

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND Senate Committee Substitute for Senate Bill No. 93, Page 3, Section 162.492, Line 76, by  
2 inserting immediately after said line the following:

3 "163.191. 1. As used in this section, the following terms shall mean:

4 (1) "Community college", an institution of higher education deriving financial resources  
5 from local, state, and federal sources, and providing postsecondary education primarily for persons  
6 above the twelfth grade age level, including courses in:

7 (a) Liberal arts and sciences, including general education;

8 (b) Occupational, vocational-technical; and

9 (c) A variety of educational community services.

10  
11 Community college course offerings shall generally lead to the granting of certificates, diplomas, or  
12 associate degrees, [but do not] and may include baccalaureate [or higher] degrees only when  
13 authorized by the coordinating board for higher education in circumstances where the level of  
14 education required in a field for accreditation or licensure increases to the baccalaureate degree level  
15 or, in the case of applied bachelor's degrees, the level of education required for employment in a  
16 field increases to that level, and when doing so would not unnecessarily duplicate an existing  
17 program, collaboration with a university is not feasible or the approach is not a viable means of  
18 meeting the needs of students and employers, and the institution has the academic and financial  
19 capacity to offer the program in a high-quality manner. Quality for such baccalaureate degree  
20 programs shall be evaluated at least in part by the delivery of upper-level coursework or  
21 competencies, and defined by accreditation or compliance with the Higher Learning Commission  
22 standards for bachelor's degrees;

23 (2) "Operating costs", all costs attributable to current operations, including all direct costs of  
24 instruction, instructors' and counselors' compensation, administrative costs, all normal operating  
25 costs and all similar noncapital expenditures during any year, excluding costs of construction of  
26 facilities and the purchase of equipment, furniture, and other capital items authorized and funded in  
27 accordance with subsection 6 of this section. Operating costs shall be computed in accordance with  
28 accounting methods and procedures to be specified by the department of higher education;

29 (3) "Year", from July first to June thirtieth of the following year.

30 2. Each year public community colleges in the aggregate shall be eligible to receive from  
31 state funds, if state funds are available and appropriated, an amount up to but not more than fifty  
32 percent of the state community colleges' planned operating costs as determined by the department of  
33 higher education. The department of higher education shall review all institutional budget requests  
34 and prepare appropriation recommendations annually for the community colleges under the  
35 supervision of the department. The department's budget request shall include a recommended level  
36 of funding.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           3. (1) Except as provided in subdivision (2) of this subsection, distribution of appropriated  
2 funds to community college districts shall be in accordance with the community college resource  
3 allocation model. This model shall be developed and revised as appropriate cooperatively by the  
4 community colleges and the department of higher education. The department of higher education  
5 shall recommend the model to the coordinating board for higher education for their approval. The  
6 core funding level for each community college shall initially be established at an amount agreed  
7 upon by the community colleges and the department of higher education. This amount will be  
8 adjusted annually for inflation, limited growth, and program improvements in accordance with the  
9 resource allocation model starting with fiscal year 1993.

10           (2) Unless the general assembly chooses to otherwise appropriate state funding, beginning  
11 in fiscal year 2016, at least ninety percent of any increase in core funding over the appropriated  
12 amount for the previous fiscal year shall be distributed in accordance with the achievement of  
13 performance-funding measures under section 173.1006.

14           4. The department of higher education shall be responsible for evaluating the effectiveness  
15 of the resource allocation model and shall submit a report to the governor, the joint committee on  
16 education, the speaker of the house of representatives and president pro tempore of the senate by  
17 October 31, 2019, and every four years thereafter.

18           5. The department of higher education shall request new and separate state aid funds for any  
19 new community college district for its first six years of operation. The request for the new district  
20 shall be based upon the same level of funding being provided to the existing districts, and should be  
21 sufficient to provide for the growth required to reach a mature enrollment level.

22           6. In addition to state funds received for operating purposes, each community college  
23 district shall be eligible to receive an annual appropriation, exclusive of any capital appropriations,  
24 for the cost of maintenance and repair of facilities and grounds, including surface parking areas, and  
25 purchases of equipment and furniture. Such funds shall not exceed in any year an amount equal to  
26 ten percent of the state appropriations, exclusive of any capital appropriations, to community  
27 college districts for operating purposes during the most recently completed fiscal year. The  
28 department of higher education may include in its annual appropriations request the necessary funds  
29 to implement the provisions of this subsection and when appropriated shall distribute the funds to  
30 each community college district as appropriated. The department of higher education  
31 appropriations request shall be for specific maintenance, repair, and equipment projects at specific  
32 community college districts, shall be in an amount of fifty percent of the cost of a given project as  
33 determined by the coordinating board and shall be only for projects which have been approved by  
34 the coordinating board through a process of application, evaluation, and approval as established by  
35 the coordinating board. The coordinating board, as part of its process of application, evaluation,  
36 and approval, shall require the community college district to provide proof that the fifty-percent  
37 share of funding to be defrayed by the district is either on hand or committed for maintenance,  
38 repair, and equipment projects. Only salaries or portions of salaries paid which are directly related  
39 to approved projects may be used as a part of the fifty-percent share of funding.

40           7. School districts offering two-year college courses pursuant to section 178.370 on October  
41 31, 1961, shall receive state aid pursuant to subsection 2, subdivision (1) of subsection 3, and  
42 subsection 6 of this section if all scholastic standards established pursuant to sections 178.770 to  
43 178.890 are met.

44           8. In order to make postsecondary educational opportunities available to Missouri residents  
45 who do not reside in an existing community college district, community colleges organized pursuant  
46 to section 178.370 or sections 178.770 to 178.890 shall be authorized pursuant to the funding  
47 provisions of this section to offer courses and programs outside the community college district with  
48 prior approval by the coordinating board for higher education. The classes conducted outside the

1 district shall be self-sustaining except that the coordinating board shall promulgate rules to  
 2 reimburse selected out-of-district instruction only where prior need has been established in  
 3 geographical areas designated by the coordinating board for higher education. Funding for such off-  
 4 campus instruction shall be included in the appropriation recommendations, shall be determined by  
 5 the general assembly and shall continue, within the amounts appropriated therefor, unless the  
 6 general assembly disapproves the action by concurrent resolution.

7 9. When distributing state aid authorized for community colleges, the state treasurer may, in  
 8 any year if requested by a community college, disregard the provision in section 30.180 requiring  
 9 the state treasurer to convert the warrant requesting payment into a check or draft and wire transfer  
 10 the amount to be distributed to the community college directly to the community college's  
 11 designated deposit for credit to the community college's account.

12 172.280. The curators shall have the authority to confer, by diploma, under their common  
 13 seal, on any person whom they may judge worthy thereof, such degrees as are known to and usually  
 14 granted by any college or university. The University of Missouri is the state's only public research  
 15 university and the exclusive grantor of research doctorates. As such, except as provided in section  
 16 175.040, the University of Missouri shall be the only state college or university that may offer  
 17 doctor of philosophy degrees or first-professional degrees, including chiropractic, dentistry, law,  
 18 medicine, optometry, osteopathic medicine, pharmacy, podiatry, and veterinary medicine.

19 172.287. 1. The University of Missouri shall annually request an appropriation under  
 20 capital improvements, subject to availability of funds, for a program of grants established for the  
 21 engineering colleges of the University of Missouri for the purpose of assisting such colleges in the  
 22 purchase of teaching and research laboratory equipment exclusive of laboratory or classroom  
 23 furniture. The amount granted for each engineering college may not exceed the lesser of an amount  
 24 equal to one thousand two hundred dollars per each such bachelor's degree awarded in the previous  
 25 fiscal year in all engineering programs currently accredited by the accreditation board for  
 26 engineering and technology, or the dollar value of new funds for equipment purchase which such  
 27 colleges may obtain from sources other than state appropriations for laboratory equipment.

28 2. For purposes of this section, the fair market value of in-kind contributions of laboratory  
 29 equipment to the colleges may be included as funds for equipment purchase from sources other than  
 30 state appropriations. In the event that new funds for laboratory equipment purchase obtained by any  
 31 college of engineering from such nonstate sources exceed the amount necessary to reach the  
 32 maximum dollar limits herein specified, such excess amounts will be carried over to the following  
 33 fiscal year and considered the same as that year's new equipment funds from nonstate sources.

34 3. In the event that the appropriations for this grant program are insufficient to fund all  
 35 grants approved for a given fiscal year, all such grants shall be reduced pro rata as necessary.

36 4. The provisions of this section shall terminate on June 30, [2017] 2027.

37 173.005. 1. There is hereby created a "Department of Higher Education", and the division  
 38 of higher education of the department of education is abolished and all its powers, duties, functions,  
 39 personnel and property are transferred as provided by the Reorganization Act of 1974, Appendix B,  
 40 RSMo.

41 2. The commission on higher education is abolished and all its powers, duties, personnel  
 42 and property are transferred by type I transfer to the "Coordinating Board for Higher Education",  
 43 which is hereby created, and the coordinating board shall be the head of the department. The  
 44 coordinating board shall consist of nine members appointed by the governor with the advice and  
 45 consent of the senate, and not more than five of its members shall be of the same political party.  
 46 None of the members shall be engaged professionally as an educator or educational administrator  
 47 with a public or private institution of higher education at the time appointed or during his term.  
 48 Moreover, no person shall be appointed to the coordinating board who shall not be a citizen of the

United States, and who shall not have been a resident of the state of Missouri two years next prior to appointment, and at least one but not more than two persons shall be appointed to said board from each congressional district. The term of service of a member of the coordinating board shall be six years and said members, while attending the meetings of the board, shall be reimbursed for their actual expenses. Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term. The coordinating board may, in order to carry out the duties prescribed for it in subsections 1, 2, 3, 7, and 8 of this section, employ such professional, clerical and research personnel as may be necessary to assist it in performing those duties, but this staff shall not, in any fiscal year, exceed twenty-five full-time equivalent employees regardless of the source of funding. In addition to all other powers, duties and functions transferred to it, the coordinating board for higher education shall have the following duties and responsibilities:

(1) The coordinating board for higher education [shall have approval of] may approve, not approve, or provisionally approve proposed new degree programs to be offered by the state institutions of higher education. The coordinating board may authorize a degree program outside an institution's coordinating board-approved mission only when the coordinating board has received clear evidence that the institution proposing to offer the program:

(a) Made a good-faith effort to explore the feasibility of offering the program in collaboration with an institution the mission of which includes offering the program;

(b) Is contributing substantially to the goals in the coordinating board's coordinated plan for higher education;

(c) Has the existing capacity to ensure the program is delivered in a high-quality manner;

(d) Has demonstrated that the proposed program is needed;

(e) Has a clear plan to meet the articulated workforce need; and

(f) Such other factors deemed relevant by the coordinating board;

(2) The coordinating board for higher education may promote and encourage the development of cooperative agreements between Missouri public four-year institutions of higher education which do not offer graduate degrees and Missouri public four-year institutions of higher education which do offer graduate degrees for the purpose of offering graduate degree programs on campuses of those public four-year institutions of higher education which do not otherwise offer graduate degrees. Such agreements shall identify the obligations and duties of the parties, including assignment of administrative responsibility. Any diploma awarded for graduate degrees under such a cooperative agreement shall include the names of both institutions inscribed thereon. Any cooperative agreement in place as of August 28, 2003, shall require no further approval from the coordinating board for higher education. Any costs incurred with respect to the administrative provisions of this subdivision may be paid from state funds allocated to the institution assigned the administrative authority for the program. The provisions of this subdivision shall not be construed to invalidate the provisions of subdivision (1) of this subsection;

(3) In consultation with the heads of the institutions of higher education affected and against a background of carefully collected data on enrollment, physical facilities, manpower needs, institutional missions, the coordinating board for higher education shall establish guidelines for appropriation requests by those institutions of higher education; however, other provisions of the Reorganization Act of 1974 notwithstanding, all funds shall be appropriated by the general assembly to the governing board of each public four-year institution of higher education which shall prepare expenditure budgets for the institution;

(4) No new state-supported senior colleges or residence centers shall be established except as provided by law and with approval of the coordinating board for higher education;

1 (5) The coordinating board for higher education shall establish admission guidelines  
2 consistent with institutional missions;

3 (6) The coordinating board for higher education shall require all public two-year and four-  
4 year higher education institutions to replicate best practices in remediation identified by the  
5 coordinating board and institutions from research undertaken by regional educational laboratories,  
6 higher education research organizations, and similar organizations with expertise in the subject, and  
7 identify and reduce methods that have been found to be ineffective in preparing or retaining students  
8 or that delay students from enrollment in college-level courses;

9 (7) The coordinating board shall establish policies and procedures for institutional decisions  
10 relating to the residence status of students;

11 (8) The coordinating board shall establish guidelines to promote and facilitate the transfer of  
12 students between institutions of higher education within the state and, with the assistance of the  
13 committee on transfer and articulation, shall require all public two-year and four-year higher  
14 education institutions to create by July 1, 2014, a statewide core transfer library of at least twenty-  
15 five lower division courses across all institutions that are transferable among all public higher  
16 education institutions. The coordinating board shall establish policies and procedures to ensure such  
17 courses are accepted in transfer among public institutions and treated as equivalent to similar  
18 courses at the receiving institutions. The coordinating board shall develop a policy to foster reverse  
19 transfer for any student who has accumulated enough hours in combination with at least one public  
20 higher education institution in Missouri that offers an associate degree and one public four-year  
21 higher education institution in the prescribed courses sufficient to meet the public higher education  
22 institution's requirements to be awarded an associate degree. The department of elementary and  
23 secondary education shall maintain the alignment of the assessments found in section 160.518 and  
24 successor assessments with the competencies previously established under this subdivision for entry-  
25 level collegiate courses in English, mathematics, foreign language, sciences, and social sciences  
26 associated with an institution's general education core;

27 (9) The coordinating board shall collect the necessary information and develop comparable  
28 data for all institutions of higher education in the state. The coordinating board shall use this  
29 information to delineate the areas of competence of each of these institutions and for any other  
30 purposes deemed appropriate by the coordinating board;

31 (10) Compliance with requests from the coordinating board for institutional information and  
32 the other powers, duties and responsibilities, herein assigned to the coordinating board, shall be a  
33 prerequisite to the receipt of any funds which the coordinating board is responsible for  
34 administering;

35 (11) If any institution of higher education in this state, public or private, willfully fails or  
36 refuses to follow any lawful guideline, policy or procedure established or prescribed by the  
37 coordinating board, or knowingly deviates from any such guideline, or knowingly acts without  
38 coordinating board approval where such approval is required, or willfully fails to comply with any  
39 other lawful order of the coordinating board, the coordinating board may, after a public hearing,  
40 withhold or direct to be withheld from that institution any funds the disbursement of which is  
41 subject to the control of the coordinating board, or may remove the approval of the institution as an  
42 approved institution within the meaning of section 173.1102. If any such public institution willfully  
43 disregards board policy, the commissioner of higher education may order such institution to remit a  
44 fine in an amount not to exceed one percent of the institution's current fiscal year state operating  
45 appropriation to the board. The board shall hold such funds until such time that the institution, as  
46 determined by the commissioner of higher education, corrects the violation, at which time the board  
47 shall refund such amount to the institution. If the commissioner determines that the institution has  
48 not redressed the violation within one year, the fine amount shall be deposited into the general

1 revenue fund, unless the institution appeals such decision to the full coordinating board, which shall  
2 have the authority to make a binding and final decision, by means of a majority vote, regarding the  
3 matter. However, nothing in this section shall prevent any institution of higher education in this  
4 state from presenting additional budget requests or from explaining or further clarifying its budget  
5 requests to the governor or the general assembly;

6 (12) In recognition of institutions that meet the requirements of subdivision (2), (3), or (4)  
7 of subsection 1 of section 173.616, are established by name as an educational institution in  
8 Missouri, and are authorized to operate programs beyond secondary education for purposes of  
9 authorization under 34 CFR 600.9, the coordinating board for higher education shall maintain and  
10 publish on its website a list of such postsecondary educational institutions; and

11 (13) (a) As used in this subdivision, the term "out-of-state public institution of higher  
12 education" shall mean an education institution located outside of Missouri that:

13 a. Is controlled or administered directly by a public agency or political subdivision or is  
14 classified as a public institution by the state;

15 b. Receives appropriations for operating expenses directly or indirectly from a state other  
16 than Missouri;

17 c. Provides a postsecondary course of instruction at least six months in length leading to or  
18 directly creditable toward a degree or certificate;

19 d. Meets the standards for accreditation by an accrediting body recognized by the United  
20 States Department of Education or any successor agency; and

21 e. Permits faculty members to select textbooks without influence or pressure by any  
22 religious or sectarian source.

23 (b) No later than July 1, 2008, the coordinating board shall promulgate rules regarding:

24 a. The board's approval process of proposed new degree programs and course offerings by  
25 any out-of-state public institution of higher education seeking to offer degree programs or course  
26 work within the state of Missouri; and

27 b. The board's approval process of degree programs and courses offered by any out-of-state  
28 public institutions of higher education that, prior to July 1, 2008, were approved by the board to  
29 operate a school in compliance with the provisions of sections 173.600 to 173.618. The rules shall  
30 ensure that, as of July 1, 2008, all out-of-state public institutions seeking to offer degrees and  
31 courses within the state of Missouri are evaluated in a manner similar to Missouri public higher  
32 education institutions. Such out-of-state public institutions shall be held to standards no lower than  
33 the standards established by the coordinating board for program approval and the policy guidelines  
34 of the coordinating board for data collection, cooperation, and resolution of disputes between  
35 Missouri institutions of higher education under this section. Any such out-of-state public  
36 institutions of higher education wishing to continue operating within this state must be approved by  
37 the board under the rules promulgated under this subdivision. The coordinating board may charge  
38 and collect fees from out-of-state public institutions to cover the costs of reviewing and assuring the  
39 quality of programs offered by out-of-state public institutions. Any rule or portion of a rule, as that  
40 term is defined in section 536.010, that is created under the authority delegated in this section shall  
41 become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if  
42 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers  
43 vested with the general assembly under chapter 536 to review, to delay the effective date, or to  
44 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking  
45 authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

46 (c) Nothing in this subdivision or in section 173.616 shall be construed or interpreted so that  
47 students attending an out-of-state public institution are considered to be attending a Missouri public  
48 institution of higher education for purposes of obtaining student financial assistance.

3. The coordinating board shall meet at least four times annually with an advisory committee who shall be notified in advance of such meetings. The coordinating board shall have exclusive voting privileges. The advisory committee shall consist of thirty-two members, who shall be the president or other chief administrative officer of the University of Missouri; the chancellor of each campus of the University of Missouri; the president of each state-supported four-year college or university, including Harris-Stowe State University, Missouri Southern State University, Missouri Western State University, and Lincoln University; the president of State Technical College of Missouri; the president or chancellor of each public community college district; and representatives of each of five accredited private institutions selected biennially, under the supervision of the coordinating board, by the presidents of all of the state's privately supported institutions; but always to include at least one representative from one privately supported community college, one privately supported four-year college, and one privately supported university. The conferences shall enable the committee to advise the coordinating board of the views of the institutions on matters within the purview of the coordinating board.

4. The University of Missouri, Lincoln University, and all other state-governed colleges and universities, chapters 172, 174, 175, and others, are transferred by type III transfers to the department of higher education subject to the provisions of subsection 2 of this section.

5. The state historical society, chapter 183, is transferred by type III transfer to the University of Missouri.

6. The state anatomical board, chapter 194, is transferred by type II transfer to the department of higher education.

7. All the powers, duties and functions vested in the division of public schools and state board of education relating to community college state aid and the supervision, formation of districts and all matters otherwise related to the state's relations with community college districts and matters pertaining to community colleges in public school districts, chapters 163, 178, and others, are transferred to the coordinating board for higher education by type I transfer. Provided, however, that all responsibility for administering the federal-state programs of vocational-technical education, except for the 1202a postsecondary educational amendments of 1972 program, shall remain with the department of elementary and secondary education. The department of elementary and secondary education and the coordinating board for higher education shall cooperate in developing the various plans for vocational-technical education; however, the ultimate responsibility will remain with the state board of education.

8. All the powers, duties, functions, and properties of the state poultry experiment station, chapter 262, are transferred by type I transfer to the University of Missouri, and the state poultry association and state poultry board are abolished. In the event the University of Missouri shall cease to use the real estate of the poultry experiment station for the purposes of research or shall declare the same surplus, all real estate shall revert to the governor of the state of Missouri and shall not be disposed of without legislative approval.

173.1101. The financial assistance program established under sections 173.1101 to 173.1107 shall be hereafter known as the "Access Missouri Financial Assistance Program". The coordinating board and all approved private, [and] public, and virtual institutions in this state shall refer to the financial assistance program established under sections 173.1101 to 173.1107 as the access Missouri student financial assistance program in their scholarship literature, provided that no institution shall be required to revise or amend any such literature to comply with this section prior to the date such literature would otherwise be revised, amended, reprinted or replaced in the ordinary course of such institution's business.

173.1102. 1. As used in sections 173.1101 to 173.1107, unless the context requires otherwise, the following terms mean:

- 1 (1) "Academic year", the period from July first of any year through June thirtieth of the  
2 following year;
- 3 (2) "Approved private institution", a nonprofit institution, dedicated to educational  
4 purposes, located in Missouri which:
- 5 (a) Is operated privately under the control of an independent board and not directly  
6 controlled or administered by any public agency or political subdivision;
- 7 (b) Provides a postsecondary course of instruction at least six months in length leading to or  
8 directly creditable toward a certificate or degree;
- 9 (c) Meets the standards for accreditation as determined by either the Higher Learning  
10 Commission or by other accrediting bodies recognized by the United States Department of  
11 Education or by utilizing accreditation standards applicable to nondegree-granting institutions as  
12 established by the coordinating board for higher education;
- 13 (d) Does not discriminate in the hiring of administrators, faculty and staff or in the  
14 admission of students on the basis of race, color, religion, sex, or national origin and is in  
15 compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued  
16 pursuant thereto. Sex discrimination as used herein shall not apply to admission practices of  
17 institutions offering the enrollment limited to one sex;
- 18 (e) Permits faculty members to select textbooks without influence or pressure by any  
19 religious or sectarian source;
- 20 (3) "Approved public institution", an educational institution located in Missouri which:
- 21 (a) Is directly controlled or administered by a public agency or political subdivision;
- 22 (b) Receives appropriations directly or indirectly from the general assembly for operating  
23 expenses;
- 24 (c) Provides a postsecondary course of instruction at least six months in length leading to or  
25 directly creditable toward a degree or certificate;
- 26 (d) Meets the standards for accreditation as determined by either the Higher Learning  
27 Commission, or if a public community college created under the provisions of sections 178.370 to  
28 178.400 meets the standards established by the coordinating board for higher education for such  
29 public community colleges, or by other accrediting bodies recognized by the United States  
30 Department of Education or by utilizing accreditation standards applicable to the institution as  
31 established by the coordinating board for higher education;
- 32 (e) Does not discriminate in the hiring of administrators, faculty and staff or in the  
33 admission of students on the basis of race, color, religion, sex, or national origin and is otherwise in  
34 compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued  
35 pursuant thereto;
- 36 (f) Permits faculty members to select textbooks without influence or pressure by any  
37 religious or sectarian source;
- 38 (4) "Approved virtual institution", an educational institution that meets all of the following  
39 requirements:
- 40 (a) Is recognized as a qualifying institution by gubernatorial executive order, unless such  
41 order is rescinded;
- 42 (b) Is recognized as a qualifying institution through a memorandum of understanding  
43 between the state of Missouri and the approved virtual institution;
- 44 (c) Is accredited by a regional accrediting agency recognized by the United States  
45 Department of Education;
- 46 (d) Has established and continuously maintains a physical campus or location of operation  
47 within the state of Missouri;
- 48 (e) Maintains at least twenty-five full-time Missouri employees, at least one-half of which



1 shall be faculty or administrators engaged in operations;

2 (f) Enrolls at least one thousand Missouri residents as degree or certificate seeking students;

3 (g) Maintains a governing body or advisory board based in Missouri with oversight of  
4 Missouri operations;

5 (h) Is organized as a nonprofit institution; and

6 (i) Utilizes an exclusively competency-based education model;

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

8 [(5)] (6) "Expected family contribution", the amount of money a student and family should  
9 pay toward the cost of postsecondary education as calculated by the United States Department of  
10 Education and reported on the student aid report or the institutional student information record;

11 [(6)] (7) "Financial assistance", an amount of money paid by the state of Missouri to a  
12 qualified applicant under sections 173.1101 to 173.1107;

13 [(7)] (8) "Full-time student", an individual who is enrolled in and is carrying a sufficient  
14 number of credit hours or their equivalent at an approved private, [or] public, or virtual institution  
15 to secure the degree or certificate toward which he or she is working in no more than the number of  
16 semesters or their equivalent normally required by that institution in the program in which the  
17 individual is enrolled. This definition shall be construed as the successor to subdivision (7) of  
18 section 173.205 for purposes of eligibility requirements of other financial assistance programs that  
19 refer to section 173.205.

20 2. The failure of an approved virtual institution to continuously maintain all of the  
21 requirements in subdivision (4) of subsection 1 of this section shall preclude such institution's  
22 students or applicants from being eligible for assistance under sections 173.1104 and 173.1105.

23 173.1104. 1. An applicant shall be eligible for initial or renewed financial assistance only  
24 if, at the time of application and throughout the period during which the applicant is receiving such  
25 assistance, the applicant:

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

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

29 (3) Is enrolled, or has been accepted for enrollment, as a full-time undergraduate student in  
30 an approved private, [or] public, or virtual institution; and

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

33 2. If an applicant is found guilty of or pleads guilty to any criminal offense during the  
34 period of time in which the applicant is receiving financial assistance, such applicant shall not be  
35 eligible for renewal of such assistance, provided such offense would disqualify the applicant from  
36 receiving federal student aid under Title IV of the Higher Education Act of 1965, as amended.

37 3. Financial assistance shall be allotted for one academic year, but a recipient shall be  
38 eligible for renewed assistance until he or she has obtained a baccalaureate degree, provided such  
39 financial assistance shall not exceed a total of ten semesters or fifteen quarters or their equivalent.  
40 Standards of eligibility for renewed assistance shall be the same as for an initial award of financial  
41 assistance, except that for renewal, an applicant shall demonstrate a grade-point average of two and  
42 five-tenths on a four-point scale, or the equivalent on another scale. This subsection shall be  
43 construed as the successor to section 173.215 for purposes of eligibility requirements of other  
44 financial assistance programs that refer to section 173.215.

45 173.1105. 1. An applicant who is an undergraduate postsecondary student at an approved  
46 private, [or] public, or virtual institution and who meets the other eligibility criteria shall be eligible  
47 for financial assistance, with a minimum and maximum award amount as follows:

48 (1) For academic years 2010-11, 2011-12, 2012-13, and 2013-14:

(a) One thousand dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector;

(b) Two thousand one hundred fifty dollars maximum and one thousand dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri; and

(c) Four thousand six hundred dollars maximum and two thousand dollars minimum for students attending approved private institutions;

(2) For the 2014-15 academic year and subsequent years:

(a) One thousand three hundred dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector; and

(b) Two thousand eight hundred fifty dollars maximum and one thousand five hundred dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri, [or] approved private institutions, or approved virtual institutions.

2. All students with an expected family contribution of twelve thousand dollars or less shall receive at least the minimum award amount for his or her institution. Maximum award amounts for an eligible student with an expected family contribution above seven thousand dollars shall be reduced by ten percent of the maximum expected family contribution for his or her increment group. Any award amount shall be reduced by the amount of a student's payment from the A+ schools program or any successor program to it. For purposes of this subsection, the term "increment group" shall mean a group organized by expected family contribution in five hundred dollar increments into which all eligible students shall be placed.

3. If appropriated funds are insufficient to fund the program as described, the maximum award shall be reduced across all sectors by the percentage of the shortfall. If appropriated funds exceed the amount necessary to fund the program, the additional funds shall be used to increase the number of recipients by raising the cutoff for the expected family contribution rather than by increasing the size of the award.

4. Every three years, beginning with academic year 2009-10, the award amount may be adjusted to increase no more than the Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 = 100, not seasonally adjusted, as defined and officially recorded by the United States Department of Labor, or its successor agency, for the previous academic year. The coordinating board shall prepare a report prior to the legislative session for use of the general assembly and the governor in determining budget requests which shall include the amount of funds necessary to maintain full funding of the program based on the baseline established for the program upon the effective date of sections 173.1101 to 173.1107. Any increase in the award amount shall not become effective unless an increase in the amount of money appropriated to the program necessary to cover the increase in award amount is passed by the general assembly.

173.1107. A recipient of financial assistance may transfer from one approved public [or], private, or virtual institution to another without losing eligibility for assistance under sections 173.1101 to 173.1107, but the coordinating board shall make any necessary adjustments in the amount of the award. If a recipient of financial assistance at any time is entitled to a refund of any tuition, fees, or other charges under the rules and regulations of the institution in which he or she is enrolled, the institution shall pay the portion of the refund which may be attributed to the state grant to the coordinating board. The coordinating board will use these refunds to make additional awards under the provisions of sections 173.1101 to 173.1107.

174.160. The board of regents of each state college and each state teachers college shall have power and authority to confer upon students, by diploma under the common seal, such degrees as are usually granted by such colleges, and additional degrees only when authorized by the

coordinating board for higher education in circumstances in which offering such degree would not unnecessarily duplicate an existing program, collaboration is not feasible or a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner. In the case of nonresearch doctoral degrees in allied health professions, an institution may be authorized to offer such degree independently if offering it in collaboration with another institution would not increase the quality of the program or allow it to be delivered more efficiently. Such boards shall have the power and authority to confer degrees in engineering only in collaboration with the University of Missouri, provided that such collaborative agreements are approved by the governing board of each institution and that in these instances the University of Missouri will be the degree-granting institution. Should the University of Missouri decline to collaborate in the offering of such programs, one of these institutions may seek approval of the program through the coordinating board for higher education's comprehensive review process when doing so would not unnecessarily duplicate an existing program, collaboration is not feasible or a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner.

174.225. [Missouri State University] No state college or university shall [not] seek the land grant designation held by Lincoln University and the University of Missouri [nor shall Missouri State University seek] or the research designation currently held by the University of Missouri. [Missouri State University shall offer engineering programs and doctoral programs only in cooperation with the University of Missouri; provided that such cooperative agreements are approved by the governing boards of each institution and that in these instances the University of Missouri shall be the degree-granting institution. Should the University of Missouri decline to cooperate in the offering of such programs within one year of the formal approval of the coordinating board, Missouri State University may cooperate with another educational institution, or directly offer the degree. In all cases, the offering of such degree programs shall be subject to the approval of the coordinating board for higher education, or any other higher education governing authority that may replace it. Missouri State University may offer doctoral programs in audiology and physical therapy. Missouri State University shall neither offer nor duplicate the professional programs at the University of Missouri including, without limitation, those that train medical doctors, pharmacists, dentists, veterinarians, optometrists, lawyers, and architects. The alteration of the name of Southwest Missouri State University to Missouri State University shall not entitle Missouri State University to any additional state funding.]

174.231. 1. On and after August 28, 2005, the institution formerly known as Missouri Southern State College located in Joplin, Jasper County, shall be known as "Missouri Southern State University". Missouri Southern State University is hereby designated and shall hereafter be operated as a statewide institution of international or global education. The Missouri Southern State University is hereby designated a moderately selective institution which shall provide associate degree programs except as provided in subsection 2 of this section, baccalaureate degree programs, and graduate degree programs pursuant to subdivisions (1) and (2) of subsection 2 of section 173.005. The institution shall develop such academic support programs and public service activities it deems necessary and appropriate to establish international or global education as a distinctive theme of its mission. [Consistent with the provisions of section 174.324, Missouri Southern State University is authorized to offer master's level degree programs in accountancy, subject to the approval of the coordinating board for higher education as provided in subdivision (1) of subsection 2 of section 173.005.]

2. As of July 1, 2008, Missouri Southern State University shall discontinue any and all associate degree programs unless the continuation of such associate degree programs is approved by the coordinating board for higher education pursuant to subdivision (1) of subsection 2 of section

1 173.005.

2 174.251. 1. On and after August 28, 2005, the institution formerly known as Missouri  
3 Western State College at St. Joseph, Buchanan County, shall hereafter be known as the "Missouri  
4 Western State University". Missouri Western State University is hereby designated and shall  
5 hereafter be operated as a statewide institution of applied learning. The Missouri Western State  
6 University is hereby designated an open enrollment institution which shall provide associate degree  
7 programs except as provided in subsection 2 of this section, baccalaureate degree programs, and  
8 graduate degree programs pursuant to subdivisions (1) and (2) of subsection 2 of section 173.005.  
9 The institution shall develop such academic support programs as it deems necessary and appropriate  
10 to an open enrollment institution with a statewide mission of applied learning. [Consistent with the  
11 provisions of section 174.324, Missouri Western State University is authorized to offer master's  
12 level degree programs in accountancy, subject to the approval of the coordinating board for higher  
13 education as provided in subdivision (1) of subsection 2 of section 173.005.]

14 2. As of July 1, 2010, Missouri Western State University shall discontinue any and all  
15 associate degree programs unless the continuation of such associate degree program is approved by  
16 the coordinating board for higher education pursuant to subdivision 2 of section 173.005.

17 174.500. 1. The board of governors of Missouri State University is authorized to continue  
18 the program of higher education at West Plains, Missouri, which was begun in 1963 and which shall  
19 be known as the "West Plains Campus of Missouri State University". Missouri State University  
20 may include an appropriation request for the branch facility at West Plains in its operating budget.

21 2. The coordinating board for higher education in cooperation with the board of governors  
22 shall develop a mission implementation plan for the campus at West Plains, Howell County, which  
23 is known as the "West Plains Campus of Missouri State University", and which shall be a teaching  
24 institution, offering one-year certificates, two-year associate degrees and credit and noncredit  
25 courses to both traditional and nontraditional students to meet the ongoing and emerging employer  
26 and educational needs of the citizens of the area served. The West Plains campus of Missouri State  
27 University may offer baccalaureate degrees only when authorized by the coordinating board for  
28 higher education in circumstances where the level of education required in a field for accreditation  
29 or licensure increases to the baccalaureate degree level or, in the case of applied bachelor's degrees,  
30 the level of education required for employment in a field increases to that level, and when doing so  
31 would not unnecessarily duplicate an existing program, collaboration with a university is not  
32 feasible or the approach is not a viable means of meeting the needs of students and employers, and  
33 the institution has the academic and financial capacity to offer the program in a high-quality manner.  
34 Quality for such baccalaureate degree programs shall be evaluated at least in part by delivery of  
35 upper-level coursework or competencies, and defined by accreditation or compliance with the  
36 Higher Learning Commission standards for bachelor's degrees.

37 178.636. 1. State Technical College of Missouri shall be a special purpose institution that  
38 shall make available to students from all areas of the state exceptional educational opportunities  
39 through highly specialized and advanced technical education and training at the certificate and  
40 associate degree level in both emerging and traditional technologies with particular emphasis on  
41 technical and vocational programs not commonly offered by community colleges or area vocational  
42 technical schools. Primary consideration shall be placed on the industrial and technological  
43 manpower needs of the state. In addition, State Technical College of Missouri is authorized to assist  
44 the state in economic development initiatives and to facilitate the transfer of technology to Missouri  
45 business and industry directly through the graduation of technicians in advanced and emerging  
46 disciplines and through technical assistance provided to business and industry. State Technical  
47 College of Missouri is authorized to provide technical assistance to area vocational technical schools  
48 and community colleges through supplemental on-site instruction and distance learning as such area

1 vocational technical schools and community colleges deem appropriate.

2 2. Consistent with the mission statement provided in subsection 1 of this section, State  
3 Technical College of Missouri shall offer vocational and technical programs leading to the granting  
4 of certificates, diplomas, and applied science associate degrees, or a combination thereof[, but not  
5 including]. State Technical College of Missouri may offer associate of arts or baccalaureate [or  
6 higher] degrees only when authorized by the coordinating board for higher education in  
7 circumstances where the level of education required in a field for accreditation or licensure  
8 increases to the baccalaureate degree level or, in the case of applied bachelor's degrees, the level of  
9 education required for employment in a field increases to that level, and when doing so would not  
10 unnecessarily duplicate an existing program, collaboration with a university is not feasible or the  
11 approach is not a viable means of meeting the needs of students and employers, and the institution  
12 has the academic and financial capacity to offer the program in a high-quality manner. Quality for  
13 such baccalaureate degree programs shall be evaluated at least in part by delivery of upper-level  
14 coursework or competencies, and defined by accreditation or compliance with the Higher Learning  
15 Commission standards for bachelor's degrees. State Technical College of Missouri shall also  
16 continue its role as a recognized area vocational technical school as provided by policies and  
17 procedures of the state board of education.

18 332.081. 1. No person or other entity shall practice dentistry in Missouri or provide dental  
19 services as defined in section 332.071 unless and until the board has issued to the person a  
20 certificate certifying that the person has been duly registered as a dentist in Missouri or the board  
21 has issued such certificate to an entity that has been duly registered to provide dental services by  
22 licensed dentists and dental hygienists and unless and until the board has issued to the person a  
23 license, to be renewed each period, as provided in this chapter, to practice dentistry or as a dental  
24 hygienist, or has issued to the person or entity a permit, to be renewed each period, to provide dental  
25 services in Missouri. Nothing in this chapter shall be so construed as to make it unlawful for:

26 (1) A legally qualified physician or surgeon, who does not practice dentistry as a specialty,  
27 from extracting teeth;

28 (2) A dentist licensed in a state other than Missouri from making a clinical demonstration  
29 before a meeting of dentists in Missouri;

30 (3) Dental students in any accredited dental school to practice dentistry under the personal  
31 direction of instructors;

32 (4) Dental hygiene students in any accredited dental hygiene school to practice dental  
33 hygiene under the personal direction of instructors;

34 (5) A duly registered and licensed dental hygienist in Missouri to practice dental hygiene as  
35 defined in section 332.091;

36 (6) A dental assistant, certified dental assistant, or expanded functions dental assistant to be  
37 delegated duties as defined in section 332.093;

38 (7) A duly registered dentist or dental hygienist to teach in an accredited dental or dental  
39 hygiene school;

40 (8) A person who has been granted a dental faculty permit under section 332.183 to practice  
41 dentistry in the scope of his or her employment at an accredited dental school, college, or program  
42 in Missouri;

43 (9) A duly qualified anesthesiologist or nurse anesthetist to administer an anesthetic in  
44 connection with dental services or dental surgery; [or]

45 [(9)] (10) A person to practice dentistry in or for:

46 (a) The United States Armed Forces;

47 (b) The United States Public Health Service;

48 (c) Migrant, community, or health care for the homeless health centers provided in Section

330 of the Public Health Service Act (42 U.S.C. 254(b));

(d) Federally qualified health centers as defined in Section 1905(l) (42 U.S.C. 1396d(l)) of the Social Security Act;

(e) Governmental entities, including county health departments; or

(f) The United States Veterans Bureau; or

[(10)] (11) A dentist licensed in a state other than Missouri to evaluate a patient or render an oral, written, or otherwise documented dental opinion when providing testimony or records for the purpose of a civil or criminal action before any judicial or administrative proceeding of this state or other forum in this state.

2. No corporation shall practice dentistry as defined in section 332.071 unless that corporation is organized under the provisions of chapter 355 or 356 provided that a corporation organized under the provisions of chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3) may only employ dentists and dental hygienists licensed in this state to render dental services to Medicaid recipients, low-income individuals who have available income below two hundred percent of the federal poverty level, and all participants in the SCHIP program, unless such limitation is contrary to or inconsistent with federal or state law or regulation. This subsection shall not apply to:

(1) A hospital licensed under chapter 197 that provides care and treatment only to children under the age of eighteen at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(2) A federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396(d)(1)), or a migrant, community, or health care for the homeless health center provided for in Section 330 of the Public Health Services Act (42 U.S.C. 254(b)) at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(3) A city or county health department organized under chapter 192 or chapter 205 at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(4) A social welfare board organized under section 205.770, a city health department operating under a city charter, or a city-county health department at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(5) Any entity that has received a permit from the dental board and does not receive compensation from the patient or from any third party on the patient's behalf at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(6) Any hospital nonprofit corporation exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, as amended, that engages in its operations and provides dental services at facilities owned by a city, county, or other political subdivision of the state at which a person regulated under this chapter provides dental care within the scope of his or her license or registration.

If any of the entities exempted from the requirements of this subsection are unable to provide services to a patient due to the lack of a qualified provider and a referral to another entity is made, the exemption shall extend to the person or entity that subsequently provides services to the patient.

3. No unincorporated organization shall practice dentistry as defined in section 332.071 unless such organization is exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and provides dental treatment without compensation from the patient or any third party on their behalf as a part of a broader program of social services including

1 food distribution. Nothing in this chapter shall prohibit organizations under this subsection from  
2 employing any person regulated by this chapter.

3 4. A dentist shall not enter into a contract that allows a person who is not a dentist to  
4 influence or interfere with the exercise of the dentist's independent professional judgment.

5 5. A not-for-profit corporation organized under the provisions of chapter 355 and qualifying  
6 as an organization under 26 U.S.C. Section 501(c)(3), an unincorporated organization operating  
7 pursuant to subsection 3 of this section, or any other person should not direct or interfere or attempt  
8 to direct or interfere with a licensed dentist's professional judgment and competent practice of  
9 dentistry. Nothing in this subsection shall be so construed as to make it unlawful for not-for-profit  
10 organizations to enforce employment contracts, corporate policy and procedure manuals, or quality  
11 improvement or assurance requirements.

12 6. All entities defined in subsection 2 of this section and those exempted under subsection 3  
13 of this section shall apply for a permit to employ dentists and dental hygienists licensed in this state  
14 to render dental services, and the entity shall apply for the permit in writing on forms provided by  
15 the Missouri dental board. The board shall not charge a fee of any kind for the issuance or renewal  
16 of such permit. The provisions of this subsection shall not apply to a federally qualified health  
17 center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)).

18 7. Any entity that obtains a permit to render dental services in this state is subject to  
19 discipline pursuant to section 332.321. If the board concludes that the person or entity has  
20 committed an act or is engaging in a course of conduct that would be grounds for disciplinary  
21 action, the board may file a complaint before the administrative hearing commission. The board  
22 may refuse to issue or renew the permit of any entity for one or any combination of causes stated in  
23 subsection 2 of section 332.321. The board shall notify the applicant in writing of the reasons for  
24 the refusal and shall advise the applicant of his or her right to file a complaint with the  
25 administrative hearing commission as provided by chapter 621.

26 8. A federally qualified health center as defined in Section 1905(l) of the Social Security  
27 Act (42 U.S.C. 1396d(l)) shall register with the board. The information provided to the board as  
28 part of the registration shall include the name of the health center, the nonprofit status of the health  
29 center, sites where dental services will be provided, and the names of all persons employed by, or  
30 contracting with, the health center who are required to hold a license pursuant to this chapter. The  
31 registration shall be renewed every twenty-four months. The board shall not charge a fee of any  
32 kind for the issuance or renewal of the registration. The registration of the health center shall not be  
33 subject to discipline pursuant to section 332.321. Nothing in this subsection shall prohibit  
34 disciplinary action against a licensee of this chapter who is employed by, or contracts with, such  
35 health center for the actions of the licensee in connection with such employment or contract. All  
36 licensed persons employed by, or contracting with, the health center shall certify in writing to the  
37 board at the time of issuance and renewal of the registration that the facility of the health center  
38 meets the same operating standards regarding cleanliness, sanitation, and professionalism as would  
39 the facility of a dentist licensed by this chapter. The board shall promulgate rules regarding such  
40 standards.

41 9. The board may promulgate rules and regulations to ensure not-for-profit corporations are  
42 rendering care to the patient populations as set forth herein, including requirements for covered not-  
43 for-profit corporations to report patient census data to the board. The provisions of this subsection  
44 shall not apply to a federally qualified health center as defined in Section 1905(l) of the Social  
45 Security Act (42 U.S.C. 1396d(l)).

46 10. All not-for-profit corporations organized or operated pursuant to the provisions of  
47 chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3), or the  
48 requirements relating to migrant, community, or health care for the homeless health centers

provided in Section 330 of the Public Health Service Act (42 U.S.C. 254(b)) and federally qualified health centers as defined in Section 1905(l) (42 U.S.C. 1396d(l)) of the Social Security Act, that employ persons who practice dentistry or dental hygiene in this state shall do so in accordance with the relevant laws of this state except to the extent that such laws are contrary to, or inconsistent with, federal statute or regulation.

332.183. 1. The board may issue a dental faculty permit to an individual who is employed by an accredited dental school, college, or program in Missouri. The holder of a dental faculty permit shall be authorized to practice dentistry in accordance with section 332.071 only within accredited dental school programs and only while engaged in teaching didactic courses, preclinical laboratories, and supervising student-delivered patient care at an accredited Missouri dental school, college, or program.

2. The holder of a dental faculty permit shall not receive any fee or compensation for the practice of dentistry, other than any salary or benefits received as part of his or her employment with the accredited Missouri dental school, college, or program and shall not engage in the private practice of dentistry for any fee or compensation.

3. To qualify for a dental faculty permit, an applicant shall:

(1) Be a graduate of and hold a degree from a dental school. An applicant shall not be required to be a graduate of an accredited dental school as defined in section 332.011;

(2) Submit to the board an affidavit from the dean of the accredited Missouri dental school, college, or program confirming the individual's employment as a teacher or instructor at the accredited Missouri dental school, college, or program;

(3) Submit to the board an affidavit stating that he or she will only practice dentistry within the course and scope of his or her teaching responsibilities and will not practice dentistry for any fee or compensation other than any salary or benefits received as part of his or her employment with the accredited Missouri dental school, college, or program;

(4) Pass a written jurisprudence examination given by the board on the Missouri dental laws and rules with a grade of at least eighty percent; and

(5) Submit to the board a completed application on forms provided by the board and the applicable fees as determined by the board; and

(6) Document satisfactory completion of an American Dental Association-accredited postdoctoral training program that is a minimum of twelve continuous months in length; or

(7) Have passed the National Board Examination in accordance with the criteria established by the sponsoring body.

4. The board may waive the requirements under subdivision (6) or (7) of subsection 3 of this section, at the request of the applicant, based on the applicant's portfolio of cases completed and documentation that the applicant held a license to teach dentistry in another state within a year of applying to teach dentistry in Missouri. The board shall only waive the requirements under this subsection if the board determines, based on the information provided in this subsection, that the applicant has a similar level of knowledge and experience as persons who have met the requirements under subdivision (6) or (7) of subsection 3 of this section.

5. A dental faculty permit shall be renewed every two years and shall be subject to the same renewal requirements contained under section 332.181.

6. A dental faculty permit shall be subject to discipline in accordance with section 332.321 and shall be automatically cancelled and nullified if the holder ceases to be employed by the accredited Missouri dental school, college, or program.

7. The board shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the



1 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
2 nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to  
3 review, to delay the effective date, or to disapprove and annul a rule are subsequently held  
4 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
5 August 28, 2017, shall be invalid and void.

6 [174.324. 1. Notwithstanding any law to the contrary, Missouri Western State  
7 University and Missouri Southern State University may offer master's degrees in  
8 accounting, subject to any terms and conditions of the Missouri state board of  
9 accountancy applicable to any other institution of higher education in this state which  
10 offers such degrees, and subject to approval of the coordinating board for higher  
11 education.

12 2. Any new master's degree program offered at Missouri Southern State University,  
13 Missouri Western State University, or any other public institution of higher education in this  
14 state must be approved by the coordinating board for higher education pursuant to the  
15 provisions of subdivision (1) or (2) of subsection 2 of section 173.005.]" ; and  
16

17 Further amend said bill by amending the title, enacting clause, and intersectional references  
18 accordingly.