

FIRST REGULAR SESSION

HOUSE BILL NO. 719

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MAY (Sponsor), MYERS AND BIVINS.

Read 1st time April 2, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2121L.021

AN ACT

To repeal sections 173.205 and 335.212, RSMo, and to enact in lieu thereof two new sections relating to certain student financial assistance programs.

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

Section A. Sections 173.205 and 335.212, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 173.205 and 335.212, to read as follows:

173.205. As used in sections 173.200 to 173.230, unless the context requires otherwise,
2 the following terms mean:

3 (1) "Academic year", the period from August first of any year through July thirty-first
4 of the following year;

5 (2) "Approved private institution", a **proprietary school as defined in sections 173.600**
6 **to 173.618 offering associate or baccalaureate degrees, or a** nonprofit institution, dedicated
7 to educational purposes, located in Missouri which:

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

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

12 (c) Meets the standards for accreditation as determined by either the North Central
13 Association of Colleges and Secondary Schools or by other accrediting bodies recognized by the
14 United States Office of Education or by utilizing accreditation standards applicable to
15 nondegree-granting institutions as established by the coordinating board for higher education;

16 (d) Does not discriminate in the hiring of administrators, faculty and staff or in the
17 admission of students on the basis of race, color, religion, sex, or national origin and is in
18 compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued

19 pursuant thereto. Sex discrimination as used herein shall not apply to admission practices of
20 institutions offering the enrollment limited to one sex;

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

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

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

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

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

29 (d) Meets the standards for accreditation as determined by either the North Central
30 Association of Colleges and Secondary Schools, or if a public junior college created pursuant
31 to the provisions of sections 178.370 to 178.400, RSMo, meets the standards established by the
32 coordinating board for higher education for such public junior colleges, or by other accrediting
33 bodies recognized by the United States Office of Education or by utilizing accreditation
34 standards applicable to the institution as established by the coordinating board for higher
35 education;

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

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

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

43 (5) "Financial assistance", an amount of money paid by the state of Missouri to a
44 qualified applicant pursuant to sections 173.200 to 173.230;

45 (6) "Financial need", the difference between the financial resources available to an
46 applicant, as determined by the coordinating board, and the applicant's anticipated expenses,
47 including tuition, mandatory fees, and board and room while attending an approved private or
48 public institution of postsecondary education. In determining need the coordinating board shall
49 employ a formula similar to nationally recognized comprehensive mechanisms for determining
50 need, such as those of the American College Testing Program or the College Scholarship
51 Service;

52 (7) "Full-time student", an individual who is enrolled in and is carrying sufficient
53 number of credit hours or their equivalent at an approved private or public institution to secure
54 the degree or certificate toward which he is working in no more than the number of semesters

55 or their equivalent normally required by that institution in the program in which the individual
56 is enrolled.

335.212. As used in sections 335.212 to 335.242, the following terms mean:

- 2 (1) "Board", the Missouri state board of nursing;
- 3 (2) "Department", the Missouri department of health and senior services;
- 4 (3) "Director", director of the Missouri department of health and senior services;
- 5 (4) "Eligible student", a resident who has made application to be a full-time student in
6 a formal course of instruction leading to an associate degree, a diploma, a bachelor of science,
7 or a master of science in nursing or leading to the completion of educational requirements for
8 a licensed practical nurse;
- 9 (5) "Participating school", an institution within this state which is approved by the board
10 for participation in the professional and practical nursing student loan program established by
11 sections 335.212 to 335.242, having a nursing department and offering a course of instruction
12 based on nursing theory and clinical nursing experience;
- 13 (6) "Qualified applicant", an eligible student approved by the board for participation in
14 the professional and practical nursing student loan program established by sections 335.212 to
15 335.242;
- 16 (7) "Qualified employment", employment on a full-time basis in Missouri in a position
17 requiring licensure as a licensed practical nurse or registered professional nurse in any **hospital**
18 **as defined in section 197.020, RSMo,** or public or nonprofit agency, institution, or organization
19 located in an area of need as determined by the department of health and senior services. Any
20 forgiveness of such principal and interest for any qualified applicant engaged in qualified
21 employment on a less than full-time basis may be prorated to reflect the amounts provided in this
22 section;
- 23 (8) "Resident", any person who has lived in this state for one or more years for any
24 purpose other than the attending of an educational institution located within this state.