178.636, 178.637, 178.638, 178.639, and 178.640, RSMo, are repealed and seventeen new sections enacted in lieu thereof, to be known as sections 173.005, 173.1105, 174.020, 176.010, 178.420, 178.530, 178.560, 178.585, 178.631, 178.632, 178.634, 178.635, 178.636, 178.637, 178.638, 178.639, and 178.640, to read as follows:

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

2. The commission on higher education is abolished and all its powers, duties, personnel and property are transferred by type I transfer to the "Coordinating Board for Higher Education", which is hereby created, and the coordinating board shall be the head of the department. The coordinating board shall consist of nine members appointed by the governor with the advice and consent of the senate, and not more than five of its members shall be of the same political party. None of the members shall be engaged professionally as an educator or educational administrator with a public or private institution of

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

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 proposed new degree programs to be offered by the state institutions of higher  
33 education;

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

49 the provisions of subdivision (1) of this subsection;

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

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

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

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

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

73 (8) The coordinating board shall establish guidelines to promote and  
74 facilitate the transfer of students between institutions of higher education within  
75 the state and, with the assistance of the committee on transfer and articulation,  
76 shall require all public two-year and four-year higher education institutions to  
77 create by July 1, 2014, a statewide core transfer library of at least twenty-five  
78 lower division courses across all institutions that are transferable among all  
79 public higher education institutions. The coordinating board shall establish  
80 policies and procedures to ensure such courses are accepted in transfer among  
81 public institutions and treated as equivalent to similar courses at the receiving  
82 institutions. The coordinating board shall develop a policy to foster reverse  
83 transfer for any student who has accumulated enough hours in combination with  
84 at least one public higher education institution in Missouri that offers an

85 associate degree and one public four-year higher education institution in the  
86 prescribed courses sufficient to meet the public higher education institution's  
87 requirements to be awarded an associate degree. The department of elementary  
88 and secondary education shall maintain the alignment of the assessments found  
89 in section 160.518 and successor assessments with the competencies previously  
90 established under this subdivision for entry-level collegiate courses in English,  
91 mathematics, foreign language, sciences, and social sciences associated with an  
92 institution's general education core;

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

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

102 (11) If any institution of higher education in this state, public or private,  
103 willfully fails or refuses to follow any lawful guideline, policy or procedure  
104 established or prescribed by the coordinating board, or knowingly deviates from  
105 any such guideline, or knowingly acts without coordinating board approval where  
106 such approval is required, or willfully fails to comply with any other lawful order  
107 of the coordinating board, the coordinating board may, after a public hearing,  
108 withhold or direct to be withheld from that institution any funds the  
109 disbursement of which is subject to the control of the coordinating board, or may  
110 remove the approval of the institution as an approved institution within the  
111 meaning of section 173.1102. If any such public institution willfully disregards  
112 board policy, the commissioner of higher education may order such institution to  
113 remit a fine in an amount not to exceed one percent of the institution's current  
114 fiscal year state operating appropriation to the board. The board shall hold such  
115 funds until such time that the institution, as determined by the commissioner of  
116 higher education, corrects the violation, at which time the board shall refund such  
117 amount to the institution. If the commissioner determines that the institution  
118 has not redressed the violation within one year, the fine amount shall be  
119 deposited into the general revenue fund, unless the institution appeals such  
120 decision to the full coordinating board, which shall have the authority to make

121 a binding and final decision, by means of a majority vote, regarding the  
122 matter. However, nothing in this section shall prevent any institution of higher  
123 education in this state from presenting additional budget requests or from  
124 explaining or further clarifying its budget requests to the governor or the general  
125 assembly; and

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

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

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

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

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

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

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

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

144 b. The board's approval process of degree programs and courses offered  
145 by any out-of-state public institutions of higher education that, prior to July 1,  
146 2008, were approved by the board to operate a school in compliance with the  
147 provisions of sections 173.600 to 173.618. The rules shall ensure that, as of July  
148 1, 2008, all out-of-state public institutions seeking to offer degrees and courses  
149 within the state of Missouri are evaluated in a manner similar to Missouri public  
150 higher education institutions. Such out-of-state public institutions shall be held  
151 to standards no lower than the standards established by the coordinating board  
152 for program approval and the policy guidelines of the coordinating board for data  
153 collection, cooperation, and resolution of disputes between Missouri institutions  
154 of higher education under this section. Any such out-of-state public institutions  
155 of higher education wishing to continue operating within this state must be  
156 approved by the board under the rules promulgated under this subdivision. The

157 coordinating board may charge and collect fees from out-of-state public  
158 institutions to cover the costs of reviewing and assuring the quality of programs  
159 offered by out-of-state public institutions. Any rule or portion of a rule, as that  
160 term is defined in section 536.010, that is created under the authority delegated  
161 in this section shall become effective only if it complies with and is subject to all  
162 of the provisions of chapter 536 and, if applicable, section 536.028. This section  
163 and chapter 536 are nonseverable and if any of the powers vested with the  
164 general assembly under chapter 536 to review, to delay the effective date, or to  
165 disapprove and annul a rule are subsequently held unconstitutional, then the  
166 grant of rulemaking authority and any rule proposed or adopted after August 28,  
167 2007, shall be invalid and void.

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

172 3. The coordinating board shall meet at least four times annually with an  
173 advisory committee who shall be notified in advance of such meetings. The  
174 coordinating board shall have exclusive voting privileges. The advisory  
175 committee shall consist of thirty-two members, who shall be the president or  
176 other chief administrative officer of the University of Missouri; the chancellor of  
177 each campus of the University of Missouri; the president of each state-supported  
178 four-year college or university, including Harris-Stowe State University, Missouri  
179 Southern State University, Missouri Western State University, and Lincoln  
180 University; the president of [Linn State Technical College] **State Technical**  
181 **College of Missouri**; the president or chancellor of each public community  
182 college district; and representatives of each of five accredited private institutions  
183 selected biennially, under the supervision of the coordinating board, by the  
184 presidents of all of the state's privately supported institutions; but always to  
185 include at least one representative from one privately supported community  
186 college, one privately supported four-year college, and one privately supported  
187 university. The conferences shall enable the committee to advise the coordinating  
188 board of the views of the institutions on matters within the purview of the  
189 coordinating board.

190 4. The University of Missouri, Lincoln University, and all other  
191 state-governed colleges and universities, chapters 172, 174, 175, and others, are  
192 transferred by type III transfers to the department of higher education subject to

193 the provisions of subsection 2 of this section.

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

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

198           7. All the powers, duties and functions vested in the division of public  
199 schools and state board of education relating to community college state aid and  
200 the supervision, formation of districts and all matters otherwise related to the  
201 state's relations with community college districts and matters pertaining to  
202 community colleges in public school districts, chapters 163, 178, and others, are  
203 transferred to the coordinating board for higher education by type I  
204 transfer. Provided, however, that all responsibility for administering the  
205 federal-state programs of vocational-technical education, except for the 1202a  
206 postsecondary educational amendments of 1972 program, shall remain with the  
207 department of elementary and secondary education. The department of  
208 elementary and secondary education and the coordinating board for higher  
209 education shall cooperate in developing the various plans for vocational-technical  
210 education; however, the ultimate responsibility will remain with the state board  
211 of education.

212           8. All the powers, duties, functions, and properties of the state poultry  
213 experiment station, chapter 262, are transferred by type I transfer to the  
214 University of Missouri, and the state poultry association and state poultry board  
215 are abolished. In the event the University of Missouri shall cease to use the real  
216 estate of the poultry experiment station for the purposes of research or shall  
217 declare the same surplus, all real estate shall revert to the governor of the state  
218 of Missouri and shall not be disposed of without legislative approval.

173.1105. 1. An applicant who is an undergraduate postsecondary  
2 student at an approved private or public institution and who meets the other  
3 eligibility criteria shall be eligible for financial assistance, with a minimum and  
4 maximum award amount as follows:

5           (1) For academic years 2010-11, 2011-12, 2012-13, and 2013-14:

6           (a) One thousand dollars maximum and three hundred dollars minimum  
7 for students attending institutions classified as part of the public two-year sector;

8           (b) Two thousand one hundred fifty dollars maximum and one thousand  
9 dollars minimum for students attending institutions classified as part of the  
10 public four-year sector, including [Linn State Technical College] **State**

11 **Technical College of Missouri**; and

12 (c) Four thousand six hundred dollars maximum and two thousand dollars  
13 minimum for students attending approved private institutions;

14 (2) For the 2014-15 academic year and subsequent years:

15 (a) One thousand three hundred dollars maximum and three hundred  
16 dollars minimum for students attending institutions classified as part of the  
17 public two-year sector; and

18 (b) Two thousand eight hundred fifty dollars maximum and one thousand  
19 five hundred dollars minimum for students attending institutions classified as  
20 part of the public four-year sector, including [**Linn State Technical College**] **State**  
21 **Technical College of Missouri**, or approved private institutions.

22 2. All students with an expected family contribution of twelve thousand  
23 dollars or less shall receive at least the minimum award amount for his or her  
24 institution. Maximum award amounts for an eligible student with an expected  
25 family contribution above seven thousand dollars shall be reduced by ten percent  
26 of the maximum expected family contribution for his or her increment group. Any  
27 award amount shall be reduced by the amount of a student's payment from the  
28 A+ schools program or any successor program to it. For purposes of this  
29 subsection, the term "increment group" shall mean a group organized by expected  
30 family contribution in five hundred dollar increments into which all eligible  
31 students shall be placed.

32 3. If appropriated funds are insufficient to fund the program as described,  
33 the maximum award shall be reduced across all sectors by the percentage of the  
34 shortfall. If appropriated funds exceed the amount necessary to fund the  
35 program, the additional funds shall be used to increase the number of recipients  
36 by raising the cutoff for the expected family contribution rather than by  
37 increasing the size of the award.

38 4. Every three years, beginning with academic year 2009-10, the award  
39 amount may be adjusted to increase no more than the Consumer Price Index for  
40 All Urban Consumers (CPI-U), 1982-1984 = 100, not seasonally adjusted, as  
41 defined and officially recorded by the United States Department of Labor, or its  
42 successor agency, for the previous academic year. The coordinating board shall  
43 prepare a report prior to the legislative session for use of the general assembly  
44 and the governor in determining budget requests which shall include the amount  
45 of funds necessary to maintain full funding of the program based on the baseline  
46 established for the program upon the effective date of sections 173.1101 to



47 173.1107. Any increase in the award amount shall not become effective unless  
48 an increase in the amount of money appropriated to the program necessary to  
49 cover the increase in award amount is passed by the general assembly.

174.020. 1. [Except as provided in subsection 5 of this section,] State  
2 institutions of higher education governed by sections 174.020 to 174.500 shall be  
3 named and known as follows: the institution at Warrensburg, Johnson County,  
4 shall hereafter be known as [the] "**The University of** Central Missouri [State  
5 University]"; the institution at Cape Girardeau, Cape Girardeau County, shall  
6 hereafter be known as the "Southeast Missouri State University"; the institution  
7 at Springfield, Greene County, shall hereafter be known as the "Missouri State  
8 University"; the institution at Maryville, Nodaway County, shall hereafter be  
9 known as the "Northwest Missouri State University"; the institution at St.  
10 Joseph, Buchanan County, shall hereafter be known as the "Missouri Western  
11 State University"; the institution at Joplin, Jasper County, shall hereafter be  
12 known as the "Missouri Southern State University"; and the college in the city of  
13 St. Louis shall be known as "Harris-Stowe State University".

14 2. References in the statutes in this state to such institutions whether  
15 denominated colleges or universities in such statutes or whether said institutions  
16 are renamed in subsection 1 of this section shall continue to apply to the  
17 applicable institution.

18 3. Any costs incurred with respect to modifications of the names of the  
19 state colleges and universities specified in subsection 1 of this section shall not  
20 be paid from state funds.

21 4. When the conditions set forth in section 178.631 are met, the technical  
22 college located in Osage County, commonly known as the East Campus of Linn  
23 Technical College, shall be known as ["Linn State Technical College"] "**State**  
24 **Technical College of Missouri**".

176.010. The following words and phrases as used in sections 176.010 to  
2 176.080, unless a different meaning is plainly required by the context, shall have  
3 the following meanings:

- 4 (1) "Governing body" shall mean:
- 5 (a) The board of curators of the University of the State of Missouri;
  - 6 (b) The board of curators of Lincoln University of Missouri;
  - 7 (c) The board of governors for the Truman State University;
  - 8 (d) The board of governors for the **University of** Central Missouri [State  
9 University];

- 10 (e) The board of regents for the Southeast Missouri State University;
- 11 (f) The board of governors for the Missouri State University;
- 12 (g) The board of regents for the Northwest Missouri State University;
- 13 (h) The board of governors for the Missouri Western State University;
- 14 (i) The board of governors for the Missouri Southern State University;
- 15 (j) The board of regents for Harris-Stowe State University;
- 16 (k) The board of trustees of any community college district formed under
- 17 sections 178.770 to 178.890;
- 18 (l) The board of regents of [Linn State Technical College] **State**
- 19 **Technical College of Missouri**, provided the conditions of section 178.631 are
- 20 met;
- 21 (2) "Net income and revenues" shall mean the income arising from the
- 22 operation of a project remaining after providing for the costs of operation of such
- 23 project and the costs of maintenance thereof;
- 24 (3) "Project" shall mean one or more dormitory buildings with or without
- 25 dining room facilities as an integral part thereof, or dining room facilities alone,
- 26 or one or more social and recreational buildings, or any other revenue-producing
- 27 facilities of state educational institutions, or any combination of such facilities;
- 28 (4) "Revenue bonds" shall mean bonds issued hereunder for the purposes
- 29 herein authorized and payable, both as to principal and interest, solely and only
- 30 out of the net income and revenues arising from the operation of the project for
- 31 which such bonds are issued after providing for the costs of operation and
- 32 maintenance of such project, and, in addition thereto, in the discretion of the
- 33 governing body, out of either one or both of the following sources:
- 34 (a) The proceeds of any grant in aid of such project which may be received
- 35 from any source; and
- 36 (b) The net income and revenues arising from the operation of another
- 37 project, as herein defined, already owned and operated by any such state
- 38 educational institution.
- 39 Such bonds shall not be deemed to be an indebtedness of the state of Missouri,
- 40 the educational institution issuing them, the governing body of such educational
- 41 institution, or the individual members of such governing body;
- 42 (5) "State educational institutions" shall mean and shall include:
- 43 (a) The State University of Missouri, incorporated as a body politic under
- 44 the name of "The Curators of the University of Missouri", together with the
- 45 departments of said state university especially established by law as the "College

46 of Agriculture at Columbia" and the "University of Missouri-Rolla";

47 (b) "Lincoln University" at Jefferson City;

48 (c) "Truman State University" at Kirksville, Missouri;

49 (d) "Missouri State University" at Springfield;

50 (e) The several regional universities, to wit:

51 **"The University of Central Missouri [State University]"** at Warrensburg,  
52 Missouri;

53 "Southeast Missouri State University" at Cape Girardeau, Missouri;

54 "Northwest Missouri State University" at Maryville, Missouri;

55 "Missouri Western State University" at St. Joseph, Missouri;

56 "Missouri Southern State University" at Joplin, Missouri;

57 "Harris-Stowe State University" at St. Louis, Missouri;

58 (f) Community college districts formed under sections 178.770 to 178.890;

59 (g) The several state colleges, to wit:

60 **["Linn State Technical College"] "State Technical College of Missouri"**  
61 in Osage County, Missouri, provided the conditions of section 178.631 are met.

178.420. Unless a different meaning is clearly required by the context, the  
2 following words and phrases as used in sections 178.420 to 178.580 mean:

3 (1) "Prevocational education", education of less than college grade which  
4 gives children an elementary acquaintance with different vocational activities,  
5 arts or occupations and better prepares them to make an intelligent choice of a  
6 vocation;

7 (2) **["Linn State Technical College"] "State Technical College of**  
8 **Missouri"**, a public institution with an independent governing board, appointed  
9 by the governor and confirmed by the senate, that has been designated by the  
10 general assembly to provide only postsecondary vocational and technical  
11 education programs leading to the granting of certificates, diplomas, associate of  
12 applied science degrees or a combination thereof, but not including associate of  
13 the arts or baccalaureate or higher degrees, the controlling purpose of which is  
14 to prepare students for profitable employment;

15 (3) "Vocational education", education of less than college grade, the  
16 controlling purpose of which is to fit for profitable employment.

178.530. 1. The state board of education shall establish standards and  
2 annually inspect, as a basis for approval, all public prevocational, vocational  
3 schools, **["Linn State Technical College"] State Technical College of Missouri**,  
4 departments and classes receiving state or federal moneys for giving training in

5 agriculture, industrial, home economics and commercial subjects and all schools,  
6 departments and classes receiving state or federal moneys for the preparation of  
7 teachers and supervisors of such subjects. The public prevocational and  
8 vocational schools, [Linn State Technical College] **State Technical College of**  
9 **Missouri**, departments, and classes, and the training schools, departments and  
10 classes are entitled to the state or federal moneys so long as they are approved  
11 by the state board of education, as to site, plant, equipment, qualifications of  
12 teachers, admission of pupils, courses of study and methods of instruction. All  
13 disbursements of state or federal moneys for the benefit of the approved  
14 prevocational and vocational schools, [Linn State Technical College] **State**  
15 **Technical College of Missouri**, departments and classes shall be made  
16 semiannually. The school board of each approved school or the governing body  
17 of [Linn State Technical College] **State Technical College of Missouri** shall  
18 file a report with the state board of education at the times and in the form that  
19 the state board requires. Upon receipt of a satisfactory report, the state board  
20 of education shall certify to the commissioner of administration for his approval  
21 the amount of the state and federal moneys due the school district or [Linn State  
22 Technical College] **State Technical College of Missouri**. The amount due the  
23 school district shall be certified by the commissioner of administration and proper  
24 warrant therefor shall be issued to the district treasurer or [Linn State Technical  
25 College] **State Technical College of Missouri**.

26         2. Notwithstanding the provisions of subsection 1 of this section, the state  
27 board of education shall establish standards for agricultural education that may  
28 be adopted by a private school accredited by an agency recognized by the United  
29 States Department of Education as an accreditor of private schools that wishes  
30 to provide quality vocational programming outside the requirements of, but  
31 consistent with, the federal Vocational Education Act. Such standards shall be  
32 sufficient to qualify a private school to apply to the state chapter for approval of  
33 a local chapter of a federally chartered national agricultural education association  
34 on a form developed for that purpose by the department of elementary and  
35 secondary education without eligibility to receive state or federal funding for  
36 agricultural vocational education. The provisions of this subsection shall not be  
37 construed to create eligibility for a private school to receive state or federal  
38 funding for agricultural vocational education, but shall not prohibit a private  
39 school from receiving state or federal funds for which such private school would  
40 otherwise be eligible for agricultural vocational education. Any such private

41 school shall reimburse the department annually for the cost of oversight and  
42 maintenance of the program.

178.560. The school board of any school district or the governing board of  
2 [Linn State Technical College] **State Technical College of Missouri**  
3 maintaining a prevocational or vocational school, [Linn State Technical College]  
4 **State Technical College of Missouri**, department or class receiving the  
5 benefit of state or federal moneys under the provisions of sections 178.420 to  
6 178.580, as a condition of approval by the state board of education and the state  
7 commissioner of education, shall appoint persons of experience in agriculture,  
8 industry, home economics and commerce to give advice and assistance to the  
9 school board or governing board in the establishment and maintenance of the  
10 schools, departments and classes. The persons of experience shall serve without  
11 compensation.

178.585. 1. Under rules and regulations of the state board of education,  
2 the commissioner of education, in cooperation with the director of the division of  
3 workforce development of the department of economic development, shall  
4 establish procedures to provide grants to public high schools, vocational-technical  
5 schools, [Linn State Technical College] **State Technical College of Missouri**,  
6 and community colleges solely for the purpose of new programs, curriculum  
7 enhancement, equipment and facilities so as to upgrade vocational and technical  
8 education in the state.

9 2. Each vocational-technical school, community college, [Linn State  
10 Technical College] **State Technical College of Missouri**, and school district  
11 of any public high school receiving a grant authorized by this section shall have  
12 an advisory committee composed of local business persons, labor leaders, parents,  
13 senior citizens, community leaders and teachers to establish a plan to ensure that  
14 students who graduate from the vocational-technical school, community college,  
15 [Linn State Technical College] **State Technical College of Missouri**, or public  
16 high school proceed to a four-year college or high-wage job with workplace-skill  
17 development opportunities.

18 3. The director of the department of economic development shall provide  
19 annually to the commissioner of education a listing of demand occupations in the  
20 state including substate projections. The listing shall include those occupations  
21 for which, in the judgment of the director of the department of economic  
22 development, there is a critical shortage to meet present or future employment  
23 needs necessary to the economic growth and competitiveness of the state.

24 4. In any fiscal year, at least seventy-five percent of all moneys for the  
25 grant awards authorized by this section shall be to public high schools,  
26 vocational-technical schools, [Linn State Technical College] **State Technical**  
27 **College of Missouri**, or community colleges for new programs, curriculum  
28 enhancement or equipment necessary to address demand occupations identified  
29 pursuant to subsection 3 of this section.

178.631. If the facilities, equipment, and adjoining grounds of Linn  
2 Technical College located in Osage County and commonly known as the East  
3 Campus of Linn Technical College, as well as the cash reserves of Linn Technical  
4 College are made available to the state of Missouri as a gift by the Osage R-II  
5 school district, there shall be established at that site a state technical college, to  
6 be known as ["Linn State Technical College"] **"State Technical College of**  
7 **Missouri"**.

178.632. The governing board of [Linn State Technical College] **State**  
2 **Technical College of Missouri** shall be a board of regents composed of seven  
3 voting members and one nonvoting student member. Such members shall be  
4 appointed by the governor with the advice and consent of the senate after August  
5 28, 1995, and after the conditions of section 178.631 are satisfied. No person  
6 shall be appointed to the board who is not a citizen of the United States and who  
7 has not been a resident of the state of Missouri for at least two years immediately  
8 prior to his appointment. Not less than three voting members shall belong to one  
9 of the two major political parties and not less than three shall belong to the other  
10 major political party. Not more than two voting members shall reside in Osage  
11 County or other immediately contiguous counties.

178.634. The board of regents of [Linn State Technical College] **State**  
2 **Technical College of Missouri**, while attending the meetings of the board,  
3 shall receive their actual and necessary expenses, which shall be paid out of the  
4 ordinary revenues of the institution. Vacancies in terms of office caused by death,  
5 resignation or removal shall be filled in the manner provided by law for such  
6 vacancies on the board of curators of the University of Missouri.

178.635. 1. The board of regents of [Linn State Technical College] **State**  
2 **Technical College of Missouri** shall organize in the manner provided by law  
3 for the board of curators of the University of Missouri. The powers, duties,  
4 authority, responsibilities, privileges, immunities, liabilities and compensation  
5 of the board of [Linn State Technical College] **State Technical College of**  
6 **Missouri** in regard to [Linn State Technical College] **State Technical College**

7 **of Missouri** shall be the same as those prescribed by statute for the board of  
8 curators of the University of Missouri in regard to the University of Missouri,  
9 except that [Linn State Technical College] **State Technical College of**  
10 **Missouri** shall be operated only as a state technical college. Nothing in this  
11 section shall be construed to authorize [Linn State Technical College] **State**  
12 **Technical College of Missouri** to become a community college or a university  
13 offering four-year or graduate degrees.

14 2. All lawful bonded indebtedness incurred by the issuance of revenue  
15 bonds, as defined in section 176.010, by [Linn Technical College] **State**  
16 **Technical College of Missouri**, shall be deemed to be an indebtedness of the  
17 board of regents of [Linn State Technical College] **State Technical College of**  
18 **Missouri** after the date upon which the conditions of section 178.631 are  
19 met. Such indebtedness shall be retired through tuition revenues.

178.636. 1. [Linn State Technical College] **State Technical College of**  
2 **Missouri** shall be a special purpose institution that shall make available to  
3 students from all areas of the state exceptional educational opportunities through  
4 highly specialized and advanced technical education and training at the  
5 certificate and associate degree level in both emerging and traditional  
6 technologies with particular emphasis on technical and vocational programs not  
7 commonly offered by community colleges or area vocational technical  
8 schools. Primary consideration shall be placed on the industrial and  
9 technological manpower needs of the state. In addition, [Linn State Technical  
10 College] **State Technical College of Missouri** is authorized to assist the state  
11 in economic development initiatives and to facilitate the transfer of technology to  
12 Missouri business and industry directly through the graduation of technicians in  
13 advanced and emerging disciplines and through technical assistance provided to  
14 business and industry. [Linn State Technical College] **State Technical College**  
15 **of Missouri** is authorized to provide technical assistance to area vocational  
16 technical schools and community colleges through supplemental on-site  
17 instruction and distance learning as such area vocational technical schools and  
18 community colleges deem appropriate.

19 2. Consistent with the mission statement provided in subsection 1 of this  
20 section, [Linn State Technical College] **State Technical College of Missouri**  
21 shall offer vocational and technical programs leading to the granting of  
22 certificates, diplomas, and applied science associate degrees, or a combination  
23 thereof, but not including associate of arts or baccalaureate or higher

24 degrees. [Linn State Technical College] **State Technical College of Missouri**  
25 shall also continue its role as a recognized area vocational technical school as  
26 provided by policies and procedures of the state board of education.

178.637. [Linn State Technical College] **State Technical College of**  
2 **Missouri** shall be deemed to be a qualified college, university, or educational  
3 institution for the purposes of any higher education student loan, grant, or  
4 scholarship program established pursuant to state law. Tuition and fees for this  
5 institution shall be comparable to public four-year institutions rather than public  
6 two-year institutions.

178.638. [Linn State Technical College] **State Technical College of**  
2 **Missouri** shall be under the oversight of the coordinating board for higher  
3 education. The institution shall also be subject to oversight by the state board  
4 of education to the extent it serves as an area vocational technical  
5 school. Beginning in the first full state fiscal year subsequent to the approval of  
6 [Linn State Technical College's] **State Technical College of Missouri's** plan  
7 by the coordinating board submitted pursuant to section 178.637, the state of  
8 Missouri shall, subject to appropriation, provide the funds necessary to provide  
9 the staff, cost of operation, and payment of all new capital improvements  
10 commencing with that fiscal year. All funds designated for the institution shall  
11 be included in the coordinating board's budget request as provided in chapter 173,  
12 except that vocational technical education reimbursements shall continue to be  
13 requested through the state board of education.

178.639. Any person who becomes an employee of the [Linn State  
2 Technical College] **State Technical College of Missouri** after the conditions  
3 of section 178.631 are met, shall become a member of the Missouri state  
4 employees' retirement system, if the person otherwise meets the requirements for  
5 membership in that system.

178.640. 1. Employees of the technical college commonly known as the  
2 [Linn Technical College] **State Technical College of Missouri**, who become  
3 employees of the [Linn State Technical College] **State Technical College of**  
4 **Missouri** on the date the conditions of section 178.631 are met, shall, on that  
5 date, become members of the Missouri state employees' retirement system if they  
6 otherwise meet the requirements for membership in that system.

7 (1) Any such employee who had been contributing to a retirement system  
8 established by sections 169.010 to 169.141 or 169.600 to 169.715 may elect one  
9 of the following:



10 (a) All creditable service with the public school retirement system of  
11 Missouri or the public education employee retirement system of Missouri  
12 resulting from employment with the [Linn Technical College] **State Technical**  
13 **College of Missouri** shall be forfeited and an equal amount of service shall be  
14 transferred to and recognized as prior creditable service by the Missouri state  
15 employees' retirement system, and the member, upon application, shall receive  
16 a refund of accumulated contributions associated with such transferred service  
17 from the system to which member contributions had been made; or

18 (b) All creditable service with the public school retirement system of  
19 Missouri or the public education employee retirement system, regardless of the  
20 source of such creditable service, shall be recognized by the applicable system and  
21 the person, notwithstanding any of the provisions of chapter 169, shall  
22 immediately vest in the applicable system and, upon attainment of the minimum  
23 retirement age of the applicable system, be entitled to a monthly benefit based  
24 on such creditable service and the law in effect at the time of retirement,  
25 provided the person does not withdraw accumulated contributions associated with  
26 such creditable service.

27 (2) With respect to those persons electing to receive a refund under  
28 paragraph (a) of subdivision (1) of this section, the public school retirement  
29 system of Missouri or the public education employee retirement system of  
30 Missouri, whichever is applicable, shall transfer to the Missouri state employees'  
31 retirement system an amount equal to the actuarial accrued liability for the  
32 forfeited creditable service, determined as if the person were going to continue to  
33 be an active member of the public school retirement system of Missouri or the  
34 public education employee retirement system as applicable, less the amount of  
35 any refunds of member contributions. In addition, notwithstanding any of the  
36 provisions of chapter 169, any person who elects to receive a refund under  
37 paragraph (a) of subdivision (1) of this section and has creditable service with the  
38 public school retirement system of Missouri or the public education employee  
39 retirement system of Missouri resulting from employment with any employer  
40 other than the [Linn Technical College] **State Technical College of Missouri**  
41 shall, with respect to such service, immediately vest in the applicable system and,  
42 upon attainment of the minimum retirement age of the applicable system, be  
43 entitled to a monthly benefit based on such creditable service and the law in  
44 effect at the time of retirement, provided the person does not withdraw  
45 accumulated contributions associated with such creditable service.

46           (3) The election under subdivision (1) of this section shall be made within  
47 ninety days after the conditions of section 178.631 are met. Any person who fails  
48 to make an election within that period shall be deemed to have elected to be  
49 governed by paragraph (a) of subdivision (1) of this section.

50           2. In no event shall any person receive service credit for the same period  
51 of service under more than one retirement system as a result of the provisions of  
52 this act.

          Section B. The repeal and reenactment of sections 173.005, 173.1105,  
2 174.020, 176.010, 178.420, 178.530, 178.560, 178.585, 178.631, 178.632, 178.634,  
3 178.635, 178.636, 178.637, 178.638, 178.639, and 178.640 of this act shall become  
4 effective on July 1, 2014.

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Bill

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