

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1865

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BEARDEN (Sponsor), JETTON, DEMPSEY, RUESTMAN, DIXON, MUNZLINGER, ERVIN, COOPER (120), ICET, NIEVES, SANDER, KINGERY, FLOOK, COOPER (155), CUNNINGHAM (86), SCHNEIDER, FAITH, SUTHERLAND, WILSON (119), KRAUS, McGHEE, STEVENSON, MUSCHANY, MAY, SMITH (14), MOORE, THRELKELD, NANCE, TILLEY, GUEST, PHILLIPS, LIPKE AND BRUNS (Co-sponsors).

Read 1st time February 23, 2006 and copies ordered printed.

Read 2nd time February 24, 2006 and referred to the Special Committee on Student Achievement and Finance March 2, 2006.

Reported from the Committee on Special Committee on Student Achievement and Finance March 14, 2006 with recommendation that the bill Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

Reported from the Committee on Rules March 16, 2006 with recommendation that the bill Do Pass with no time limit for debate.

Taken up for Perfection April 11, 2006. Bill ordered Perfected and printed, as amended.

STEPHEN S. DAVIS, Chief Clerk

4724L.01P

AN ACT

To repeal sections 173.215, 173.220, and 173.820, RSMo, and to enact in lieu thereof eleven new sections relating to higher education.

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

Section A. Sections 173.215, 173.220, and 173.820, RSMo, are repealed and eleven new
2 sections enacted in lieu thereof, to be known as sections 173.093, 173.195, 173.215, 173.220,
3 173.820, 173.1000, 173.1003, 173.1006, 173.1009, 173.1012, and 1, to read as follows:

**173.093. No student enrolled in an approved public or private institution of higher
2 education in this state, as defined in section 173.205, shall receive financial assistance
3 funded in whole or in part with public moneys which results in receipt of financial
4 assistance that exceeds the student's cost for tuition, fees, books, and where applicable,
5 room and board provided at the institution. Approved private institutions shall comply**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

6 with the provisions of this section and shall, upon request by the department of higher
7 education, provide financial information to the department to determine compliance with
8 the requirements of this section.

173.195. 1. Beginning July 1, 2007, there is hereby established the "Access
2 Missouri Scholarship Program". Any moneys appropriated by the general assembly for
3 such program shall be used to provide nonrenewable scholarships for Missouri residents
4 to attend an approved institution of higher education in this state that meets the definition
5 of an "approved institution" in section 173.205 for a freshman year under this section.
6 Scholarships shall be offered beginning for any academic term beginning within twenty-
7 four months following the date of graduation from high school to Missouri high school
8 graduates who meet the requirements of this section.

9 2. For purposes of this section, "scholarship" means moneys paid by the state of
10 Missouri on behalf of a qualified student enrolled in an approved institution of higher
11 education under this section for an initial full academic year of study.

12 3. The commissioner of higher education shall establish a procedure for the
13 reimbursement of the cost of tuition and fees up to the maximum specified in subsection
14 4 of this section to any approved institution in this state for any student:

15 (1) Who is not eligible under the A+ program established in section 160.545, RSMo,
16 because the program was not available through the student's high school; and

17 (a) Who has attended a recognized high school in this state for at least three years
18 immediately prior to graduation; except that, students who are dependents of active duty
19 military personnel who, in the school year immediately preceding graduation, meet all
20 other requirements of this subsection shall be exempt from the three-year attendance
21 requirement of this paragraph;

22 (b) Who has made a good faith effort to first secure all available federal sources of
23 funding that may be applied to the reimbursement described in this subsection; and

24 (c) Who has earned a two point five grade average on a four-point scale, or the
25 equivalent on another scale, while in high school consistent with the requirements of the
26 A+ program and other requirements for the reimbursement authorized by this subsection,
27 which shall include community service during high school as determined by rule of the
28 coordinating board for higher education; or

29 (2) Who is eligible under the A+ program established under section 160.545, RSMo,
30 who chooses to apply for and is admitted to an approved institution that does not
31 participate in the A+ program.

32 **4. The maximum scholarship shall be no more than one thousand dollars. The**
33 **coordinating board for higher education shall be the administrative agency for the**
34 **implementation of the program established under this section, and shall:**

35 **(1) Promulgate reasonable rules to implement the provisions of this section;**

36 **(2) Prescribe the form and the time and method of awarding scholarships, and**
37 **supervise the processing thereof; and**

38 **(3) Select qualified recipients to receive scholarships, make such awards of**
39 **scholarships to qualified recipients, and determine the manner and method of payment to**
40 **the approved institution on behalf of the recipient.**

41 **5. A recipient of a scholarship awarded under this section may transfer from one**
42 **approved institution to another without losing eligibility for the scholarship. If at any time**
43 **a recipient of the scholarship withdraws from an approved institution, which under the**
44 **rules of such institution would entitle the student to a refund of any tuition, fees or other**
45 **charges, the institution shall pay the portion of the refund attributable to the scholarship**
46 **for such term to the coordinating board for higher education.**

47 **6. The commissioner of higher education shall develop a procedure for evaluating**
48 **the effectiveness of the program described in this section. Such evaluation shall be**
49 **conducted annually and provide the results of the evaluation to the governor, the general**
50 **assembly, and the joint committee on higher education established under section 173.1012.**

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

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

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

7 **(3) Is enrolled, or has been accepted for enrollment, as a full-time undergraduate student**
8 **in an approved private or public institution;**

9 **(4) Establishes that [he] the applicant has financial need;**

10 **(5) Has [never been convicted in any court of an offense which involved the use of force,**
11 **disruption or seizure of property under the control of any institution of higher education to**
12 **prevent officials or students in such institutions from engaging in their duties or pursuing their**
13 **studies; and] not been found guilty of or pled guilty to any criminal offense or been**
14 **adjudicated to have committed an offense which would constitute a criminal offense if**
15 **committed by an adult; and**

16 **(6) Meets the minimum academic standards of a two point five grade average on**
17 **a four-point scale, or the equivalent on another scale, for renewal of assistance; and**

18 [(6)] (7) No award shall be made under sections 173.200 to 173.230 to any applicant who
19 is enrolled, or who intends to use the award to enroll, in a course of study leading to a degree in
20 theology or divinity.

21 2. Financial assistance shall be allotted for one academic year, but a recipient shall be
22 eligible for renewed assistance until [he] **the recipient** has obtained a baccalaureate degree,
23 provided such financial assistance shall not exceed a total of ten semesters or fifteen quarters or
24 their equivalent. Standards of eligibility for renewed assistance shall be the same as for an initial
25 award of financial assistance.

173.220. An applicant who is enrolled or has been accepted for enrollment as an
2 undergraduate postsecondary student at an approved private or public institution [after August
3 13, 1979,] and who meets the other eligibility criteria shall be entitled to financial assistance
4 based primarily on [his] **the applicant's** financial need and to the extent of [his] **the applicant's**
5 financial need as determined by the coordinating board[, except that effective August 1, 1980]
6 ; **except that**, the amount of such grant shall not exceed the least of:

7 (1) The applicant's demonstrated financial need as determined by the coordinating board;
8 or

9 (2) One-half the tuition and mandatory fee charges in effect the prior academic year at
10 the approved institution the applicant plans to attend; or

11 (3) Fifteen hundred dollars[;
12 and until that date the grant shall not exceed the least of:

13 (1) The applicant's demonstrated financial need as determined by the coordinating board;
14 or

15 (2) One-half the fall 1971 tuition and mandatory fee charges at the approved institution
16 the applicant plans to attend; or

17 (3) Nine hundred dollars].

173.820. 1. A student shall be eligible for an initial or renewed scholarship if such
2 student is in compliance with the eligibility requirements set forth in section 173.215, and in
3 addition meets the following requirements:

4 (1) [Has a cumulative grade point average of at least two and one-half on a four-point
5 scale or equivalent on the student's high school core curriculum and has completed a high school
6 curriculum satisfying the coordinating board's requirements for a college preparatory or technical
7 preparatory curriculum;

8 (2) Has received a score of twenty or higher on the general American College Test
9 (ACT) or a composite verbal and math score of nine hundred and fifty or higher on the
10 Scholastic Aptitude Test (SAT);

11 (3)] Has not been [convicted] **found guilty** of or pled guilty to any criminal offense or
12 been adjudicated to have committed an offense which would constitute a criminal offense if
13 committed by an adult;

14 [(4) Has substantially participated in extracurricular activities, as determined by the
15 coordinating board; and

16 (5)] (2) For the purpose of renewal, remains in compliance with the applicable provisions
17 of section 173.215, and makes satisfactory academic degree progress as a full-time student.

18 2. (1) A student seeking **to renew** a scholarship pursuant to sections 173.810 to 173.827
19 shall maintain a cumulative grade point average (GPA) of at least two point five on a four-point
20 scale, or the equivalent on another scale approved by the program administrator while attending
21 the approved public or private institution.

22 (2) If the grade point average of a member who is receiving educational assistance
23 pursuant to sections 173.810 to 173.827 falls below [two point five on a four-point scale, or the
24 equivalent on another scale] **the required level established in this subsection**, such member
25 shall retain the educational assistance and shall be placed on probation under the educational
26 assistance program. Failure to achieve a current grade point average of [at least two point five
27 on a four-point scale, or the equivalent on another scale] **the required level** for future semesters
28 or equivalent academic terms shall result in termination of the scholarship effective as of the next
29 academic term. The member shall be removed from probation status upon achieving [a] **the**
30 **required** cumulative grade point average [of two point five on a four-point scale or the
31 equivalent on another scale].

32 3. Scholarships shall be offered beginning for any academic term beginning within
33 twenty-four months following the date of graduation from high school to Missouri high school
34 graduates who meet the requirements of subsection 1 of this section. The scholarship shall be
35 applicable toward payment for tuition and other fees and the costs of books and other
36 education-related expenses. The amount of the scholarship, regardless of the institution attended,
37 shall not exceed the current average cost of tuition and fees at the campus of the University of
38 Missouri which has the largest total enrollment, as determined by the coordinating board, and
39 a book allowance as determined by the coordinating board, **both as of the 2004-2005 academic**
40 **year**.

41 4. The amount of scholarship provided under sections 173.810 to 173.827 shall be based
42 upon financial need as determined under sections 173.810 to 173.827, shall be subject to the
43 maximum amount established in subsection 2 of this section and shall be further reduced by the
44 amount of any nonloan need-based federal financial aid, all other nonloan need-based assistance
45 received by or on behalf of the student pursuant to other provisions of this chapter and any other
46 nonloan need-based state financial aid which aid or assistance may be used for the purposes

47 established pursuant to subsection 2 of this section for scholarships granted pursuant to sections
48 173.810 to 173.827.

49 5. A student who is enrolled or has been accepted for enrollment as a postsecondary
50 student at an approved private or public institution [beginning with the fall 1999 term] and who
51 meets the other eligibility requirements for a scholarship pursuant to sections 173.810 to 173.827
52 shall, within the limits of the funds appropriated and made available, be offered a scholarship
53 for the first academic year of study as provided in sections 173.810 to 173.827. Such scholarship
54 shall be renewable in like amount annually for the second, third, fourth and fifth academic years,
55 or as long as the recipient is in compliance with the applicable eligibility requirements set forth
56 in section 173.215, provided such years of study are continuous and the student continues to
57 meet eligibility requirements for the scholarship. If a recipient ceases all attendance at an
58 approved public or private institution for the purpose of providing service to a nonprofit
59 organization, a state or federal government agency or any branch of the armed forces of the
60 United States, the recipient shall be eligible for a renewal scholarship upon return to any
61 approved public or private institution, provided the recipient:

62 (1) Returns to full-time status within twenty-seven months;

63 (2) Provides verification, in compliance with rules of the coordinating board, that the
64 service to the nonprofit organization was satisfactorily completed and was not compensated other
65 than for expenses or that the service to the state or federal governmental agency or branch of the
66 armed forces of the United States was satisfactorily completed; and

67 (3) Meets all other requirements established for eligibility to receive a renewal
68 scholarship.

**173.1000. The provisions of sections 173.1000 to 173.1012 shall be known and may
2 be cited as the "Higher Education Student Funding Act".**

**173.1003. 1. Each approved public institution, as defined in section 173.205, but
2 excluding vocational-technical schools unless otherwise specified, shall be eligible to receive
3 additional funding above the fiscal year 2002 operating budget appropriation level only:**

4 **(1) At a rate of no greater than two and five-tenths percent of the institutional
5 operating appropriation for the previous fiscal year until the seventy-five percent level
6 referred to in subsection 3 of this section is reached. Once such level is reached and any
7 legislative adjustment of the base appropriation is made, the two and five-tenths cap shall
8 remain in place until the scholarships referred to in subsection 3 are one hundred percent
9 funded, at which time the cap shall no longer apply; and**

10 **(2) Upon establishment of no more than five of the following performance measures:**

11 **(a) Two institutional measures as negotiated by each institution through the
12 department of higher education; and**

13 (b) Three statewide measures as developed by the department of higher education
14 in consultation with institutions of higher education.

15

16 One such measure may be a sector-specific measure making use of the 2005 additional
17 Carnegie categories, if deemed appropriate by the department of higher education. The
18 department shall report to the joint committee on higher education on its progress at least
19 twice a year in developing the statewide measures and negotiating the institution-specific
20 measures. The performance measures shall be reflected in the performance contract of
21 each approved public institution under section 173.1006.

22 2. When the operating budget appropriation exceeds the level contemplated in
23 subsection 1 of this section, the additional moneys in excess of the level contemplated in
24 subsection 1 of this section shall be delivered to approved public institutions in the form
25 of aid to scholarship programs rather than institutional operating aid until full funding of
26 the Gallagher, Guarantee, Bright Flight, A+, and Access Missouri programs is achieved
27 except as otherwise provided in subsection 3 of this section.

28 3. Notwithstanding the provisions of subsection 2 of this section, when the
29 scholarship programs referred to in subsection 2 of this section are seventy-five percent
30 funded, the general assembly may, in the subsequent year after the level is achieved, adjust
31 the amount appropriated under subsection 1 of this section. No further adjustment shall
32 be made to the amount under subsection 1 of this section until all of the programs referred
33 to in subsection 2 of this section are one hundred percent funded. Because the student
34 assistance programs addressed in this subsection collectively serve a diverse range of
35 student needs, any reduction in the appropriation for an established student assistance
36 program in an effort to consolidate programs shall require a companion bill to make
37 statutory changes to remove the programs from statute and to address resulting student
38 transitions from the unfunded assistance program to a new program. The funding priority
39 thereafter shall be one hundred percent funding of the programs referred to in subsection
40 2 of this section, after which time the amount in subsection 1 of this section and any
41 previous adjustments may be increased.

42 4. The commissioner of the office of administration shall provide notice to the
43 governor, the house budget chair, the senate appropriations chair, the joint committee on
44 higher education, and the revisor of statutes no later than November fifteenth of each fiscal
45 year's appropriations reported from the year of the enactment of sections 173.1000 to
46 173.1012 up to and including the year in which the appropriation levels in subsections 1
47 and 3 of this section are achieved.

173.1006. 1. Each approved public institution, as defined in section 173.1003, shall negotiate a performance contract with the department of higher education that specifies the performance goals the institution shall achieve during the period that it operates under the performance contract. The contract shall contain, at a minimum, the five measures referred to in section 173.1003. The term of a performance contract may be up to five years. An approved public institution's compliance with the goals specified in the performance contract shall be in addition to, but evaluated separately from, the individual goals previously established in conjunction with its institutional mission review and performance funding for the period of the performance contract.

2. The specified procedures and goals set forth in the performance contract shall be measurable and tailored to the role and mission of each approved public institution that submits a budget request to the coordinating board, and may include, but shall not be limited to:

- (1) Improving residents' access to higher education;**
- (2) Improving quality and success in higher education;**
- (3) Improving the efficiency of operations; and**
- (4) Addressing the needs of the state.**

3. To measure progress toward the goals specified in the performance contract, the following issues and any others deemed appropriate by the department of higher education may be addressed:

(1) Appropriate levels of student enrollment, transfer, retention, and graduation rates and institutional programs specifically designed to assist students in achieving their academic and, in the case of community colleges, vocational goals;

(2) Student satisfaction and student performance after graduation measured by indicators appropriate to the institutional role and mission, such as employment or enrollment in graduate programs;

(3) Comparative cost and productivity data in relation to peer institutions;

(4) Assessment of the quality of the institution's academic and, where relevant, vocational programs, including assessment by external reviewers, such as accreditation boards and employers, and consideration of student performance on national examinations; and

(5) Increasing financial support to sustain and enhance essential functions that may be partially state funded, including but not limited to:

- (a) The provision of need-based and other student financial aid;**

35 (b) In the case of an approved public institution with a research mission, capital
36 construction which shall be reflected in the general assembly's capital outlay
37 appropriations legislation;

38 (c) Assessment of financial indicators compared to national benchmarks commonly
39 used to measure financial performance in higher education according to the type of
40 institution; and

41 (d) Increasing financial support to sustain and enhance the educational mission of
42 the approved public institution and, in the case of approved public institutions with a
43 research mission, increasing public and private research capabilities and competitiveness.

44 4. Notwithstanding any other provision of this section to the contrary:

45 (1) Increasing enrollment of underserved students, including low-income
46 individuals and minority groups, shall be addressed in each performance contract; and

47 (2) The provisions of this section shall not apply to any performance contract that
48 extends into a fiscal year for which appropriations fall below the level established in
49 subsection 1 of section 173.1003.

50 5. Each performance contract between the department of higher education and an
51 approved public institution shall be reviewed and approved by the coordinating board for
52 higher education before the contract becomes effective.

53 6. Notwithstanding any requirements of chapter 34, RSMo, a governing board of
54 an approved public institution that operates under a performance contract negotiated
55 under this section may, after approval from the coordinating board for higher education,
56 negotiate with the department of higher education a provision in the performance contract
57 to allow an exemption from the procurement code and such other state statutes or rules
58 governing procurement and contracting as initially identified by rule of the coordinating
59 board by August 28, 2007. The commissioner of higher education shall communicate in
60 writing with the commissioner of the office of administration regarding any exemptions
61 granted under this subsection.

62 7. (1) The department of higher education shall report to the members of the joint
63 committee on higher education and the members of the budget and appropriations
64 committees of the general assembly the financial effect of the provisions of each
65 performance contract with regard to funding for the affected approved public institution
66 and overall funding for the statewide system of higher education, any exemptions granted
67 under subsection 6 of this section, and a review of each approved public institution's
68 operations under the institution's performance contract in the annual report required
69 under section 173.040. The department of higher education may renew a performance
70 contract at its discretion, with the agreement of the institution's governing board. No

71 contract shall be renewed if the goals established have not been achieved, except if, in the
72 opinion of the department of higher education, extenuating circumstances were present
73 that prevented the achievement of the established goals. The department shall file with the
74 joint committee on higher education notice of all contracts being renewed and any
75 explanation of contracts being renewed that have not met established goals. The joint
76 committee may, within sixty days after receipt of notice, by majority vote of the committee,
77 direct the department to terminate any contract that has failed to meet established goals.

78 (2) Data collected and used to measure an approved public institution's progress
79 towards the goals set forth in the institution's performance contract with the department
80 of higher education shall be made available to the members of the joint committee on
81 higher education and members of the budget and appropriations committees, and each
82 approved public institution covered by a performance contract. The department of higher
83 education shall also provide copies of the data to other members of the general assembly
84 and members of the public on request.

85 8. While operating under a performance contract negotiated under this section, an
86 approved public institution:

87 (1) May, at the request of its governing board, request the governor to appoint
88 additional advisory members to the governing board to sustain and enhance the role and
89 mission of the institution. Additional members of the governing board shall serve as
90 nonvoting members of the board and shall serve without compensation. The role of the
91 advisory members shall be to improve the governing board's opportunities to develop and
92 enrich the academic and research programs at the approved public institution;

93 (2) Shall report to the coordinating board for higher education its plans for any
94 tuition increases for the following academic year for the board to forward to the general
95 assembly during the budget process.

96 9. While operating under a performance contract negotiated under this section, an
97 approved public institution shall remain eligible for state-funded capital construction
98 projects and maintenance projects through the budget process.

173.1009. 1. Approved public institutions, including vocational-technical schools,
2 may achieve eligibility for additional state moneys beyond those contemplated in section
3 173.1003 by establishment of institutional fee-for-services contracts under this section.
4 Approved private institutions may participate in fee-for-services contracts when the
5 coordinating board for higher education determines that the best interests of students can
6 be effectively met through such contractual arrangements.

7 2. (1) Beginning July 1, 2007, an approved institution, as defined in section
8 173.205, may annually negotiate a fee-for-services contract with the department for the

9 delivery of higher education services by the approved institution to the residents of the
10 state. Such services may include, but shall not be limited to, those enumerated in
11 subdivision (1) of subsection 3 of this section.

12 (2) No approved institution that enters into a fee-for-service contract for basic skills
13 courses, as described in paragraph (b) of subdivision (1) of subsection 3 of this section,
14 shall charge a student more for a basic skills course than the student would otherwise pay
15 per credit hour for any general education course offered at the same institution.

16 3. (1) Beginning July 1, 2007, the coordinating board shall be responsible for
17 ensuring the provision of certain postsecondary educational services to underserved areas
18 in the state. Such educational services shall include but are not limited to:

19 (a) Educational services in rural areas or communities in which the cost of
20 delivering such services is not sustained by the amount received in student tuition;

21 (b) Basic skills courses, which are prerequisites to the level of work expected at a
22 postsecondary institution and include academic skills courses and preparatory courses;

23 (c) Educational services required of the coordinating board to meet its obligations
24 under reciprocal agreements under section 173.030; and

25 (d) Educational services that may increase economic development opportunities in
26 the state, including courses to assist students in career development and retraining.

27 (2) The department of higher education, on behalf of the coordinating board, may
28 annually enter into fee-for-service contracts with one or more approved institutions to
29 provide the higher education services specified in subdivision (1) of this subsection. The
30 department of higher education may contract with an approved public institution only to
31 the extent that the contract remains consistent with any performance measures decided
32 upon under section 173.1003. A fee-for-services contract with an approved private
33 institution or a vocational-technical school shall contain performance measures negotiated
34 by the department of higher education that are specific to the measurement of services
35 provided under the contract.

36 (3) The department of higher education may renew a fee-for-services contract at
37 its discretion, with the agreement of the institution's governing board. No contract shall
38 be renewed if the measurements established have not been achieved, except if, in the
39 opinion of the department of higher education, extenuating circumstances were present
40 that prevented the achievement of the established measurements. The department shall
41 file with the joint committee on higher education notice of all fee-for-services contracts
42 being renewed and any explanation of contracts being renewed that have not met
43 established measurements. The joint committee may, within sixty days after receipt of

44 notice, by majority vote of the committee, direct the department to terminate any contract
45 that has failed to meet established measurements.

46 (4) Data collected and used to measure an institution's performance on its fee-for-
47 services contract with the department of higher education shall be made available to the
48 members of the joint committee on higher education and members of the budget and
49 appropriations committees. The department of higher education shall also provide copies
50 of the data to other members of the general assembly and members of the public on
51 request.

52 (5) The coordinating board shall make annual funding recommendations to the
53 general assembly and the governor regarding the funding necessary for the department of
54 higher education to contract on the board's behalf for the provision of higher education
55 services in the state, including but not limited to the services specified in subdivision (1) of
56 this subsection.

173.1012. 1. There is hereby established a joint committee of the general assembly
2 which shall be known as the "Joint Committee on Higher Education", which shall be
3 composed of seven members of the senate and seven members of the house of
4 representatives. The senate members of the committee shall be appointed by the president
5 pro tem and minority leader of the senate and the house members by the speaker and
6 minority leader of the house of representatives.

7 2. The committee may meet and function in any year that the senate and the house
8 of representatives appoint members to serve on the committee, but in no case shall it meet
9 less frequently than twice every year beginning in calendar year 2007.

10 3. The committee shall select either a chairperson or co-chairs, one of whom shall
11 be a member of the senate and one a member of the house of representatives. A majority
12 of the members shall constitute a quorum. Meetings of the committee may be called at
13 such time and place as the chair or co-chairs designate.

14 4. The committee shall:

15 (1) Review and monitor the progress of education reform in the state's public
16 institutions of higher education;

17 (2) Receive reports from the commissioner of higher education concerning the
18 condition of higher education; provided that such reports shall include, but not be limited
19 to, a description of the methods for determining the need for postsecondary services and
20 the means of ensuring the provision of services specified by subsection 3 of section
21 173.1009;

22 (3) Conduct studies and analysis of the system of financing public higher education
23 and the provision of financial aid for higher education, monitoring the progress of the
24 changes required by sections 173.1000 to 173.1009;

25 (4) Have oversight of the establishment of performance measures as required by
26 sections 173.1003 and 173.1009, and report on their establishment to the governor, the
27 general assembly, and to the joint committee on education established under section
28 160.254, RSMo;

29 (5) Make recommendations to the general assembly for legislative action; and

30 (6) Conduct such studies of any other education issues the committee deems
31 relevant.

32 5. The committee may make reasonable requests for staff assistance from the
33 research and appropriations staffs of the house and senate and the committee on legislative
34 research, as well as the department of elementary and secondary education, the
35 department of higher education, the coordinating board for higher education, the state tax
36 commission, all public institutions of higher education, and such private higher education
37 institutions and business and other commercial interests and any other interested persons
38 as may be required.

39 6. Members of the committee shall receive no compensation but may be reimbursed
40 for reasonable and necessary expenses associated with the performance of their official
41 duties.

 Section 1. The governing board of any state four-year higher education institution
2 shall not approve any increase in tuition or fees during an academic year the total
3 percentage increase of which exceeds the increase in the consumer price index for all urban
4 consumers during that time period.

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