

SECOND REGULAR SESSION

HOUSE BILL NO. 1984

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCDANIEL.

4347H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 173.030, RSMo, and to enact in lieu thereof one new section relating to dual enrollment policies for public institutions of higher education.

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

Section A. Section 173.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 173.030, to read as follows:

173.030. The coordinating board, in addition, shall have responsibility, within the provisions of the constitution and the statutes of the state of Missouri, for:

(1) Requesting the governing boards of all state-supported institutions of higher education, and of major private institutions to submit to the coordinating board any proposed policy changes which would create additional institutions of higher education, additional residence centers, or major additions in degree and certificate programs, and make pertinent recommendations relating thereto;

(2) Recommending to the governing board of any institution of higher education in the state the development, consolidation, or elimination of programs, degree offerings, physical facilities or policy changes where that action is deemed by the coordinating board as in the best interests of the institutions themselves and/or the general requirements of the state. Recommendations shall be submitted to governing boards by twelve months preceding the term in which the action may take effect;

(3) Recommending to the governing boards of state-supported institutions of higher education, including public community colleges receiving state support, formulas to be employed in specifying plans for general operations, for development and expansion, and for requests for appropriations from the general assembly. Such recommendations will be submitted to the

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.

18 governing boards by April first of each year preceding a regular session of the general assembly
19 of the state of Missouri;

20 (4) Promulgating rules to include selected off-campus instruction in public college and
21 university appropriation recommendations where prior need has been established in areas
22 designated by the coordinating board for higher education. Funding for such off-campus
23 instruction shall be included in the appropriation recommendations, shall be determined by the
24 general assembly and shall continue, within the amounts appropriated therefor, unless the general
25 assembly disapproves the action by concurrent resolution;

26 (5) Coordinating reciprocal agreements between or among Missouri state institutions of
27 higher education at the request of one or more of the institutions party to the agreement, and
28 between or among Missouri state institutions of higher education and publicly supported higher
29 education institutions located outside the state of Missouri at the request of any Missouri
30 institution party to the agreement;

31 (6) Entering into agreements for interstate reciprocity regarding the delivery of
32 postsecondary distance education, administering such agreements, and approving or disapproving
33 applications to participate in such agreements from a postsecondary institution that has its
34 principal campus in the state of Missouri:

35 (a) The coordinating board shall establish standards for institutional approval. Those
36 standards shall include, but are not limited to the:

37 a. Definition of physical presence for non-Missouri institutions serving Missouri
38 residents consistent with other states' definitions of physical presence; and

39 b. Establishment of consumer protection policies for distance education addressing
40 recruitment and marketing activities; disclosure of tuition, fees, and other charges; disclosure of
41 admission processes and procedures; and student complaints;

42 (b) The coordinating board shall establish policies for the review and resolution of
43 student complaints arising from distance education programs offered under the agreement;

44 (c) The coordinating board may charge fees to any institution that applies to participate
45 in an interstate postsecondary distance education reciprocity agreement authorized pursuant to
46 this section. Such fees shall not exceed the coordinating board for higher education's cost of
47 reviewing and evaluating the applications; and

48 (d) The coordinating board shall promulgate rules to implement the provisions of this
49 subdivision. Any rule or portion of a rule, as that term is defined in section 536.010, that is
50 created under the authority delegated in this section shall become effective only if it complies
51 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
52 This section and chapter 536 are nonseverable and if any of the powers vested with the general
53 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and

54 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
55 any rule proposed or adopted after August 28, 2014, shall be invalid and void;

56 (7) Administering the nurse training incentive fund;

57 (8) Conducting, in consultation with each public four-year institution's governing board
58 and the governing board of technical colleges and community colleges, a review every five years
59 of the mission statements of the institutions comprising Missouri's system of public higher
60 education. This review shall be based upon the needs of the citizens of the state as well as the
61 requirements of business, industry, the professions and government. The purpose of this review
62 shall be to ensure that Missouri's system of higher education is responsive to the state's needs and
63 is focused, balanced, cost-effective, and characterized by programs of high quality as
64 demonstrated by student performance and program outcomes. As a component of this review,
65 each institution shall prepare, in a manner prescribed by the coordinating board, a mission
66 implementation plan for the coordinating board's consideration and approval. If the coordinating
67 board determines that an institution has qualified for a mission change or additional targeted
68 resources pursuant to review conducted under this subdivision and subdivision (9) of this
69 subsection, the coordinating board shall submit a report to the general assembly that outlines the
70 proposed mission change or targeted state resources. No change of mission for an institution
71 under this subdivision establishing a statewide mission shall become effective until the general
72 assembly approves the proposed mission change by concurrent resolution, except for the
73 institution defined pursuant to subdivision (1) of section 174.010, and has been approved by the
74 coordinating board and the institutions for which the coordinating board has recommended a
75 statewide mission prior to August 28, 1995. The effective date of any mission change under this
76 subdivision shall be the first day of July immediately following the approval of the concurrent
77 resolution by the general assembly as required under this subdivision, and shall be August 28,
78 1995, for any institution for which the coordinating board has recommended a statewide mission
79 which has not yet been implemented on such date. Nothing in this subdivision shall preclude
80 an institution from initiating a request to the coordinating board for a revision of its mission;
81 [and]

82 (9) Reviewing applications from institutions seeking a statewide mission. Such
83 institutions shall provide evidence to the coordinating board that they have the capacity to
84 discharge successfully such a mission. Such evidence shall consist of the following:

85 (a) That the institution enrolls a representative cross-section of Missouri students.
86 Examples of evidence for meeting this requirement which the institution may present include,
87 but are not limited to, the following: enrolling at least forty percent of its Missouri resident,
88 first-time degree-seeking freshmen from outside its historic statutory service region; enrolling
89 its Missouri undergraduate students from at least eighty percent of all Missouri counties; or

90 enrolling one or more groups of special population students such as minorities, economically
91 disadvantaged, or physically disadvantaged from outside its historic statutory service region at
92 rates exceeding state averages of such populations enrolled in the higher educational institutions
93 of this state;

94 (b) That the institution offers one or more programs of unusual strength which respond
95 to a specific statewide need. Examples of evidence of meeting this requirement which the
96 institution may present include, but are not limited to, the following: receipt of national,
97 discipline-specific accreditation when available; receipt of independent certification for meeting
98 national or state standards or requirements when discipline-specific accreditation is not available;
99 for occupationally specific programs, placement rates significantly higher than average; for
100 programs for which state or national licensure is required or for which state or national licensure
101 or registration is available on a voluntary basis, licensure or registration rates for graduates
102 seeking such recognition significantly higher than average; or quality of program faculty as
103 measured by the percentage holding terminal degrees, the percentage writing publications in
104 professional journals or other appropriate media, and the percentage securing competitively
105 awarded research grants which are higher than average;

106 (c) That the institution has a clearly articulated admission standard consistent with the
107 provisions of subdivision (4) of subsection 2 of section 173.005 or section 174.130;

108 (d) That the institution is characterized by a focused academic environment which
109 identifies specific but limited areas of academic emphasis at the undergraduate, and if
110 appropriate, at the graduate and professional school levels, including the identification of
111 programs to be continued, reduced, terminated or targeted for excellence. The institution shall,
112 consistent with its focused academic environment, also have the demonstrable capacity to
113 provide significant public service or research support that address statewide needs for
114 constituencies beyond its historic statutory service region; and

115 (e) That the institution has adopted and maintains a program of continuous quality
116 improvement, or the equivalent of such a program, and reports annually appropriate and
117 verifiable measures of institutional accountability related to such program. Such measures shall
118 include, but not be limited to, indicators of student achievement and institutional mission
119 attainment such as percentage of students meeting institutional admission standards; success of
120 remediation programs, if offered; student retention rate; student graduation rate; objective
121 measures of student, alumni, and employer satisfaction; objective measures of student learning
122 in general education and the major, including written and oral communication skills and critical
123 thinking skills; percentage of students attending graduate or professional schools; student
124 placement, licensure and professional registration rates when appropriate to a program's
125 objectives; objective measures of successful attainment of statewide goals as may be expressed

126 from time to time by the coordinating board or by the general assembly; and objective measures
127 of faculty teaching effectiveness. In the development and evaluation of these institutional
128 accountability reports, the coordinating board and institutions are expected to use multiple
129 measures of success, including nationally developed and verified as well as locally developed
130 and independently verified assessment instruments; however, preference shall be given to
131 nationally developed instruments when they are available and if they are appropriate. Institutions
132 which serve or seek to serve a statewide mission shall be judged to have met the prerequisites
133 for such a mission when they demonstrate to the coordinating board that they have met the
134 criteria described in this subdivision. As a component of this process, each institution shall
135 prepare, in a manner prescribed by the coordinating board, a mission implementation plan for
136 the coordinating board's consideration and approval; and

137 **(10) Developing policies under which a student who satisfies the admission**
138 **requirements of both a community college and a four-year institution of higher education**
139 **may enroll in both institutions simultaneously. Upon such dual enrollment, students may**
140 **take courses at one or both institutions at the same time, and shall be granted accessibility**
141 **to the resources of both institutions and the opportunity to earn an associate's degree while**
142 **working towards a bachelor's degree. Under the policies developed by the coordinating**
143 **board, cooperating institutions shall be encouraged to offer coordinated advising, a single**
144 **on-line application, and the ability to receive financial aid from both institutions.**

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