

FIRST REGULAR SESSION

HOUSE BILL NO. 313

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SCHNEIDER (Sponsor) AND HUBBARD (Co-sponsor).

Read 1st time January 10, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1025L.01I

AN ACT

To repeal section 160.545, RSMo, and to enact in lieu thereof two new sections relating to higher education scholarships.

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

Section A. Section 160.545, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 160.545 and 173.272, to read as follows:

160.545. 1. There is hereby established within the department of elementary and secondary education the "A+ Schools Program" to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

(1) All students be graduated from school;

(2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and

(3) All students proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

(1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and

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.

14 (2) Specify the knowledge, skills and competencies, in measurable terms, that students
15 must demonstrate to successfully complete any individual course offered by the school, and any
16 course of studies which will qualify a student for graduation from the school; and

17 (3) Do not offer a general track of courses that, upon completion, can lead to a high
18 school diploma; and

19 (4) Require rigorous coursework with standards of competency in basic academic
20 subjects for students pursuing vocational and technical education as prescribed by rule and
21 regulation of the state board of education; and

22 (5) Have a partnership plan developed in cooperation and with the advice of local
23 business persons, labor leaders, parents, and representatives of college and postsecondary
24 vocational and technical school representatives, with the plan then approved by the local board
25 of education. The plan shall specify a mechanism to receive information on an annual basis from
26 those who developed the plan in addition to senior citizens, community leaders, and teachers to
27 update the plan in order to best meet the goals of the program as provided in subsection 1 of this
28 section. Further, the plan shall detail the procedures used in the school to identify students that
29 may drop out of school and the intervention services to be used to meet the needs of such
30 students. The plan shall outline counseling and mentoring services provided to students who will
31 enter the work force upon graduation from high school, address apprenticeship and intern
32 programs, and shall contain procedures for the recruitment of volunteers from the community
33 of the school to serve in schools receiving program grants.

34 3. By rule and regulation, the state board of education may determine a local school
35 district variable fund match requirement in order for a school or schools in the district to receive
36 a grant under the program. However, no school in any district shall receive a grant under the
37 program unless the district designates a salaried employee to serve as the program coordinator,
38 with the district assuming a minimum of one-half the cost of the salary and other benefits
39 provided to the coordinator. Further, no school in any district shall receive a grant under the
40 program unless the district makes available facilities and services for adult literacy training as
41 specified by rule of the state board of education.

42 4. For any school that meets the requirements for the approval of the grants authorized
43 by this section and specified in subsection 2 of this section for three successive school years, by
44 August first following the third such school year, the commissioner of education shall present
45 a plan to the superintendent of the school district in which such school is located for the waiver
46 of rules and regulations to promote flexibility in the operations of the school and to enhance and
47 encourage efficiency in the delivery of instructional services in the school. The provisions of
48 other law to the contrary notwithstanding, the plan presented to the superintendent shall provide
49 a summary waiver, with no conditions, for the pupil testing requirements pursuant to section

50 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the
51 plan shall detail a means for the waiver of requirements otherwise imposed on the school related
52 to the authority of the state board of education to classify school districts pursuant to subdivision
53 (9) of section 161.092, RSMo, and such other rules and regulations as determined by the
54 commissioner of education, except such waivers shall be confined to the school and not other
55 schools in the school district unless such other schools meet the requirements of this subsection.
56 However, any waiver provided to any school as outlined in this subsection shall be void on June
57 thirtieth of any school year in which the school fails to meet the requirements for the approval
58 of the grants authorized by this section as specified in subsection 2 of this section.

59 5. For any school year, grants authorized by subsections 1 to 3 of this section shall be
60 funded with the amount appropriated for this program, less those funds necessary to reimburse
61 eligible students pursuant to subsection 6 of this section.

62 6. The commissioner of education shall, by rule and regulation of the state board of
63 education and with the advice of the coordinating board for higher education, establish a
64 procedure for the reimbursement of the cost of tuition, books and fees to any public community
65 college or **within the limits established in subsection 8 of this section any two-year public**
66 **or private** vocational or technical school for any student:

67 (1) Who has attended a public high school in the state for at least three years immediately
68 prior to graduation that meets the requirements of subsection 2 of this section, except that
69 students who are active duty military dependents who, in the school year immediately preceding
70 graduation, meet all other requirements of this subsection and are attending a school that meets
71 the requirements of subsection 2 of this section shall be exempt from the three-year attendance
72 requirement of this subdivision; and

73 (2) Who has made a good faith effort to first secure all available federal sources of
74 funding that could be applied to the reimbursement described in this subsection; and

75 (3) Who has earned a minimal grade average while in high school as determined by rule
76 of the state board of education, and other requirements for the reimbursement authorized by this
77 subsection as determined by rule and regulation of said board.

78 7. The commissioner of education shall develop a procedure for evaluating the
79 effectiveness of the program described in this section. Such evaluation shall be conducted
80 annually with the results of the evaluation provided to the governor, speaker of the house, and
81 president pro tempore of the senate.

82 **8. For a two-year public or private vocational or technical school to obtain**
83 **reimbursements under subsection 6 of this section, the following requirements shall be**
84 **satisfied:**

85 (1) Such two-year public or private vocational or technical school shall be a
86 member of the north central association and be accredited by the higher learning
87 commission as of July 1, 2007, and maintain such accreditation;

88 (2) Such two-year public or private vocational or technical
89 school shall be designated as a 501(c)(3) nonprofit organization under the Internal Revenue
90 Code of 1986, as amended;

91 (3) No two-year public or private vocational or technical school shall receive tuition
92 reimbursements in excess of the tuition rate charged by a public community college for
93 course work offered by the private vocational or technical school within the service area
94 of such college; and

95 (4) The reimbursements provided to any two-year private vocational or technical
96 school shall not violate the provisions of article IX, section 8, or article I, section 7, of the
97 Missouri Constitution or the first amendment of the United States Constitution.

 173.272. 1. There is hereby created in the state treasury the "Community College
2 Associate Degree Transfer Incentive Program Fund", which shall consist of all moneys
3 appropriated to the fund, all moneys required by law to be deposited in the fund, and all
4 gifts, bequests or donations of any kind to the fund. The state treasurer shall be custodian
5 of the fund and shall approve disbursements from the fund in accordance with sections
6 30.170 and 30.180, RSMo. Upon appropriation, money in the fund shall be used solely for
7 the administration of this section.

8 2. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any
9 moneys remaining in the fund at the end of the biennium shall not revert to the credit of
10 the general revenue fund. The state treasurer shall invest moneys in the fund in the same
11 manner as other funds are invested. Any interest and moneys earned on such investments
12 shall be credited to the fund.

13 3. Any moneys appropriated to the coordinating board for higher education by the
14 general assembly for this program shall be distributed by the Missouri department of
15 higher education to participating public or private four-year Missouri colleges or
16 universities to provide scholarships for citizens of this state who graduate from a public
17 Missouri community college and transfer to a participating public or private four-year
18 Missouri college or university under the provisions of this section.

19 4. Funds for the scholarship program shall be distributed to participating
20 institutions on a pro-rata basis according to the number of eligible two-year transfer
21 students at each institution. The coordinating board for higher education shall promulgate
22 rules to implement the provisions of this section.

23 **5. A student shall be eligible for an associate degree transfer incentive program**
24 **scholarship if the student has completed an associate of arts degree, or another degree that**
25 **contains forty-two credit hours of general education core curriculum, at a Missouri public**
26 **community college or other two-year institution located in Missouri and recognized by the**
27 **department of higher education to confer associate degrees. Participating Missouri public**
28 **or private colleges or universities institutions shall establish additional eligibility**
29 **requirements.**

30 **6. Individual public or private four-year Missouri colleges or universities may**
31 **apply to the coordinating board for higher education for funds to offer community college**
32 **associate degree transfer incentive scholarships under this section. Such institutions shall**
33 **establish performance standards that provide for continuation of the scholarship for a**
34 **minimum of four semesters and a maximum of four years, and a minimum annual**
35 **scholarship level of one thousand dollars, not to exceed the cost of attendance.**

36 **7. Each institution offering a scholarship under this section shall develop and**
37 **publish application procedures, deadlines, award amounts, and any other features unique**
38 **to the receiving institution. The primary criterion shall be need. Scholarships may be**
39 **pro-rated for part-time students. Each institution shall submit an annual report of the use**
40 **and distribution of such scholarship funds to the general assembly, with such report**
41 **subject to audit. The coordinating board shall establish by rule a limit on funds to be used**
42 **for administrative costs and a method of determining need.**

43 **8. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**
44 **that is created under the authority delegated in this section shall become effective only if**
45 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
46 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
47 **and if any of the powers vested with the general assembly under chapter 536, RSMo, to**
48 **review, to delay the effective date, or to disapprove and annul a rule are subsequently held**
49 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
50 **after August 28, 2007, shall be invalid and void.**

51 **9. Under section 23.253, RSMo, of the Missouri Sunset Act:**

52 **(1) The provisions of the new program authorized under this section shall**
53 **automatically sunset six years after the effective date of this section unless reauthorized by**
54 **an act of the general assembly; and**

55 **(2) If such program is reauthorized, the program authorized under this section**
56 **shall automatically sunset twelve years after the effective date of the reauthorization of this**
57 **section; and**

58 **(3) This section shall terminate on September first of the calendar year immediately**
59 **following the calendar year in which the program authorized under this section is sunset.**

✓