FIRST REGULAR SESSION

HOUSE BILL NO. 615

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLEY (127).

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 160.254, 160.530, 163.191, 173.1000, 173.1003, 173.1004, 173.1006, 173.1540, and 178.638, RSMo, and to enact in lieu thereof five new sections relating to higher education.

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

Section A. Sections 160.254, 160.530, 163.191, 173.1000, 173.1003, 173.1004, 173.1006, 173.1540, and 178.638, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 160.254, 160.530, 163.191, 173.1540, and 178.638, to read as follows:

160.254. 1. There is hereby established a joint committee of the general assembly, which shall be known as the "Joint Committee on Education", which shall be composed of seven members of the senate and seven members of the house of representatives. The senate members of the committee shall be appointed by the president pro tem of the senate and the house members by the speaker of the house.

6 2. The committee shall meet at least twice a year. In the event of three consecutive 7 absences on the part of any member, such member may be removed from the committee.

8 3. The committee shall select either a chairman or cochairmen, one of whom shall be a 9 member of the senate and one a member of the house. A majority of the members shall 10 constitute a quorum. Meetings of the committee may be called at such time and place as the 11 chairman or chairmen designate.

12 4. The committee shall:

13 (1) Review and monitor the progress of education in the state's public schools and14 institutions of higher education;

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.

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- 15 (2) Receive reports from the commissioner of education concerning the public schools 16 and from the commissioner of higher education concerning institutions of higher education;
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(3) Conduct a study and analysis of the public school system; (4) Make recommendations to the general assembly for legislative action;

19 (5) Conduct an in-depth study concerning all issues relating to the equity and adequacy of the distribution of state school aid, teachers' salaries, funding for school buildings, and overall 20 21 funding levels for schools and any other education funding-related issues the committee deems 22 relevant;

23 (6) [Monitor the establishment of performance measures as required by section 173.1006 and report on their establishment to the governor and the general assembly; 24

25 (7) Conduct studies and analysis regarding:

26 (a) The higher education system, including financing public higher education and the 27 provision of financial aid for higher education; and

28 (b) The feasibility of including students enrolled in proprietary schools, as that term is 29 defined in section 173.600, in all state-based financial aid programs;

30 Annually review the collection of information under section 173.093 to (7) [(8)] 31 facilitate a more accurate comparison of the actual costs at public and private higher education 32 institutions;

33 [(9) Within three years of August 28, 2007, review a new model for the funding of public higher education institutions upon submission of such model by the coordinating board for 34 35 higher education;

(10) Within three years of August 28, 2007, review the impact of the higher education 36 student funding act established in sections 173.1000 to 173.1006; 37

38 <u>(11)</u>] and _____

39 (8) Beginning August 28, 2008, upon review, approve or deny any expenditures made by the commissioner of education pursuant to section 160.530, as provided in subsection 5 of 40 41 section 160.530.

42 5. The committee may make reasonable requests for staff assistance from the research 43 and appropriations staffs of the house and senate and the committee on legislative research, as 44 well as the department of elementary and secondary education, the department of higher 45 education, the coordinating board for higher education, the state tax commission, the department 46 of economic development, all school districts and other political subdivisions of this state, 47 teachers and teacher groups, business and other commercial interests and any other interested 48 persons.

49 6. Members of the committee shall receive no compensation but may be reimbursed for 50 reasonable and necessary expenses associated with the performance of their official duties.

160.530. 1. Beginning with fiscal year 1994 and for all fiscal years thereafter, in order to be eligible for state aid distributed pursuant to section 163.031, a school district shall allocate 2 3 one percent of moneys received pursuant to section 163.031, exclusive of categorical add-ons, 4 to the professional development committee of the district as established in subdivision (1) of subsection 4 of section 168.400, provided that in any fiscal year ending with fiscal year 2024 in 5 6 which the amount appropriated and expended to the public schools under section 163.161 for the 7 transportation of pupils is less than twenty-five percent of the allowable costs of providing pupil 8 transportation under said section, a school district may, by majority vote of its board, allocate an 9 amount less than one percent of the moneys received pursuant to section 163.031, exclusive of categorical add-ons, to the professional development committee of the district but in no instance 10 11 shall the district allocate less than one-half of one percent of the moneys received pursuant to 12 section 163.031, exclusive of categorical add-ons, to the professional development committee 13 of the district. Of the moneys allocated to the professional development committee in any fiscal 14 year as specified by this subsection, seventy-five percent of such funds shall be spent in the same 15 fiscal year for purposes determined by the professional development committee after consultation 16 with the administrators of the school district and approved by the local board of education as 17 meeting the objectives of a school improvement plan of the district that has been developed by 18 Moneys expended for staff training pursuant to any provisions of the the local board. 19 outstanding schools act shall not be considered in determining the requirements for school 20 districts imposed by this subsection.

21 2. Beginning with fiscal year 1994 and for all fiscal years thereafter, eighteen million 22 dollars shall be distributed by the commissioner of education to address statewide areas of 23 critical need for learning and development, provided that such disbursements are approved by 24 the joint committee on education as provided in subsection 5 of this section, and as determined 25 by rule and regulation of the state board of education with the advice of the advisory council 26 provided by subsection 1 of section 168.015. The moneys described in this subsection may be 27 distributed by the commissioner of education to colleges, universities, private associations, 28 professional education associations, statewide associations organized for the benefit of members 29 of boards of education, public elementary and secondary schools, and other associations and 30 organizations that provide professional development opportunities for teachers, administrators, 31 family literacy personnel and boards of education for the purpose of addressing statewide areas 32 of critical need, provided that subdivisions (1), (2) and (3) of this subsection shall constitute 33 priority uses for such moneys. "Statewide areas of critical need for learning and development" 34 shall include:

(1) Funding the operation of state management teams in districts with academically
 deficient schools and providing resources specified by the management team as needed in such
 districts;

38 (2) Funding for grants to districts, upon application to the department of elementary and 39 secondary education, for resources identified as necessary by the district, for those districts which 40 are failing to achieve assessment standards;

41 (3) Funding for family literacy programs;

42 (4) Ensuring that all children, especially children at risk, children with special needs, and 43 gifted students are successful in school;

44 (5) Increasing parental involvement in the education of their children;

45 (6) Providing information which will assist public school administrators and teachers 46 in understanding the process of site-based decision making;

47 (7) Implementing recommended curriculum frameworks as outlined in section 160.514;

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(8) Training in new assessment techniques for students;

49 (9) Cooperating with law enforcement authorities to expand successful antidrug50 programs for students;

51 (10) Strengthening existing curricula of local school districts to stress drug and alcohol 52 prevention;

53 (11) Implementing and promoting programs to combat gang activity in urban areas of 54 the state;

55 (12) Establishing family schools, whereby such schools adopt proven models of one-stop 56 state services for children and families;

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(13) Expanding adult literacy services; and

58 (14) Training of members of boards of education in the areas deemed important for the 59 training of effective board members as determined by the state board of education.

60 3. Beginning with fiscal year 1994 and for all fiscal years thereafter, two million dollars 61 of the moneys appropriated to the department of elementary and secondary education otherwise 62 distributed to the public schools of the state pursuant to the provisions of section 163.031, 63 exclusive of categorical add-ons, shall be distributed in grant awards by the state board of education, by rule and regulation, for the "Success Leads to Success" grant program, which is 64 65 hereby created. The purpose of the success leads to success grant program shall be to recognize, 66 disseminate and exchange information about the best professional teaching practices and 67 programs in the state that address student needs, and to encourage the staffs of schools with these 68 practices and programs to develop school-to-school networks to share these practices and 69 programs.

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70 4. The department shall include a listing of all expenditures under this section in the 71 annual budget documentation presented to the governor and general assembly.

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5. Prior to distributing any funds under subsection 2 of this section, the commissioner 73 of education shall appear before the joint committee on education and present a proposed 74 delineation of the programs to be funded under the provisions of subsection 2 of this section. 75 The joint committee shall review all proposed spending under subsection 2 of this section and 76 shall affirm, by a majority vote of all members serving on the committee, the spending proposal 77 of the commissioner prior to any disbursement of funds under subsection 2 of this section.

78 6. If any provision of subdivision [(11)] (8) of subsection 4 of section 160.254 or any 79 provision of subsection 2 or 5 of this section regarding approval of disbursements by the joint 80 committee on education is held to be invalid for any reason, then such decision shall invalidate 81 subsection 2 of this section in its entirety.

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

2 (1) "Community college", an institution of higher education deriving financial resources from local, state, and federal sources, and providing postsecondary education primarily for 3 4 persons above the twelfth grade age level, including courses in:

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

(b) Occupational, vocational-technical; and

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(c) A variety of educational community services.

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

21 (2) "Operating costs", all costs attributable to current operations, including all direct 22 costs of instruction, instructors' and counselors' compensation, administrative costs, all normal 23 operating costs and all similar noncapital expenditures during any year, excluding costs of 24 construction of facilities and the purchase of equipment, furniture, and other capital items

authorized and funded in accordance with subsection 6 of this section. Operating costs shall be
computed in accordance with accounting methods and procedures to be specified by the
department of higher education;

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

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

36 3. [(1) Except as provided in subdivision (2) of this subsection.] Distribution of 37 appropriated funds to community college districts shall be in accordance with the community 38 college resource allocation model. This model shall be developed and revised as appropriate 39 cooperatively by the community colleges and the department of higher education. The 40 department of higher education shall recommend the model to the coordinating board for higher 41 education for their approval. The core funding level for each community college shall initially 42 be established at an amount agreed upon by the community colleges and the department of higher 43 education. This amount will be adjusted annually for inflation, limited growth, and program 44 improvements in accordance with the resource allocation model starting with fiscal year 1993.

45 [(2) Unless the general assembly chooses to otherwise appropriate state funding, 46 beginning in fiscal year 2016, at least ninety percent of any increase in core funding over the 47 appropriated amount for the previous fiscal year shall be distributed in accordance with the 48 achievement of performance-funding measures under section 173.1006.]

49 4. The department of higher education shall be responsible for evaluating the 50 effectiveness of the resource allocation model and shall submit a report to the governor, the joint 51 committee on education, the speaker of the house of representatives and president pro tempore 52 of the senate by October 31, 2019, and every four years thereafter.

5. The department of higher education shall request new and separate state aid funds for 54 any new community college district for its first six years of operation. The request for the new 55 district shall be based upon the same level of funding being provided to the existing districts, and 56 should be sufficient to provide for the growth required to reach a mature enrollment level.

6. In addition to state funds received for operating purposes, each community college district shall be eligible to receive an annual appropriation, exclusive of any capital appropriations, for the cost of maintenance and repair of facilities and grounds, including surface parking areas, and purchases of equipment and furniture. Such funds shall not exceed in any year

an amount equal to ten percent of the state appropriations, exclusive of any capital 61 62 appropriations, to community college districts for operating purposes during the most recently 63 The department of higher education may include in its annual completed fiscal year. 64 appropriations request the necessary funds to implement the provisions of this subsection and 65 when appropriated shall distribute the funds to each community college district as appropriated. 66 The department of higher education appropriations request shall be for specific maintenance, 67 repair, and equipment projects at specific community college districts, shall be in an amount of 68 fifty percent of the cost of a given project as determined by the coordinating board and shall be 69 only for projects which have been approved by the coordinating board through a process of 70 application, evaluation, and approval as established by the coordinating board. The coordinating 71 board, as part of its process of application, evaluation, and approval, shall require the community 72 college district to provide proof that the fifty-percent share of funding to be defrayed by the 73 district is either on hand or committed for maintenance, repair, and equipment projects. Only 74 salaries or portions of salaries paid which are directly related to approved projects may be used 75 as a part of the fifty-percent share of funding.

76 7. School districts offering two-year college courses pursuant to section 178.370 on 77 October 31, 1961, shall receive state aid pursuant to subsection 2, [subdivision (1) of] subsection 78 3, and subsection 6 of this section if all scholastic standards established pursuant to sections 79 178.770 to 178.890 are met.

80 8. In order to make postsecondary educational opportunities available to Missouri 81 residents who do not reside in an existing community college district, community colleges 82 organized pursuant to section 178.370 or sections 178.770 to 178.890 shall be authorized 83 pursuant to the funding provisions of this section to offer courses and programs outside the 84 community college district with prior approval by the coordinating board for higher education. 85 The classes conducted outside the district shall be self-sustaining except that the coordinating 86 board shall promulgate rules to reimburse selected out-of-district instruction only where prior 87 need has been established in geographical areas designated by the coordinating board for higher 88 Funding for such off-campus instruction shall be included in the appropriation education. 89 recommendations, shall be determined by the general assembly and shall continue, within the 90 amounts appropriated therefor, unless the general assembly disapproves the action by concurrent 91 resolution.

92 9. When distributing state aid authorized for community colleges, the state treasurer may, 93 in any year if requested by a community college, disregard the provision in section 30.180 94 requiring the state treasurer to convert the warrant requesting payment into a check or draft and 95 wire transfer the amount to be distributed to the community college directly to the community 96 college's designated deposit for credit to the community college's account. 173.1540. 1. Each public four-year institution of higher education shall annually prepare an institutional budget request and submit it to the department of higher education. The department of higher education shall review all institutional budget requests and prepare appropriation recommendations annually for each public four-year institution of higher education.

6 2. Unless the general assembly chooses to otherwise appropriate state funding, the 7 appropriation of core funding increases in state funding to public four-year institutions of higher 8 education shall be in accordance with the increase allocation model, subject to the parameters 9 set forth in subsection 4 of this section. The increase allocation model shall be developed and 10 revised as appropriate cooperatively by the public four-year institutions of higher education and 11 the department of higher education. The department of higher education shall recommend the 12 model to the coordinating board for higher education for its approval by October 31, 2014.

3. The core funding level for each public four-year institution of higher education shall initially be the appropriated amount for each institution for fiscal year 2015. Increases under subsection 4 of this section shall be incorporated into the core funding level annually in accordance with the increase allocation model starting with fiscal year 2016.

4. (1) The increase allocation model shall comply with the parameters of this subsection in allocating annual increases in core appropriations to public four-year institutions of higher education.

(2) Unless otherwise provided by the general assembly during the appropriations process,
 no more than ten percent of any increase in core appropriations shall be distributed to address
 inequitable state funding through any combination of the following:

(a) Determined on a per-student basis, as determined by calculating full-time equivalency
 or on such other basis as determined by the department and agreed upon by the institutions[. To
 the extent inequities result from an institution's performance on its performance funding
 measures adopted under section 173.1006, such inequities shall not be eligible for an allocation
 under this paragraph]; and

(b) Distributed based on weighted full-time equivalent credit hours so as to provideenrollment, program offering, and mission sensitivity on an ongoing basis.

30 [(3) Unless otherwise provided by the general assembly during the appropriations 31 process, at least ninety percent of annual increases shall be distributed in accordance with the 32 performance funding model adopted under section 173.1006.]

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

178.638. 1. State Technical College of Missouri shall be under the oversight of the coordinating board for higher education. The institution shall also be subject to oversight by the 2 state board of education to the extent it serves as an area vocational technical school. Beginning 3 in the first full state fiscal year subsequent to the approval of State Technical College of 4 Missouri's plan by the coordinating board submitted pursuant to section 178.637, the state of 5 Missouri shall, subject to appropriation, provide the funds necessary to provide the staff, cost of 6 operation, and payment of all new capital improvements commencing with that fiscal year. 7

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8 2. All funds designated for the institution shall be included in the coordinating board's 9 budget request as provided in chapter 173, except that vocational technical education 10 reimbursements shall continue to be requested through the state board of education.

3. Unless the general assembly chooses to otherwise appropriate state funding, 11 beginning with fiscal year 2016, at least ninety percent of any annual increase in core funding 12 over the previous year shall be distributed in accordance with the performance funding measures 13 under section 173.1006.] 14

- [173.1000. The provisions of sections 173.1000 to 173.1006 shall be known and may be cited as the "Higher Education Student Funding Act".]
- [173.1003. 1. Beginning with the 2008-09 academic year, each approved 2 public institution, as such term is defined in section 173.1102, shall submit its 3 percentage change in the amount of tuition from the current academic year 4 compared to the upcoming academic year to the coordinating board for higher 5 education by July first preceding such academic year.
- 6 2. For institutions whose tuition is greater than the average tuition, the 7 percentage change in tuition shall not exceed the percentage change of the 8 consumer price index plus a percentage of not more than five percent that would 9 produce an increase in net tuition revenue no greater than the dollar amount by 10 which the state operating support was reduced for the prior fiscal year, if 11 applicable.

12 3. For institutions whose tuition is less than the average tuition, the dollar 13 increase in tuition shall not exceed the product of the percentage change of the consumer price index times the average tuition, plus a percentage of not more 14 15 than five percent that would produce an increase in net tuition revenue no greater 16 than the dollar amount by which the state operating support was reduced for the 17 prior fiscal year, if applicable.

- 4. If a tuition increase exceeds the limits set forth in subsection 2 or 3 of 18 this section, then the institution shall be subject to the provisions of subsection 19 20 5 of this section.
- 21 5. Any institution that exceeds the limits set forth in subsection 2 or 3 of 22 this section shall remit to the board an amount equal to five percent of its current 23 year state operating support amount which shall be deposited into the general 24 revenue fund unless the institution appeals, within thirty days of such notice, to

25 the commissioner of higher education for a waiver of this provision. The commissioner, after meeting with appropriate representatives of the institution, 26 shall determine whether the institution's waiver request is sufficiently warranted, 27 in which case no fund remission shall occur. In making this determination, the 28 29 factors considered by the commissioner shall include but not be limited to the 30 relationship between state appropriations and the consumer price index and any extraordinary circumstances. If the commissioner determines that an institution's 31 tuition percent increase is not sufficiently warranted and declines the waiver 32 33 request, the commissioner shall recommend to the full coordinating board that the institution shall remit an amount up to five percent of its current year state 34 operating appropriation to the board, which shall deposit the amount into the 35 general revenue fund. The coordinating board shall have the authority to make 36 37 a binding and final decision, by means of a majority vote, regarding the matter. 6. The provisions of subsections 2 to 5 of this section shall not apply to 38 any community college unless any such community college's tuition for any 39 Missouri resident is greater than or equal to the average tuition. If the provisions 40 of subsections 2 to 5 of this section apply to a community college, subsections 2 41 42 to 5 of this section shall only apply to out-of-district Missouri resident tuition. 7. For purposes of this section, the term "average tuition" shall be the 43 44 sum of the tuition amounts for the previous academic year for each approved public institution that is not excluded under subsection 6 of this section, divided 45 by the number of such institutions. The term "consumer price index" shall mean 46 47 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 48 49 Department of Labor, or its successor agency, from January first of the current 50 year compared to January first of the preceding year. The term "state 51 appropriation" shall mean the state operating appropriation for the prior year per full-time equivalent student for the prior year compared to state operating 52 appropriation for the current year per full-time equivalent student for the prior 53 vear. The term "tuition" shall mean the amount of tuition and required fees, 54 55 excluding any fee established by the student body of the institution, charged to a Missouri resident undergraduate enrolled in fifteen credit hours at the 56 institution. The term "state operating support" shall mean the funding actually 57 58 disbursed from state operating appropriations to approved public institutions and shall not include appropriations or disbursement for special initiatives or specific 59 60 program additions or expansions. The term "net tuition revenue" shall mean the net amount of resident undergraduate tuition and required fees reduced by 61 institutional aid only. "Institutional aid" includes all aid awarded to the student 62 63 by the student's institution of higher education only from such institution's funds. Institutional aid does not include the following: Pell Grants; state awards such 64 as the Missouri higher education academic scholarship program, the A+ schools 65 program, and the access Missouri financial aid program; foundation scholarships; 66 third-party scholarships; employee and dependent fee waivers; and student loans. 67

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8. Nothing in this section shall be construed to usurp or preclude the
 ability of the governing board of an institution of higher education to establish
 tuition or required fee rates.]

[173.1004. 1. The coordinating board shall promulgate rules and regulations to ensure that each approved public higher education institution shall 2 post on its website the names of all faculty, including adjunct, part-time, and 3 4 full-time faculty, who are given full or partial teaching assignments along with web links or other means of providing information about their academic 5 6 eredentials and, where feasible, instructor ratings by students. In addition, public 7 institutions of higher education shall post course schedules on their websites that include the name of the instructor assigned to each course and, if applicable, each 8 9 section of a course, as well as identifying those instructors who are teaching assistants, provided that the institution may modify and update the identity of 10 11 instructors as courses and sections are added or cancelled.

2. The coordinating board for higher education and the department of
 economic development shall jointly provide the following information for each
 credential offered by a public institution of higher education:

(1) Common areas of employment for people who have carned the
 credential, including estimates of the numbers and types of jobs available in the
 professions or industries in which people who have carned the credential usually
 work;

(2) The number and percentage of graduates who earned the credential
 who were employed within one year of graduation for the five most recent
 graduating classes and, for the graduates so employed, their average income,
 where such data are available and can be provided in a manner that protects the
 privacy of graduates;

(3) The number and percentage of graduates who earned the credential
 who were working in a field related to their educational program within one year
 of graduation for the five most recent graduating classes and, for the graduates
 so employed, their average income, where such data are available and can be
 provided in a manner that protects the privacy of graduates;

(4) The number and percentage of graduates who earned the credential
 who were working in any field of employment within one year of graduation for
 the five most recent graduating classes and, for the graduates so employed, their
 average income, where such data are available and can be provided in a manner
 that protects the privacy of graduates;

(5) The average income and salary range for each year of the five years
 immediately following graduation for graduates who were employed for at least
 five years following graduation but not more than ten years, where such data are
 available and can be provided in a manner that protects the privacy of graduates;
 (6) The number of academic years likely required to earn the credential
 based on statistics for recent graduates;

40 (7) Estimated tuition and fees required to earn the credential based on any on-campus housing costs for the number of academic years likely required to earn 41 42 the credential if the student chooses on-campus housing, the number of credit 43 hours required to earn the credential, and the course materials likely required to 44 earn the credential; and 45 (8) Other relevant information, including a description of the limitations of the data posted, as deemed necessary by the coordinating board for higher 46 education and the department of economic development. 47 48 3. The information described under subsection 2 of this section shall appear on the public website of the public institution of higher education 49 50 alongside its credential offerings and, if the institution currently publishes a course catalog, be published in the course catalog alongside its credential 51 offerings on or before October 1, 2019. 52 4. Each public institution of higher education shall ensure that its website 53 and course catalog, if the institution currently publishes a course catalog, contains 54 55 the information described under subsection 2 of this section, subject to the provisions of subsection 3 of this section.] 56 57 [173.1006. 1. Each public four-year institution, each community college, and the state technical college shall utilize the five institutional performance 2 3 measures it has submitted to, and that were approved by, the coordinating board 4 for higher education as of August 28, 2014, for performance funding under 5 sections 163.191, 173.1540, and 178.638. Each institution shall adopt, in 6 collaboration with the coordinating board for higher education, an additional 7 institutional performance measure to measure student job placement in a field or position associated with the student's degree level and pursuit of a graduate 8 9 degree. The institutional performance measure relating to job placement may not be used in any year in which the state unemployment rate has increased from the 10 previous calendar year's state unemployment rate. 11 The coordinating board shall evaluate and, if necessary, revise the 12 13 institutional performance measures every three years beginning in calendar year 14 2019 or more frequently at the coordinating board's discretion. 15 3. The department of higher education shall be responsible for evaluating the effectiveness of the performance funding measures, including their effect on 16 statewide postsecondary, higher education, and workforce goals, and shall submit 17 a report to the governor, the joint committee on education, the speaker of the 18 19 house of representatives and president pro tempore of the senate by October 31, 20 2019, and every four years thereafter.]