

SECOND REGULAR SESSION

SENATE BILL NO. 712

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CHAPPELLE-NADAL.

Pre-filed December 1, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4483S.01I

AN ACT

To repeal sections 173.1102, 173.1103, and 173.1104, RSMo, and to enact in lieu thereof three new sections relating to higher education financial aid.

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

Section A. Sections 173.1102, 173.1103, and 173.1104, RSMo, are repealed
2 and three new sections enacted in lieu thereof, to be known as sections 173.1102,
3 173.1103, and 173.1104, to read as follows:

173.1102. As used in sections 173.1101 to 173.1107, unless the context
2 requires otherwise, the following terms mean:

3 (1) "Academic year", the period from July first of any year through June
4 thirtieth of the following year;

5 (2) "Approved private institution", a nonprofit institution, dedicated to
6 educational purposes, located in Missouri which:

7 (a) Is operated privately under the control of an independent board and
8 not directly controlled or administered by any public agency or political
9 subdivision;

10 (b) Provides a postsecondary course of instruction at least six months in
11 length leading to or directly creditable toward a certificate or degree;

12 (c) Meets the standards for accreditation as determined by either the
13 Higher Learning Commission or by other accrediting bodies recognized by the
14 United States Department of Education or by utilizing accreditation standards
15 applicable to nondegree-granting institutions as established by the coordinating
16 board for higher education;

17 (d) Does not discriminate in the hiring of administrators, faculty and staff
18 or in the admission of students on the basis of race, color, religion, sex, or

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

19 national origin and is in compliance with the Federal Civil Rights Acts of 1964
20 and 1968 and executive orders issued pursuant thereto. Sex discrimination as
21 used herein shall not apply to admission practices of institutions offering the
22 enrollment limited to one sex;

23 (e) Permits faculty members to select textbooks without influence or
24 pressure by any religious or sectarian source;

25 (3) "Approved public institution", an educational institution located in
26 Missouri which:

27 (a) Is directly controlled or administered by a public agency or political
28 subdivision;

29 (b) Receives appropriations directly or indirectly from the general
30 assembly for operating expenses;

31 (c) Provides a postsecondary course of instruction at least six months in
32 length leading to or directly creditable toward a degree or certificate;

33 (d) Meets the standards for accreditation as determined by either the
34 Higher Learning Commission, or if a public community college created under the
35 provisions of sections 178.370 to 178.400 meets the standards established by the
36 coordinating board for higher education for such public community colleges, or by
37 other accrediting bodies recognized by the United States Department of Education
38 or by utilizing accreditation standards applicable to the institution as established
39 by the coordinating board for higher education;

40 (e) Does not discriminate in the hiring of administrators, faculty and staff
41 or in the admission of students on the basis of race, color, religion, sex, or
42 national origin and is otherwise in compliance with the Federal Civil Rights Acts
43 of 1964 and 1968 and executive orders issued pursuant thereto;

44 (f) Permits faculty members to select textbooks without influence or
45 pressure by any religious or sectarian source;

46 (4) "Coordinating board", the coordinating board for higher education;

47 (5) "**Director**", a director of the access Missouri financial
48 assistance program for a school district or local educational agency;

49 (6) "Expected family contribution", the amount of money a student and
50 family should pay toward the cost of postsecondary education as calculated by the
51 United States Department of Education and reported on the student aid report
52 or the institutional student information record;

53 [(6)] (7) "Financial assistance", an amount of money paid by the state of
54 Missouri to a qualified applicant under sections 173.1101 to 173.1107;

55 [(7)] (8) "Full-time student", an individual who is enrolled in and is
56 carrying a sufficient number of credit hours or their equivalent at an approved
57 private or public institution to secure the degree or certificate toward which he
58 or she is working in no more than the number of semesters or their equivalent
59 normally required by that institution in the program in which the individual is
60 enrolled. This definition shall be construed as the successor to subdivision (7) of
61 section 173.205 for purposes of eligibility requirements of other financial
62 assistance programs that refer to section 173.205.

173.1103. 1. The coordinating board shall be the administrative agency
2 for the implementation of the program established by sections 173.1101 to
3 173.1107. The coordinating board shall promulgate reasonable rules and
4 regulations for the exercise of its functions and the effectuation of the purposes
5 of sections 173.1101 to 173.1107. It shall prescribe the form and the time and
6 method of filing applications and supervise the processing thereof. The
7 coordinating board shall determine the criteria for eligibility of applicants and
8 shall evaluate each applicant's expected family contribution. It shall select
9 qualified recipients to receive financial assistance, make such awards of financial
10 assistance to qualified recipients, and determine the manner and method of
11 payment to the recipient.

12 2. **Each school district or local educational agency shall**
13 **designate a salaried employee to serve as the access Missouri director,**
14 **with the district assuming a minimum of one-half the cost of the salary**
15 **and other benefits provided to the director. Such employee may also**
16 **serve as the program coordinator for the A+ Schools Program.**

17 3. The coordinating board shall determine eligibility for renewed
18 assistance on the basis of annual applications and annual evaluations of expected
19 family contribution. In awarding renewal grants, the coordinating board may
20 increase or decrease the amount of financial assistance to an applicant if such
21 action is warranted by a change in the financial condition of the applicant, the
22 applicant's spouse or parents, or the availability of funds for that year. As a
23 condition to consideration for initial or renewed assistance, the coordinating
24 board may require the applicant, the applicant's spouse and parents to execute
25 forms of consent authorizing the director of revenue of Missouri to compare
26 financial information submitted by the applicant with the Missouri individual
27 income tax returns of the applicant, the applicant's spouse and parents for the
28 taxable year immediately preceding the year for which application is made, and

29 to report any discrepancies to the coordinating board.

30 [3.] 4. There is hereby created in the state treasury the "Access Missouri
31 Financial Assistance Fund". The state treasurer shall be custodian of the fund
32 and may approve disbursements from the fund in accordance with sections 30.170
33 and 30.180. Upon appropriation, money in the fund shall be used solely to
34 provide financial assistance to qualified applicants as provided by sections
35 173.1101 to 173.1107. Notwithstanding the provisions of section 33.080 to the
36 contrary, any moneys remaining in the fund at the end of the biennium shall not
37 revert to the credit of the general revenue fund. The state treasurer shall invest
38 moneys in the fund in the same manner as other funds are invested. Any interest
39 and moneys earned on such investments shall be credited to the fund.

173.1104. 1. An applicant shall be eligible for initial or renewed financial
2 assistance only if, at the time of application and throughout the period during
3 which the applicant is receiving such assistance, the applicant **shall**:

4 (1) [Is] **Be** a citizen or a permanent resident of the United States;

5 (2) [Is] **Be** a resident of the state of Missouri, as determined by reference
6 to standards promulgated by the coordinating board;

7 (3) [Is] **Enter into a written program commitment agreement at**
8 **the beginning of the applicant's ninth grade year that includes but is**
9 **not limited to a commitment by the applicant and parent to develop a**
10 **personal plan of study that meets the requirements provided for in**
11 **subsection 2 of this section;**

12 (4) **Be assigned a mentor by the director in consultation with the**
13 **applicant, parent or guardian, and school guidance personnel. The**
14 **mentor shall advise and consult with students in effective and**
15 **successful work habits and career paths;**

16 (5) **Have performed fifty hours of unpaid tutoring or mentoring,**
17 **of which up to twenty-five percent may include job shadowing;**

18 (6) **Be** enrolled, or has been accepted for enrollment, as a full-time
19 undergraduate student in an approved private or public institution; and

20 [(4)] (7) **Not be** enrolled or does not intend to use the award to enroll in
21 a course of study leading to a degree in theology or divinity.

22 2. **Each student during his or her ninth grade year at a public**
23 **school, including a charter school, shall develop in consultation with**
24 **parents, the district's or local educational agency's access Missouri**
25 **director and school guidance personnel a personal plan of study, which**

26 shall be reviewed at least annually by the school's access Missouri
27 director and the student's parent or guardian for possible modification
28 based upon career and academic requirements. Each plan shall present
29 a sequence of courses and experiences that conclude with the student
30 reaching his or her postsecondary goals. Implementation of the plan
31 of study shall transfer to the program of postsecondary education or
32 training upon the student's high school graduation without need for
33 remediation at the postsecondary level. The plan shall include, but not
34 be limited to:

35 (1) Requirements for graduation from the school district or
36 charter school;

37 (2) Career or postsecondary goals;

38 (3) Coursework or program of study related to career and
39 postsecondary goals, which shall include, where relevant, opportunities
40 that the district or school may not directly offer but are essential for
41 goal attainment;

42 (4) Grade-appropriate and career-related experiences, as
43 outlined in the grade-level expectations of the Missouri comprehensive
44 guidance program. These experiences shall include at least one
45 substantial and sustained activity to introduce or develop
46 entrepreneurship. Such experiences may include but shall not be
47 limited to membership in distributive education clubs of America,
48 future business leaders of America, and future farmers of America; and

49 (5) Student assessments, interest inventories, or academic results
50 needed to develop, review, and revise the personal plan of study, which
51 shall include, where relevant, assessments, inventories, or academic
52 results that the school district or charter school may not offer.

53 3. If an applicant is found guilty of or pleads guilty to any criminal
54 offense during the period of time in which the applicant is receiving financial
55 assistance, such applicant shall not be eligible for renewal of such assistance,
56 provided such offense would disqualify the applicant from receiving federal
57 student aid under Title IV of the Higher Education Act of 1965, as amended.

58 [3.] 4. Financial assistance shall be allotted for one academic year, but
59 a recipient shall be eligible for renewed assistance until he or she has obtained
60 a baccalaureate degree, provided such financial assistance shall not exceed a total
61 of ten semesters or fifteen quarters or their equivalent. Standards of eligibility
62 for renewed assistance shall be the same as for an initial award of financial

63 assistance, except that for renewal, an applicant shall demonstrate a grade-point
64 average of two and five-tenths on a four-point scale, or the equivalent on another
65 scale. This subsection shall be construed as the successor to section 173.215 for
66 purposes of eligibility requirements of other financial assistance programs that
67 refer to section 173.215.

68 **5. Students who meet all eligibility requirements set forth in this**
69 **section shall be eligible to receive funds during his or her high school**
70 **career to pay for dual enrollment credits from an approved private or**
71 **public institution that are directly applicable to a postsecondary**
72 **associate or bachelor's degree. Payment to institutions shall occur only**
73 **after successful completion of approved credit hours.**

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Bill

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