

SECOND REGULAR SESSION

# HOUSE BILL NO. 1698

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES ZWEIFEL (Sponsor), SCAVUZZO, DARROUGH, CORCORAN, QUINN (9), PAGE, OXFORD, YAEGER, MEINERS, ROORDA, HARRIS (110), SCHIEFFER, ZIMMERMAN, GRILL, WALSH, SPRENG, MEADOWS, SCHOEMEHL, CURLS, LeVOTA AND STORCH (Co-sponsors).

Read 1st time January 16, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4110L.01I

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### AN ACT

To repeal section 173.250, RSMo, and to enact in lieu thereof one new section relating to the higher education academic scholarship program.

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

Section A. Section 173.250, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 173.250, to read as follows:

173.250. 1. **As used in this section, unless the context requires otherwise, the following terms mean:**

(1) "Academic scholarship", an amount of money paid by the state of Missouri to a qualified college or university student who has demonstrated superior academic achievement under the provisions of this section;

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

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

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

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

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

19           (d) Does not discriminate in the hiring of administrators, faculty and staff or in the  
20 admission of students on the basis of race, color, religion, sex, or national origin and is in  
21 compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued  
22 pursuant thereto. Sex discrimination as used herein shall not apply to admission practices  
23 of institutions offering the enrollment limited to one sex;

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

26           (4) "Approved public institution", an educational institution located in Missouri  
27 which:

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

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

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

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

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

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

47           (5) "Coordinating board", the coordinating board for higher education;

48           (6) "Full-time student", an individual who is enrolled in and is carrying sufficient  
49 number of credit hours or their equivalent at an approved private or public institution to

50 secure the degree or certificate toward which he or she is working in no more than the  
51 number of semesters or their equivalent normally required by that institution in the  
52 program in which the individual is enrolled.

53       2. There is hereby established a "Higher Education Academic Scholarship Program",  
54 **popularly known as "Bright Flight"**, and any moneys appropriated by the general assembly  
55 for this program shall be used to provide scholarships for Missouri citizens to attend a Missouri  
56 college or university of their choice pursuant to the provisions of this section.

57       [2. The definitions of terms set forth in section 173.205 shall be applicable to such terms  
58 as used in this section. The term "academic scholarship" means an amount of money paid by the  
59 state of Missouri to a qualified college or university student who has demonstrated superior  
60 academic achievement pursuant to the provisions of this section.]

61       3. The coordinating board for higher education shall be the administrative agency for the  
62 implementation of the program established by this section, and shall:

63       (1) Promulgate reasonable rules and regulations for the exercise of its functions and the  
64 effectuation of the purposes of this section, including regulations for granting scholarship  
65 deferments;

66       (2) Prescribe the form and the time and method of awarding academic scholarships, and  
67 shall supervise the processing thereof; and

68       (3) Select qualified recipients to receive academic scholarships, make such awards of  
69 academic scholarships to qualified recipients and determine the manner and method of payment  
70 to the recipient.

71       4. A student shall be eligible for initial or renewed academic scholarship if he or she [is  
72 in compliance with the eligibility requirements set forth in section 173.215 excluding the  
73 requirement of financial need and undergraduate status, and] :

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

75       (2) **Is a resident of the State of Missouri, as determined by reference to standards**  
76 **promulgated by the coordinating board;**

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

79       (4) **Is not enrolled or does not intend to use the award to enroll in a course of study**  
80 **leading to a degree in theology or divinity.**

81       5. **If an applicant is found guilty of or pleads guilty to any criminal offense during**  
82 **the period of time in which the applicant is receiving financial assistance, such applicant**  
83 **shall not be eligible for renewal of such assistance, provided such offense would disqualify**  
84 **the applicant from receiving federal student aid under Title IV of the Higher Education**  
85 **Act of 1965, as amended.**

86           **6.** In addition [meets] **to the requirements of subsections 4 and 5 of this section, to**  
87 **be eligible for initial or renewed academic scholarship the student shall meet** the following  
88 requirements:

89           (1) Initial academic scholarships shall be offered in the academic year immediately  
90 following graduation from high school to Missouri high school seniors whose composite scores  
91 on the American College Testing Program (ACT) or the Scholastic Aptitude Test (SAT) of the  
92 College Board are in the top five percent of all Missouri students taking those tests during the  
93 school year in which the scholarship recipients graduate from high school. In the freshman year  
94 of college, scholarship recipients are required to maintain status as a full-time student;

95           (2) Academic scholarships are renewable if the recipient remains in compliance with the  
96 [applicable] provisions of **subsections 4 and 5 of this section [173.215 and]** , the recipient  
97 makes satisfactory academic degree progress as a full-time student, **and the recipient maintains**  
98 **a cumulative grade point average of at least 3.0 at the institution of higher education.**

99           [5.] **7.** A student who is enrolled or has been accepted for enrollment as a postsecondary  
100 student at an approved private or public institution beginning with the fall 1987, term and who  
101 meets the other eligibility requirements for an academic scholarship shall, within the limits of  
102 the funds appropriated and made available, be offered an academic scholarship in the amount of:

103           (1) Two thousand dollars for each eligible student whose composite scores on the  
104 American College Testing Program (ACT) or the Scholastic Aptitude Test (SAT) of the College  
105 Board are in the top three percent of all Missouri students taking those tests during the school  
106 year in which the scholarship recipients graduate from high school for each fiscal year prior to  
107 fiscal year 2011[, and,] ;

108           (2) Subject to appropriations, [three thousand dollars] **the amount of tuition but in no**  
109 **case more than the average tuition as defined and calculated in subsection 7 of section**  
110 **173.1003** for fiscal year 2011 and every fiscal year thereafter[,] ; and [one thousand dollars]

111           (3) **One-half of the amount provided in subdivision (2) of this subsection** for fiscal  
112 year 2011 and every fiscal year thereafter for each eligible student whose composite scores on  
113 the American College Testing Program (ACT) or the Scholastic Aptitude Test (SAT) of the  
114 College Board are between the top five and three percent of all Missouri students taking those  
115 tests during the school year in which the scholarship recipients graduate from high school, for  
116 the first academic year of study[, which scholarship] .

117           **8. Such scholarships** shall be renewable in the amount of:

118           (1) Two thousand dollars for each eligible student whose composite scores on the  
119 American College Testing Program (ACT) or the Scholastic Aptitude Test (SAT) of the College  
120 Board are in the top three percent of all Missouri students taking those tests during the school

121 year in which the scholarship recipients graduate from high school for each fiscal year prior to  
122 fiscal year 2011[, and,] ;

123 (2) Subject to appropriations, [three thousand dollars] **the amount of tuition but in no**  
124 **case more than the average tuition as defined and calculated in subsection 7 of section**  
125 **173.1003** for fiscal year 2011 and every fiscal year thereafter[,] ; and [one thousand dollars]

126 (3) **One-half of the amount provided in subdivision (2) of this subsection** for fiscal  
127 year 2011 and every fiscal year thereafter for each eligible student whose composite scores on  
128 the American College Testing Program (ACT) or the Scholastic Aptitude Test (SAT) of the  
129 College Board are between the top five and three percent of all Missouri students taking those  
130 tests during the school year in which the scholarship recipients graduate from high school,  
131 annually for the second, third and fourth academic years or as long as the recipient is in  
132 compliance with the applicable eligibility requirements set forth in [section 173.215] **subsections**  
133 **4, 5, and 6 of this section**, provided those years of study are continuous and the student  
134 continues to meet eligibility requirements for the scholarship; provided, however, if a recipient  
135 ceases all attendance at an approved public or private institution for the purpose of providing  
136 service to a nonprofit organization, a state or federal government agency or any branch of the  
137 armed forces of the United States, the recipient shall be eligible for a renewal scholarship upon  
138 return to any approved public or private institution, provided the recipient:

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

140 (2) Provides verification in compliance with coordinating board for higher education  
141 rules that the service to the nonprofit organization was satisfactorily completed and was not  
142 compensated other than for expenses or that the service to the state or federal governmental  
143 agency or branch of the armed forces of the United States was satisfactorily completed; and

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

146 [6.] **9.** A recipient of academic scholarship awarded under this section may transfer from  
147 one approved Missouri public or private institution to another without losing eligibility for the  
148 scholarship. If a recipient of the scholarship at any time withdraws from an approved private or  
149 public institution so that under the rules and regulations of that institution he or she is entitled  
150 to a refund of any tuition, fees or other charges, the institution shall pay the portion of the refund  
151 attributable to the scholarship for that term to the coordinating board for higher education.

152 [7.] **10.** Other provisions of this section to the contrary notwithstanding, if a recipient has  
153 been awarded an initial academic scholarship pursuant to the provisions of this section but is  
154 unable to use the scholarship during the first academic year because of illness, disability,  
155 pregnancy or other medical need or if a recipient ceases all attendance at an approved public or  
156 private institution because of illness, disability, pregnancy or other medical need, the recipient

157 shall be eligible for an initial or renewal scholarship upon enrollment in or return to any  
158 approved public or private institution, provided the recipient:

159 (1) Enrolls in or returns to full-time status within twenty-seven months;

160 (2) Provides verification in compliance with coordinating board for higher education  
161 rules of sufficient medical evidence documenting an illness, disability, pregnancy or other  
162 medical need of such person to require that that person will not be able to use the initial or  
163 renewal scholarship during the time period for which it was originally offered; and

164 (3) Meets all other requirements established for eligibility to receive an initial or a  
165 renewal scholarship.

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