

FIRST REGULAR SESSION

# HOUSE BILL NO. 1031

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES EMERY (Sponsor), RUESTMAN, SMITH (14), BIVINS,  
ERVIN AND FAITH (Co-sponsors).

2093L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 173.750, RSMo, and to enact in lieu thereof two new sections relating to remedial course reimbursement.

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

Section A. Section 173.750, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 161.720 and 173.750, to read as follows:

**161.720. 1. Beginning with academic year 2010-2011, any student who graduates from a Missouri public high school and enrolls in a public two-year or four-year degree program in Missouri within the same calendar year may apply to receive reimbursement for tuition for remedial courses to which such student is assigned by the college or university under the conditions described in this section.**

**2. A college course shall qualify as remedial if it is:**

**(1) In the subject of reading, English composition, or mathematics; and**

**(2) Is designated by number, title, course description, or other means, as necessary to prepare a student for the first college-level course in the subject.**

**3. The department of elementary and secondary education shall, by rule, establish a method by which a student may apply for, provide documentation for, and receive a reimbursement for such tuition no more frequently than twice a year. Reimbursement shall be directly proportional to the graduating high school's three-year rolling average of percentage of graduates enrolled in any remedial course bases on the unduplicated count as reported for the annual graduates' performance report required by section 173.750, RSMo. No reimbursements shall be made for retaking a remedial course.**

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.

17           **4. The joint committee on education, as established in section 160.254, RSMo, shall**  
18 **review available data on remediation rates after the close of the 2013-2014 academic year**  
19 **to determine:**

20           **(1) The effects, if any, of this section upon remediation rates, including the possible**  
21 **overidentification of students for remediation;**

22           **(2) The correlation, if any, between performance on the end-of-course high school**  
23 **level statewide assessments and the need for remediation in the freshman year of college;**

24           **(3) The effects, if any, of the alignment of high school exit and higher education**  
25 **entrance competencies as required under subdivision (7) of subsection 2 of section 173.005,**  
26 **RSMo;**

27           **(4) If possible, the extent to which information concerning remediation rates is used**  
28 **to improve high school instruction; and**

29           **(5) Any other matters related to remediation, including but not limited to the**  
30 **availability and kinds of data, that should be considered for the creation of effective public**  
31 **policy.**

32  
33 **The departments of higher education and elementary and secondary education, and the**  
34 **research offices of the general assembly, shall provide assistance as needed. The joint**  
35 **committee shall make such recommendations as it believes are necessary to the general**  
36 **assembly to reduce the need for remediation.**

37           **5. The department of elementary and secondary education shall consider, if**  
38 **recommended by the joint committee after review of the data in subsection 4 of this section,**  
39 **the creation by rule of an increasing penalty for districts whose remediation rates do not**  
40 **show sufficient improvement.**

41           **6. Reimbursements under this section shall be funded by withholdings from the**  
42 **classroom trust fund payment of the graduating school district. Any amount needed for**  
43 **reimbursement under this section that exceeds the amount available from the district's**  
44 **classroom trust fund payment shall be waived.**

45           **7. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**  
46 **that is created under the authority delegated in this section shall become effective only if**  
47 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**  
48 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**  
49 **and if any of the powers vested with the general assembly under chapter 536, RSMo, to**  
50 **review, to delay the effective date, or to disapprove and annul a rule are subsequently held**  
51 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**  
52 **after August 28, 2009, shall be invalid and void.**

173.750. 1. By July 1, 1995, the coordinating board for higher education, within existing  
2 resources provided to the department of higher education and by rule and regulation, shall have  
3 established and implemented a procedure for annually reporting the performance of graduates  
4 of public high schools in the state during the student's initial year in the public colleges and  
5 universities of the state. The purpose of such reports shall be to assist in determining how high  
6 schools are preparing students for successful college and university performance. The report  
7 produced pursuant to this subsection shall annually be furnished to the state board of education  
8 for reporting pursuant to subsection 4 of section 161.610, RSMo[, and shall not be used for any  
9 other purpose].

10 2. The procedures shall be designed so that the reporting is made by the name of each  
11 high school in the state, with individual student data to be grouped according to the high school  
12 from which the students graduated. The data in the reports shall be disaggregated by race and  
13 sex. The procedures shall not be designed so that the reporting contains the name of any student.  
14 No grade point average shall be disclosed under subsection 3 of this section in any case where  
15 three or fewer students from a particular high school attend a particular college or university.

16 3. The data reported shall include grade point averages after the initial college year,  
17 calculated on, or adjusted to, a four point grade scale; the percentage of students returning to  
18 college after the first and second half of the initial college year, or after each trimester of the  
19 initial college year; the percentage of students taking noncollege level classes in basic academic  
20 courses during the first college year, or remedial courses in basic academic subjects of English,  
21 mathematics, or reading; and other such data as determined by rule and regulation of the  
22 coordinating board for higher education.

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