

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 160, Page 1, Section
2 A, Line 4, by inserting after all of the said section and line the following:

3
4 "23.295. If an employee is displaced because a program is sunset, reorganized, or continued,
5 the state agency and the ~~[division]~~ office of workforce development in the department of ~~[economy]~~
6 higher education and workforce development shall make a reasonable effort to relocate the
7 displaced employee."; and

8
9 Further amend said bill, Page 5, Section 160.231, Line 27, by inserting after all of the said section
10 and line the following:

11
12 "160.575. 1. The department of elementary and secondary education shall develop a "ready
13 to work" endorsement program that enables high schools to endorse a certificate for students who
14 meet certain standards that demonstrate that such students are deemed ready to work. The program
15 shall be available no later than June 30, 2007.

16 2. The program shall include, but not be limited to, the following:

17 (1) Voluntary participation by high school seniors who choose to participate;

18 (2) Academic components;

19 (3) Work readiness components;

20 (4) Assessment tools and techniques for a third-party, independent, and objective assessment
21 and endorsement of individual student achievement through an existing workforce investment
22 service delivery system; and

23 (5) An easily identifiable guarantee to potential employers that the entry-level employee is
24 ready to work.

25 3. In developing such standards, the department shall involve representatives of the
26 ~~[division]~~ office of workforce development, employers, students, career center providers, local
27 workforce investment boards, and school district personnel.

28 166.435. 1. Notwithstanding any law to the contrary, the assets of the program held by the
29 board, the assets of any deposit program authorized in section 166.500, and the assets of any
30 qualified tuition program established pursuant to Section 529 of the Internal Revenue Code and any

Action Taken _____ Date _____

income therefrom shall be exempt from all taxation by the state or any of its political subdivisions. Income earned or received from the program, deposit, or other qualified tuition programs established under Section 529 of the Internal Revenue Code, or refunds of qualified education expenses received by a beneficiary from an eligible educational institution in connection with withdrawal from enrollment at such institution which are contributed within sixty days of withdrawal to a qualified tuition program of which such individual is a beneficiary shall not be subject to state income tax imposed pursuant to chapter 143 and shall be eligible for any benefits provided in accordance with Section 529 of the Internal Revenue Code. The exemption from taxation pursuant to this section shall apply only to assets and income maintained, accrued, or expended pursuant to the requirements of the program established pursuant to sections 166.400 to 166.455, the deposit program established pursuant to sections 166.500 to 166.529, and other qualified tuition programs established under Section 529 of the Internal Revenue Code, and no exemption shall apply to assets and income expended for any other purposes. Annual contributions made only to the ~~[program held by the board, the]~~ deposit program~~[-, and any qualified tuition]~~ or the Missouri education program established under ~~[Section 529 of the Internal Revenue Code]~~ sections 166.400 to 166.455, or both, up to and including eight thousand dollars per taxpayer, and up to sixteen thousand dollars for married individuals filing a joint tax return, shall be subtracted in determining Missouri adjusted gross income pursuant to section 143.121.

2. If any deductible contributions to or earnings from any such program referred to in this section are distributed and not used to pay qualified education expenses, not transferred as allowed by 26 U.S.C. Section 529(c)(3)(C)(i), as amended, and any Internal Revenue Service regulations or guidance issued in relation thereto, or are not held for the minimum length of time established by the appropriate Missouri board, then the amount so distributed shall be included in the Missouri adjusted gross income of the participant, or, if the participant is not living, the beneficiary.

3. The provisions of this section shall apply to tax years beginning on or after January 1, 2008, and the provisions of this section with regard to sections 166.500 to 166.529 shall apply to tax years beginning on or after January 1, 2004."; and

Further amend said bill, Page 6, Section 172.280, Line 8, by inserting after all of the said section and line the following:

"172.610. There is hereby created and established a permanent fund for the support of the state university, with its several divisions, to be denominated "The Seminary Fund", which shall consist of all certificates of indebtedness of the state of Missouri, issued under sections 172.610 to ~~[172.720]~~ 172.650, and the proceeds thereof; the net proceeds of all sales of lands granted to the state for the benefit of the state university with its several divisions, as provided by law; and all gifts, grants, bequests, or devises to said seminary fund or the state for the benefit of the university, and not otherwise appropriated by the terms of any such gift, grant, bequest or devise, which fund shall be paid into the state treasury, and be securely invested by the board of curators of the state

1 university and sacredly preserved as a seminary fund, the annual income of which shall be faithfully
 2 appropriated for the maintenance of the state university, and for no other uses or purposes
 3 whatsoever, said income to be applied as directed by the board of curators of the state university,
 4 unless otherwise directed by the terms of the act of Congress or of the general assembly relating
 5 thereto, or by the terms of the certificate, instrument of gift, grant, bequest or devise by which any
 6 such certificate, property, securities, or money were received.

7 172.640. ~~[Whenever said board shall contract with the seller of any such bonds or securities,~~
 8 ~~the board shall requisition and the commissioner of administration shall approve, and the state~~
 9 ~~auditor shall forthwith issue, a warrant upon the state treasurer for the purchase price agreed upon,~~
 10 ~~payable out of the seminary fund, in favor of such seller. All bonds or securities so purchased shall~~
 11 ~~be made payable to, or be registered in the name of, the state treasurer as trustee of the seminary~~
 12 ~~fund and shall be deposited as part of the seminary fund with the state treasurer who shall give his~~
 13 ~~receipt therefor to said board of curators]~~ 1. The state university shall establish a separate custodial
 14 account at a financial institution in which the amounts in the seminary fund shall be deposited and
 15 held. The state university shall invest the amounts in the custodial account in government bonds
 16 under section 172.630. The earnings on such bonds in the custodial account may be withdrawn by
 17 the university and any withdrawals shall be used by the university for the maintenance of the state
 18 university, its College of Agriculture, and the University of Missouri-Rolla campus.

19 2. The state university shall provide a report from the financial institution as to the receipts
 20 and expenditures from the custodial account to the state treasurer no less often than annually.

21 172.650. 1. All of the state certificates of indebtedness issued to, and part of, the seminary
 22 fund, whether original certificates or renewals thereof, are hereby confirmed as sacred obligations of
 23 the state to said fund, and they shall be and remain nonnegotiable, unconvertible and untransferable
 24 from the purposes of their issue, and they shall remain so much of the permanent seminary fund as
 25 is represented by their amounts, respectively, until they shall be liquidated by the general assembly
 26 by appropriation and payment of the face amounts thereof to the seminary fund.

27 2. The general assembly may provide for the partial liquidation of any and all of said
 28 certificates by appropriation and payment to the seminary fund of a portion or portions of the face
 29 amounts thereof and, in any such event, a new certificate of indebtedness shall issue for the balance
 30 of the face amount of such partially liquidated certificate which remains unpaid after such partial
 31 liquidation.

32 ~~[3. When the certificates of indebtedness of the state to the seminary fund shall mature,~~
 33 ~~renewal certificates in form substantially similar to the maturing certificates and for like amounts,~~
 34 ~~payable to the state treasurer as trustee of the seminary fund, with like maturities, and bearing the~~
 35 ~~same rates of interest, payable in like manner, as provided in the maturing certificates, shall be~~
 36 ~~executed, countersigned, and sealed in like manner as specified in section 172.611.~~

37 4. ~~Upon the execution of such renewal certificates, they shall be deposited with the state~~
 38 ~~treasurer as part of the seminary fund and the matured certificates of indebtedness shall be forthwith~~
 39 ~~cancelled by the state treasurer. Receipts for all original and renewal certificates of indebtedness~~

~~deposited in the state treasury, and notices of all cancellations thereof, shall be given by the state treasurer to the board of curators of the state university.]"~~; and

Further amend said bill, Page 8, Section 173.002, Line 53, by inserting after all of the said section and line the following:

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

2. The commission on higher education is abolished and all its powers, duties, personnel and property are transferred by type I transfer to the "Coordinating Board for Higher Education", which is hereby created, and the coordinating board shall be the head of the department. The coordinating board shall consist of nine members appointed by the governor with the advice and consent of the senate, and not more than five of its members shall be of the same political party. None of the members shall be engaged professionally as an educator or educational administrator with a public or private institution of higher education at the time appointed or during his term. 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 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;

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

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

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

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

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

7 (2) The governing board of each public institution of higher education in the state shall have
8 the power and authority to confer degrees in chiropractic, osteopathic medicine, and podiatry only in
9 collaboration with the University of Missouri, provided that such collaborative agreements are
10 approved by the governing board of each institution and that in these instances the University of
11 Missouri will be the degree-granting institution. Should the University of Missouri decline to
12 collaborate in the offering of such programs, any of these institutions may seek approval of the
13 program through the coordinating board for higher education's comprehensive review process when
14 doing so would not unnecessarily duplicate an existing program, collaboration is not feasible or a
15 viable means of meeting the needs of students and employers, and the institution has the academic
16 and financial capacity to offer the program in a high quality manner;

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

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

37 (5) No new ~~[state-supported senior]~~ public colleges or ~~[residence centers]~~ universities shall
38 be established except as provided by law and with approval of the coordinating board for higher
39 education;

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

3 (7) 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 (8) The coordinating board shall establish policies and procedures for institutional decisions
10 relating to the residence status of students;

11 (9) 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
25 entry-level collegiate courses in English, mathematics, foreign language, sciences, and social
26 sciences associated with an institution's general education core;

27 (10) 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 (11) 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 (12) 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,

1 withhold or direct to be withheld from that institution any funds the disbursement of which is
 2 subject to the control of the coordinating board, or may remove the approval of the institution as an
 3 approved institution within the meaning of section 173.1102. If any such public institution willfully
 4 disregards board policy, the commissioner of higher education may order such institution to remit a
 5 fine in an amount not to exceed one percent of the institution's current fiscal year state operating
 6 appropriation to the board. The board shall hold such funds until such time that the institution, as
 7 determined by the commissioner of higher education, corrects the violation, at which time the board
 8 shall refund such amount to the institution. If the commissioner determines that the institution has
 9 not redressed the violation within one year, the fine amount shall be deposited into the general
 10 revenue fund, unless the institution appeals such decision to the full coordinating board, which shall
 11 have the authority to make a binding and final decision, by means of a majority vote, regarding the
 12 matter. However, nothing in this section shall prevent any institution of higher education in this
 13 state from presenting additional budget requests or from explaining or further clarifying its budget
 14 requests to the governor or the general assembly;

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

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

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

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

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

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

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

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

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

36 b. The board's approval process of degree programs and courses offered by any out-of-state
 37 public institutions of higher education that, prior to July 1, 2008, were approved by the board to
 38 operate a school in compliance with the provisions of sections 173.600 to 173.618. The rules shall
 39 ensure that, as of July 1, 2008, all out-of-state public institutions seeking to offer degrees and

1 courses within the state of Missouri are evaluated in a manner similar to Missouri public higher
2 education institutions. Such out-of-state public institutions shall be held to standards no lower than
3 the standards established by the coordinating board for program approval and the policy guidelines
4 of the coordinating board for data collection, cooperation, and resolution of disputes between
5 Missouri institutions of higher education under this section. Any such out-of-state public
6 institutions of higher education wishing to continue operating within this state must be approved by
7 the board under the rules promulgated under this subdivision. The coordinating board may charge
8 and collect fees from out-of-state public institutions to cover the costs of reviewing and assuring the
9 quality of programs offered by out-of-state public institutions. Any rule or portion of a rule, as that
10 term is defined in section 536.010, that is created under the authority delegated in this section shall
11 become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
12 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers
13 vested with the general assembly under chapter 536 to review, to delay the effective date, or to
14 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
15 authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

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

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

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

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

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

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

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

20 173.836. 1. This section shall be known and may be cited as the "Career-Tech Certificate
21 (CTC) Program".

22 2. As used in this section, the following terms mean:

23 (1) "Approved institution", an institution of postsecondary education that is subject to the
24 coordinating board for higher education under section 173.005, offers eligible programs of study or
25 training programs, and is at least one of the following:

26 (a) A public community college or vocational or technical school as provided under
27 subsection 8 of section 160.545;

28 (b) A two-year private vocational or technical school authorized to obtain reimbursements
29 under subsection 8 of section 160.545 as provided under subsection 10 of section 160.545;

30 (c) An approved virtual institution, as defined in section 173.1102; or

31 (d) An eligible training provider;

32 (2) "Department", the department of higher education and workforce development;

33 (3) "Eligible program of study", a program of instruction for which the required length for
34 completion of such program does not exceed the equivalent of sixty credit hours or the equivalent
35 under a different measure of student progress and that results in the award of a non-graduate-level
36 certificate or other industry-recognized credential below the graduate level that has been designated
37 by the coordinating board for higher education as preparing students to enter an area of occupational
38 shortage as determined and updated annually by such board under subdivision (5) of subsection 2 of
39 section 173.2553;

(4) "Eligible student", any student that meets the eligibility requirements for reimbursement of tuition, books, and fees under the "A+ Schools Program" created in section 160.545, provided that such student has not received a reimbursement for tuition, books, or fees under section 160.545;

(5) "Eligible training provider", a training organization listed in the state of Missouri eligible training provider system maintained by the office of workforce development in the department of higher education and workforce development that is not a four-year institution of higher education;

(6) "Training program", a program of study that leads to a certificate or degree and is offered by an approved institution but that does not meet the length-of-program requirements for an eligible program under 34 CFR 668.8, as amended. The term includes, but is not limited to:

(a) Certified nurse assistant (CNA) programs;

(b) Certified medication technician (CMT) programs;

(c) Level 1 medication aide (L1MA) programs;

(d) Insulin administration programs;

(e) Emergency medical technician (EMT) programs;

(f) Advanced emergency medical technician (AEMT) programs;

(g) Paramedic programs as described in chapter 190; or

(h) Commercial driver's license (CDL) programs.

3. (1) Beginning in the 2026-27 academic year and for all subsequent academic years, the department shall, by rule, establish a procedure for the reimbursement of the costs of tuition, books, and fees from the career-tech certificate (CTC) program fund to the approved institution at which an eligible student is enrolled in an eligible program of study or a training program.

(2) No tuition reimbursements in excess of the tuition rate charged by a public community college for coursework offered by a two-year private vocational or technical school, approved virtual institution as defined under section 173.1102, or eligible training provider within the service area of such college shall be reimbursed under this section.

(3) (a) If a public community college or vocational or technical school offers the same or a substantially similar eligible program of study or training program as a private vocational or technical school, virtual institution, or eligible training provider at which an eligible student intends to enroll and the school or provider is located in the service region of the public community college or vocational or technical school that offers the same or similar program of study or training program, no tuition reimbursement shall be provided under this section for such eligible student unless, before the eligible student enrolls:

a. The private vocational or technical school, virtual institution, or eligible training provider requests authorization from the department for such tuition reimbursement; and

b. The department authorizes such request.

(b) The department shall:

a. Develop and adopt a tuition reimbursement authorization request form and a procedure for submitting such request;

1 b. Review and either authorize or deny such request within twenty business days of
2 receiving an accurate, complete, and properly submitted request; and

3 c. If the department denies such request, provide the educational entity and the eligible
4 student with the reasons for such denial.

5 (c) The department shall not deny a tuition reimbursement authorization request without
6 good cause, as determined by the department on a case-by-case basis.

7 (4) The reimbursements provided under this section to a two-year private vocational or
8 technical school, approved virtual institution as defined under section 173.1102, or eligible training
9 provider shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the
10 Constitution of Missouri or the First Amendment to the Constitution of the United States.

11 4. (1) There is hereby created in the state treasury the "Career-Tech Certificate (CTC)
12 Program Fund", which shall consist of any moneys appropriated annually by the general assembly,
13 gifts, bequests, grants, public or private donations, or transfers. The state treasurer shall be
14 custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may
15 approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in this
16 fund shall be used solely for reimbursements as provided in this section.

17 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining
18 in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

19 (3) The state treasurer shall invest moneys in the fund in the same manner as other funds are
20 invested. Any interest and moneys earned on such investments shall be credited to the fund.

21 5. No rule promulgated by the department under this section shall prohibit students enrolled
22 in an eligible program of study or a training program from qualifying for tuition reimbursement
23 under this section solely because the eligible program of study or training program does not meet
24 the length-of-program requirements for an eligible program under 34 CFR 668.8, as amended, or
25 because the eligible training provider at which a student enrolls does not participate in federal
26 student aid programs.

27 6. Eligibility for tuition, books, and fees reimbursement to an approved institution as
28 provided under this section shall expire upon the earliest of:

29 (1) Receipt of the reimbursement for the required length for completion of such program as
30 determined by the department;

31 (2) A student's successful completion of an eligible program of study or training program; or

32 (3) A student's completion of one hundred fifty percent of the time usually required to
33 complete an eligible program of study or training program.

34 7. The department may promulgate all necessary rules and regulations for the
35 implementation and administration of this section. Any rule or portion of a rule, as that term is
36 defined in section 536.010, that is created under the authority delegated in this section shall become
37 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
38 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers
39 vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to

1 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
 2 authority and any rule proposed or adopted after the effective date of this act shall be invalid and
 3 void.

4 173.1352. 1. As used in this section, the following terms mean:

5 (1) "Advanced placement examination", any examination administered through the College
 6 Board's Advanced Placement Program (AP);

7 (2) "Institution", any in-state public community college, college, or university that offers
 8 postsecondary freshman-level courses;

9 (3) "International baccalaureate examination", any examination for assessment purposes
 10 administered through the International Baccalaureate Organization at the end of the International
 11 Baccalaureate Diploma Programme.

12 2. (1) Each institution shall adopt and implement a policy to grant undergraduate course
 13 credit to entering freshman students for each advanced placement examination upon which such
 14 student achieves a score of three or higher, or each international baccalaureate examination for an
 15 international baccalaureate diploma programme course upon which such student achieves a score of
 16 4 or higher, for any similarly correlated course offered by the institution at the time of such student's
 17 acceptance into the institution.

18 (2) In the policy, the institution shall:

19 (a) Establish the institution's conditions for granting course credit; and

20 (b) Identify the specific course credit or other academic requirements of the institution,
 21 including the number of semester credit hours or other course credit, that the institution will grant to
 22 a student who achieves required scores on advanced placement examinations or international
 23 baccalaureate examinations.

24 3. On request of an applicant for admission as an entering freshman, and based on
 25 information provided by the applicant, an institution shall determine and notify the applicant
 26 regarding:

27 (1) The amount and type of any course credit that would be granted to the applicant under
 28 the policy; and

29 (2) Any other academic requirement that the applicant would satisfy under the policy."; and
 30

31 Further amend said bill, Page 9, Section 173.1556, Line 28, by inserting after all of the said section
 32 and line the following:

33
 34 "[~~620.484.~~] 173.2565. The provisions of the Wagner-Peyser Act (29 U.S.C.A. Sec. 49 et
 35 seq.), as amended, are hereby accepted by this state and the [~~division~~] office of workforce
 36 development of the department of [~~economy~~] higher education and workforce development is
 37 hereby designated and constituted the agency of this state for the purposes of said act. The
 38 [~~division~~] office shall establish and maintain free public employment offices in such number and in

1 such places as may be necessary for the proper administration of this chapter and for the purposes of
2 performing such functions as are within the purview of the Wagner-Peyser Act.

3 ~~[620.490.]~~ 173.2566. The department of ~~[economie]~~ higher education and workforce
4 development shall promulgate rules providing for the coordination of state and federal job training
5 resources administered by the department of ~~[economie]~~ higher education and workforce
6 development, including the local workforce investment areas established in the state to administer
7 federal funds pursuant to the federal Workforce Investment Act or its successor, for the provision of
8 assistance to businesses in this state relating to the creation of new jobs in the state. The department
9 shall include in these rules the methods to be followed by any business engaged in the creation of
10 new jobs in state to ensure that economically disadvantaged citizens receive opportunities for
11 employment in the new jobs created. No rule or portion of a rule promulgated pursuant to the
12 authority of this section shall become effective unless it has been promulgated pursuant to the
13 provisions of section 536.024.

14 ~~[620.511.]~~ 173.2570. 1. There is hereby established the "Missouri Workforce Development
15 Board", formerly known as the Missouri workforce investment board, and hereinafter referred to as
16 "the board" in sections ~~[620.511 to 620.513]~~ 173.2570 to 173.2572.

17 2. The purpose of the board is to provide workforce investment activities, through statewide
18 and local workforce investment systems, that increase the employment, retention, and earnings of
19 participants, and increase occupational skill attainment by participants, and, as a result, improve the
20 quality of the workforce, reduce welfare dependency, and enhance the productivity and
21 competitiveness of the state of Missouri. The board shall be the state's advisory board pertaining to
22 workforce preparation policy.

23 3. The board shall meet the requirements of the federal Workforce Innovation and
24 Opportunity Act, hereinafter referred to as the "WIOA", P.L. 113-128, as amended. Should another
25 federal law supplant the WIOA, all references in sections ~~[620.511 to 620.513]~~ 173.2570 to
26 173.2572 to the WIOA shall apply as well to the new federal law.

27 4. Composition of the board shall comply with the WIOA. Board members appointed by
28 the governor shall be subject to the advice and consent of the senate. Consistent with the
29 requirements of the WIOA, the governor shall designate one member of the board to be its
30 chairperson.

31 5. Each member of the board shall serve for a term of four years, subject to the pleasure of
32 the governor, and until a successor is duly appointed. In the event of a vacancy on the board, the
33 vacancy shall be filled in the same manner as the original appointment and said replacement shall
34 serve the remainder of the original appointee's unexpired term.

35 6. Of the members initially appointed to the WIOA, formerly known as the WIA, board,
36 one-fourth shall be appointed for a term of four years, one-fourth shall be appointed for a term of
37 three years, one-fourth shall be appointed for a term of two years, and one-fourth shall be appointed
38 for a term of one year.

1 7. WIOA board members shall receive no compensation, but shall be reimbursed for all
2 necessary expenses actually incurred in the performance of their duties.

3 8. The department may include on its website a list of the names of the members of the
4 board, including the names of members of local workforce development boards, along with
5 information on how to contact such boards.

6 ~~[620.512.]~~ 173.2571. 1. The board shall establish bylaws governing its organization,
7 operation, and procedure consistent with sections ~~[620.511 to 620.513]~~ 173.2570 to 173.2572, and
8 consistent with the WIOA.

9 2. The board shall meet at least four times each year at the call of the chairperson.

10 3. In order to assure objective management and oversight, the board shall not operate
11 programs or provide services directly to eligible participants, but shall exist solely to plan,
12 coordinate, and monitor the provisions of such programs and services. A member of the board may
13 not vote on a matter under consideration by the board that regards the provision of services by the
14 member or by an entity that the member represents or would provide direct financial benefit to the
15 member or the immediate family of the member. A member of the board may not engage in any
16 other activity determined by the governor to constitute a conflict of interest.

17 4. The composition and the roles and responsibilities of the board membership may be
18 amended to comply with any succeeding federal or state legislative or regulatory requirements
19 governing workforce investment activities, except that the procedure for such change shall be
20 outlined in state rules and regulations and adopted in the bylaws of the board.

21 5. The department of ~~[economie]~~ higher education and workforce development, office of
22 workforce development, shall provide professional, technical, and clerical staff for the board.

23 6. The board may promulgate any rules and regulations necessary to administer the
24 provisions of sections ~~[620.511 to 620.513]~~ 173.2570 to 173.2572. Any rule or portion of a rule, as
25 that term is defined in section 536.010, that is created under the authority delegated in this section
26 shall become effective only if it complies with and is subject to all of the provisions of chapter 536
27 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
28 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective
29 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
30 rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and
31 void.

32 ~~[620.513.]~~ 173.2572. 1. The board shall assist the governor with the functions described in
33 Section 101(d) of the WIOA, 29 U.S.C. Section ~~[311d]~~ 3111(d), and any regulations issued pursuant
34 to the WIOA.

35 2. The board shall submit an annual report of its activities to the governor, the speaker of the
36 house of representatives, and the president pro tem of the senate no later than January thirty-first of
37 each year.

38 3. Nothing in sections ~~[620.511 to 620.513]~~ 173.2570 to 173.2572 shall be construed to
39 require or allow the board to assume or supersede the statutory authority granted to, or impose any

1 duties or requirements on, the state coordinating board for higher education, the governing boards of
2 the state's public colleges and universities, the state board of education, or any local educational
3 agencies."; and
4

5 Further amend said bill, Page 10, Section 174.160, Line 24, by inserting after all of the said section
6 and line the following:
7

8 "178.550. 1. This section shall be known and may be cited as the "Career and Technical
9 Education Student Protection Act". There is hereby established the "Career and Technical
10 Education Advisory Council" within the department of elementary and secondary education.

11 2. The advisory council shall be composed of sixteen members who shall be Missouri
12 residents. The director of the department of economic development, or his or her designee, shall be
13 a member. The commissioner of education shall appoint the following members:

14 (1) A director or administrator of a career and technical education center;
15 (2) An individual from the business community with a background in commerce;
16 (3) A representative from State Technical College of Missouri;
17 (4) Three current or retired career and technical education teachers who also serve or served
18 as an advisor to any of the nationally recognized career and technical education student
19 organizations of:

20 (a) DECA;
21 (b) Future Business Leaders of America (FBLA);
22 (c) FFA;
23 (d) Family, Career and Community Leaders of America (FCCLA);
24 (e) Health Occupations Students of America (HOSA);
25 (f) SkillsUSA; or
26 (g) Technology Student Association (TSA);
27 (5) A representative from a business organization, association of businesses, or a business
28 coalition;
29 (6) A representative from a Missouri community college;
30 (7) A representative from Southeast Missouri State University or the University of Central
31 Missouri;

32 (8) An individual participating in an apprenticeship recognized by the department of labor
33 and industrial relations or approved by the United States Department of Labor's Office of
34 Apprenticeship;

35 (9) A school administrator or school superintendent of a school that offers career and
36 technical education.

37 3. Members appointed by the commissioner of education shall serve a term of five years
38 except for the initial appointments, which shall be for the following lengths:

39 (1) One member shall be appointed for a term of one year;

- 1 (2) Two members shall be appointed for a term of two years;
- 2 (3) Two members shall be appointed for a term of three years;
- 3 (4) Three members shall be appointed for a term of four years;
- 4 (5) Three members shall be appointed for a term of five years.

5 4. Four members shall be from the general assembly. The president pro tempore of the
6 senate shall appoint two members of the senate of whom not more than one shall be of the same
7 party. The speaker of the house of representatives shall appoint two members of the house of
8 representatives of whom not more than one shall be of the same party. The legislative members
9 shall serve on the advisory council until such time as they resign, are no longer members of the
10 general assembly, or are replaced by new appointments.

11 5. The advisory council shall have three nonvoting ex officio members:

12 (1) A director of guidance and counseling services at the department of elementary and
13 secondary education, or a similar position if such position ceases to exist;

14 (2) The director of the ~~[division]~~ office of workforce development; and

15 (3) A member of the coordinating board for higher education, as selected by the
16 coordinating board.

17 6. The assistant commissioner for the office of college and career readiness of the
18 department of elementary and secondary education shall provide staff assistance to the advisory
19 council.

20 7. The advisory council shall meet at least four times annually. The advisory council may
21 make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the
22 terms and duties of its officers. The advisory council shall elect from among its members a
23 chairperson, vice chairperson, a secretary-reporter, and such other officers as it deems necessary.
24 Members of the advisory council shall serve without compensation but may be reimbursed for actual
25 expenses necessary to the performance of their official duties for the advisory council.

26 8. Any business to come before the advisory council shall be available on the advisory
27 council's internet website at least seven business days prior to the start of each meeting. All records
28 of any decisions, votes, exhibits, or outcomes shall be available on the advisory council's internet
29 website within forty-eight hours following the conclusion of every meeting. Any materials prepared
30 for the members shall be delivered to the members at least five days before the meeting, and to the
31 extent such materials are public records as defined in section 610.010 and are not permitted to be
32 closed under section 610.021, shall be made available on the advisory council's internet website at
33 least five business days in advance of the meeting.

34 9. The advisory council shall make an annual written report to the state board of education
35 and the commissioner of education regarding the development, implementation, and administration
36 of the state budget for career and technical education.

37 10. The advisory council shall annually submit written recommendations to the state board
38 of education and the commissioner of education regarding the oversight and procedures for the
39 handling of funds for student career and technical education organizations.

11. The advisory council shall:

- (1) Develop a comprehensive statewide short- and long-range strategic plan for career and technical education;
- (2) Identify service gaps and provide advice on methods to close such gaps as they relate to youth and adult employees, workforce development, and employers on training needs;
- (3) Confer with public and private entities for the purpose of promoting and improving career and technical education;
- (4) Identify legislative recommendations to improve career and technical education;
- (5) Promote coordination of existing career and technical education programs;
- (6) Adopt, alter, or repeal by its own bylaws, rules and regulations governing the manner in which its business may be transacted.

12. For purposes of this section, the department of elementary and secondary education shall provide such documentation and information as to allow the advisory council to be effective.

13. For purposes of this section, "advisory council" shall mean the career and technical education advisory council.

178.585. 1. Under rules and regulations of the state board of education, the commissioner of education, in cooperation with the ~~[director of the division]~~ office of workforce development of the department of ~~[economy]~~ higher education and workforce development, shall establish procedures to provide grants to public high schools, vocational-technical schools, State Technical College of Missouri, and community colleges solely for the purpose of new programs, curriculum enhancement, equipment and facilities so as to upgrade vocational and technical education in the state.

2. Each vocational-technical school, community college, State Technical College of Missouri, and school district of any public high school receiving a grant authorized by this section shall have an advisory committee composed of local business persons, labor leaders, parents, senior citizens, community leaders and teachers to establish a plan to ensure that students who graduate from the vocational-technical school, community college, State Technical College of Missouri, or public high school proceed to a four-year college or high-wage job with workplace-skill development opportunities.

3. The ~~[director of the]~~ department of ~~[economy]~~ higher education and workforce development shall provide annually to the commissioner of education a listing of demand occupations in the state including substate projections. The listing shall include those occupations for which, in the judgment of the ~~[director of the]~~ department of ~~[economy]~~ higher education and workforce development, there is a critical shortage to meet present or future employment needs necessary to the economic growth and competitiveness of the state.

4. In any fiscal year, at least seventy-five percent of all moneys for the grant awards authorized by this section shall be to public high schools, vocational-technical schools, State Technical College of Missouri, or community colleges for new programs, curriculum enhancement

1 or equipment necessary to address demand occupations identified pursuant to subsection 3 of this
 2 section."; and

3
 4 Further amend said bill, Page 13, Section 178.787, Line 48, by inserting after all of the said section
 5 and line the following:

6
 7 "186.019. 1. Prior to April first of each year, starting in 1992, the information described in
 8 subdivisions (1), (2), (3) and (4) of this subsection shall be delivered in report form to the Missouri
 9 women's council, the governor's office, the secretary of the senate, and the chief clerk of the house
 10 of representatives. The information shall apply only to activities which occurred during the
 11 previous calendar year. Reports shall be required from the following:

12 (1) The department of labor and industrial relations, and the ~~[division]~~ office of workforce
 13 development of the department of ~~[economy]~~ higher education and workforce development, who
 14 shall assemble all available data and report on all business start-ups and business failures which are
 15 fifty-one percent or more owned by women. The reports shall distinguish, as best as possible, those
 16 businesses which are sole proprietorships, partnerships, or corporations;

17 (2) The department of economic development, who shall assemble all available data and
 18 report on financial assistance or other incentives given to all businesses which are fifty-one percent
 19 or more owned by women. The report shall contain information relating to assistance or incentives
 20 awarded for the retention of existing businesses, the expansion of existing businesses, or the start-up
 21 of new businesses;

22 (3) The department of revenue, who shall assemble all available data and report on the
 23 number, gross receipts and net income of all businesses which are fifty-one percent or more owned
 24 by women. The reports shall distinguish those businesses which are sole proprietorships,
 25 partnerships or corporations;

26 (4) The division of purchasing of the office of administration, who shall assemble all
 27 available data and report on businesses which are fifty-one percent or more owned by women which
 28 are recipients of contracts awarded by the state of Missouri.

29 2. Prior to December first of each year, starting in 1990, the information described in
 30 subdivisions (1) and (2) of this subsection shall be delivered in report form to the Missouri women's
 31 council, the governor's office, the secretary of the senate, and the chief clerk of the house of
 32 representatives. The information shall apply only to activities which occurred during the previous
 33 school year. Reports shall be required from the following:

34 (1) The department of elementary and secondary education shall assemble all available data
 35 from the Vocational and Education Data System (VEDS) on class enrollments by Instruction
 36 Program Codes (CIP); by secondary and postsecondary schools; and, secondary, postsecondary, and
 37 adult level classes; and by gender. This data shall also be reported by classes of traditional and
 38 nontraditional occupational areas;

1 (2) The coordinating board for higher education shall assemble all available data and report
2 on higher education degrees awarded by academic discipline; type of degree; type of school; and
3 gender. All available data shall also be reported on salaries received upon completion of degree
4 program and subsequent hire, as well as any data available on follow-up salaries.

5 288.040. 1. A claimant who is unemployed and has been determined to be an insured
6 worker shall be eligible for benefits for any week only if the deputy finds that:

7 (1) The claimant has registered for work at and thereafter has continued to report at an
8 employment office in accordance with such regulations as the division may prescribe;

9 (2) The claimant is able to work and is available for work. No person shall be deemed
10 available for work unless such person has been and is actively and earnestly seeking work. Upon
11 the filing of an initial or renewed claim, and prior to the filing of each weekly claim thereafter, the
12 deputy shall notify each claimant of the number of work search contacts required to constitute an
13 active search for work. Unless the deputy directs otherwise, a claimant shall make a minimum of
14 three work search contacts during any week for which he or she claims benefits. No person shall be
15 considered not available for work, pursuant to this subdivision, solely because he or she is a
16 substitute teacher or is on jury duty. A claimant shall not be determined to be ineligible pursuant to
17 this subdivision because of not actively and earnestly seeking work if:

18 (a) The claimant is participating in training approved pursuant to Section 236 of the Trade
19 Act of 1974, as amended, (19 U.S.C.A. Sec. 2296, as amended);

20 (b) The claimant is temporarily unemployed through no fault of his or her own and has a
21 definite recall date within eight weeks of his or her first day of unemployment; however, upon
22 application of the employer responsible for the claimant's unemployment, such eight-week period
23 may be extended not to exceed a total of sixteen weeks at the discretion of the director;

24 (3) The claimant has reported to an office of the division as directed by the deputy, but at
25 least once every four weeks, except that a claimant shall be exempted from the reporting
26 requirement of this subdivision if:

27 (a) The claimant is claiming benefits in accordance with division regulations dealing with
28 partial or temporary total unemployment; or

29 (b) The claimant is temporarily unemployed through no fault of his or her own and has a
30 definite recall date within eight weeks of his or her first day of unemployment; or

31 (c) The director of the division of employment security has determined that the claimant
32 belongs to a group or class of workers whose opportunities for reemployment will not be enhanced
33 by reporting, or is prevented from reporting due to emergency conditions that limit access by the
34 general public to an office that serves the area where the claimant resides, but only during the time
35 such circumstances exist.

36
37 Ineligibility pursuant to this subdivision shall begin on the first day of the week which the claimant
38 was scheduled to claim and shall end on the last day of the week preceding the week during which
39 the claimant does report to the division's office;

1 (4) Prior to the first week of a period of total or partial unemployment for which the
2 claimant claims benefits he or she has been totally or partially unemployed for a waiting period of
3 one week. No more than one waiting week will be required in any benefit year. During calendar
4 year 2008 and each calendar year thereafter, the one-week waiting period shall become compensable
5 once his or her remaining balance on the claim is equal to or less than the compensable amount for
6 the waiting period. No week shall be counted as a week of total or partial unemployment for the
7 purposes of this subsection unless it occurs within the benefit year which includes the week with
8 respect to which the claimant claims benefits;

9 (5) The claimant has made a claim for benefits within fourteen days from the last day of the
10 week being claimed. The fourteen-day period may, for good cause, be extended to twenty-eight
11 days;

12 (6) The claimant has reported to an employment office to participate in a reemployment
13 assessment and reemployment services as directed by the deputy or designated staff of an
14 employment office, unless the deputy determines that good cause exists for the claimant's failure to
15 participate in such reemployment assessment and reemployment services. For purposes of this
16 section, "reemployment services" may include, but not be limited to, the following:

17 (a) Providing an orientation to employment office services;

18 (b) Providing job search assistance; and

19 (c) Providing labor market statistics or analysis;

20
21 Ineligibility under this subdivision shall begin on the first day of the week which the claimant was
22 scheduled to report for the reemployment assessment or reemployment services and shall end on the
23 last day of the week preceding the week during which the claimant does report in person to the
24 employment office for such reemployment assessment or reemployment services;

25 (7) The claimant is participating in reemployment services, such as job search assistance
26 services, as directed by the deputy if the claimant has been determined to be likely to exhaust
27 regular benefits and to need reemployment services pursuant to a profiling system established by the
28 division, unless the deputy determines that:

29 (a) The individual has completed such reemployment services; or

30 (b) There is justifiable cause for the claimant's failure to participate in such reemployment
31 services.

32 2. A claimant shall be ineligible for waiting week credit or benefits for any week for which
33 the deputy finds he or she is or has been suspended by his or her most recent employer for
34 misconduct connected with his or her work. Suspensions of four weeks or more shall be treated as
35 discharges.

36 3. (1) Benefits based on "service in employment", described in subsections 7 and 8 of
37 section 288.034, shall be payable in the same amount, on the same terms and subject to the same
38 conditions as compensation payable on the basis of other service subject to this law; except that:

1 (a) With respect to service performed in an instructional, research, or principal
2 administrative capacity for an educational institution, benefits shall not be paid based on such
3 services for any week of unemployment commencing during the period between two successive
4 academic years or terms, or during a similar period between two regular but not successive terms, or
5 during a period of paid sabbatical leave provided for in the individual's contract, to any individual if
6 such individual performs such services in the first of such academic years (or terms) and if there is a
7 contract or a reasonable assurance that such individual will perform services in any such capacity
8 for any educational institution in the second of such academic years or terms;

9 (b) With respect to services performed in any capacity (other than instructional, research, or
10 principal administrative capacity) for an educational institution, benefits shall not be paid on the
11 basis of such services to any individual for any week which commences during a period between
12 two successive academic years or terms if such individual performs such services in the first of such
13 academic years or terms and there is a contract or a reasonable assurance that such individual will
14 perform such services in the second of such academic years or terms;

15 (c) With respect to services described in paragraphs (a) and (b) of this subdivision, benefits
16 shall not be paid on the basis of such services to any individual for any week which commences
17 during an established and customary vacation period or holiday recess if such individual performed
18 such services in the period immediately before such vacation period or holiday recess, and there is
19 reasonable assurance that such individual will perform such services immediately following such
20 vacation period or holiday recess;

21 (d) With respect to services described in paragraphs (a) and (b) of this subdivision, benefits
22 payable on the basis of services in any such capacity shall be denied as specified in paragraphs (a),
23 (b), and (c) of this subdivision to any individual who performed such services at an educational
24 institution while in the employ of an educational service agency, and for this purpose the term
25 "educational service agency" means a governmental agency or governmental entity which is
26 established and operated exclusively for the purpose of providing such services to one or more
27 educational institutions.

28 (2) If compensation is denied for any week pursuant to paragraph (b) or (d) of subdivision
29 (1) of this subsection to any individual performing services at an educational institution in any
30 capacity (other than instructional, research or principal administrative capacity), and such individual
31 was not offered an opportunity to perform such services for the second of such academic years or
32 terms, such individual shall be entitled to a retroactive payment of the compensation for each week
33 for which the individual filed a timely claim for compensation and for which compensation was
34 denied solely by reason of paragraph (b) or (d) of subdivision (1) of this subsection.

35 4. (1) A claimant shall be ineligible for waiting week credit, benefits or shared work
36 benefits for any week for which he or she is receiving or has received remuneration exceeding his or
37 her weekly benefit amount or shared work benefit amount in the form of:

38 (a) Compensation for temporary partial disability pursuant to the workers' compensation law
39 of any state or pursuant to a similar law of the United States;

1 (b) A governmental or other pension, retirement or retired pay, annuity, or other similar
2 periodic payment which is based on the previous work of such claimant to the extent that such
3 payment is provided from funds provided by a base period or chargeable employer pursuant to a
4 plan maintained or contributed to by such employer; but, except for such payments made pursuant
5 to the Social Security Act or the Railroad Retirement Act of 1974 (or the corresponding provisions
6 of prior law), the provisions of this paragraph shall not apply if the services performed for such
7 employer by the claimant after the beginning of the base period (or remuneration for such services)
8 do not affect eligibility for or increase the amount of such pension, retirement or retired pay, annuity
9 or similar payment.

10 (2) If the remuneration referred to in this subsection is less than the benefits which would
11 otherwise be due, the claimant shall be entitled to receive for such week, if otherwise eligible,
12 benefits reduced by the amount of such remuneration, and, if such benefit is not a multiple of one
13 dollar, such amount shall be lowered to the next multiple of one dollar.

14 (3) Notwithstanding the provisions of subdivisions (1) and (2) of this subsection, if a
15 claimant has contributed in any way to the Social Security Act or the Railroad Retirement Act of
16 1974, or the corresponding provisions of prior law, no part of the payments received pursuant to
17 such federal law shall be deductible from the amount of benefits received pursuant to this chapter.

18 5. A claimant shall be ineligible for waiting week credit or benefits for any week for which
19 or a part of which he or she has received or is seeking unemployment benefits pursuant to an
20 unemployment insurance law of another state or the United States; provided, that if it be finally
21 determined that the claimant is not entitled to such unemployment benefits, such ineligibility shall
22 not apply.

23 6. (1) A claimant shall be ineligible for waiting week credit or benefits for any week for
24 which the deputy finds that such claimant's total or partial unemployment is due to a stoppage of
25 work which exists because of a labor dispute in the factory, establishment or other premises in
26 which such claimant is or was last employed. In the event the claimant secures other employment
27 from which he or she is separated during the existence of the labor dispute, the claimant must have
28 obtained bona fide employment as a permanent employee for at least the major part of each of two
29 weeks in such subsequent employment to terminate his or her ineligibility. If, in any case, separate
30 branches of work which are commonly conducted as separate businesses at separate premises are
31 conducted in separate departments of the same premises, each such department shall for the
32 purposes of this subsection be deemed to be a separate factory, establishment or other premises.
33 This subsection shall not apply if it is shown to the satisfaction of the deputy that:

34 (a) The claimant is not participating in or financing or directly interested in the labor dispute
35 which caused the stoppage of work; and

36 (b) The claimant does not belong to a grade or class of workers of which, immediately
37 preceding the commencement of the stoppage, there were members employed at the premises at
38 which the stoppage occurs, any of whom are participating in or financing or directly interested in the
39 dispute.

1 (2) "Stoppage of work" as used in this subsection means a substantial diminution of the
2 activities, production or services at the establishment, plant, factory or premises of the employing
3 unit. This definition shall not apply to a strike where the employees in the bargaining unit who
4 initiated the strike are participating in the strike. Such employees shall not be eligible for waiting
5 week credit or benefits during the period when the strike is in effect, regardless of diminution,
6 unless the employer has been found guilty of an unfair labor practice by the National Labor
7 Relations Board or a federal court of law for an act or actions preceding or during the strike.

8 7. On or after January 1, 1978, benefits shall not be paid to any individual on the basis of
9 any services, substantially all of which consist of participating in sports or athletic events or training
10 or preparing to so participate, for any week which commences during the period between two
11 successive sport seasons (or similar periods) if such individual performed such services in the first
12 of such seasons (or similar periods) and there is a reasonable assurance that such individual will
13 perform such services in the later of such seasons (or similar periods).

14 8. Benefits shall not be payable on the basis of services performed by an alien, unless such
15 alien is an individual who was lawfully admitted for permanent residence at the time such services
16 were performed, was lawfully present for purposes of performing such services, or was permanently
17 residing in the United States under color of law at the time such services were performed (including
18 an alien who was lawfully present in the United States as a result of the application of the provisions
19 of Section 212(d)(5) of the Immigration and Nationality Act).

20 (1) Any data or information required of individuals applying for benefits to determine
21 whether benefits are not payable to them because of their alien status shall be uniformly required
22 from all applicants for benefits.

23 (2) In the case of an individual whose application for benefits would otherwise be approved,
24 no determination that benefits to such individual are not payable because of such individual's alien
25 status shall be made except upon a preponderance of the evidence.

26 9. A claimant shall be ineligible for waiting week credit or benefits for any week such
27 claimant has an outstanding penalty which was assessed based upon an overpayment of benefits, as
28 provided for in subsection 9 of section 288.380.

29 10. The directors of the division of employment security and the ~~[division]~~ office of
30 workforce development shall submit to the governor, the speaker of the house of representatives,
31 and the president pro tem of the senate no later than October 15, 2006, a report outlining their
32 recommendations for how to improve work search verification and claimant reemployment
33 activities. The recommendations shall include, but not limited to how to best utilize
34 "greathires.org", and how to reduce the average duration of unemployment insurance claims. Each
35 calendar year thereafter, the directors shall submit a report containing their recommendations on
36 these issues by December thirty-first of each year.

37 11. For purposes of this section, a claimant may satisfy reporting requirements provided
38 under this section by reporting by internet communication or any other means deemed acceptable by
39 the division of employment security.

1 620.010. 1. There is hereby created a "Department of Economic Development" to be
2 headed by a director appointed by the governor, by and with the advice and consent of the senate.
3 All of the general provisions, definitions and powers enumerated in section 1 of the Omnibus State
4 Reorganization Act of 1974 shall continue to apply to this department and its divisions, agencies and
5 personnel.

6 2. The powers, duties and functions vested in the public service commission, chapters 386,
7 387, 388, 389, 390, 392, 393, and others, and the administrative hearing commission, sections
8 621.015 to 621.198 and others, are transferred by type III transfers to the department of economic
9 development. The director of the department is directed to provide and coordinate staff and
10 equipment services to these agencies in the interest of facilitating the work of the bodies and
11 achieving optimum efficiency in staff services common to all the bodies. Nothing in the
12 Reorganization Act of 1974 shall prevent the chairman of the public service commission from
13 presenting additional budget requests or from explaining or clarifying its budget requests to the
14 governor or general assembly.

15 3. The powers, duties and functions vested in the office of the public counsel are transferred
16 by type III transfer to the department of economic development. Funding for the general counsel's
17 office shall be by general revenue.

18 4. The public service commission is authorized to employ such staff as it deems necessary
19 for the functions performed by the general counsel other than those powers, duties and functions
20 relating to representation of the public before the public service commission.

21 5. All the powers, duties and functions vested in the tourism commission, chapter 258 and
22 others, are transferred to the "Division of Tourism", which is hereby created, by type III transfer.

23 6. All the powers, duties and functions of the department of community affairs, chapter 251
24 and others, not otherwise assigned, are transferred by type I transfer to the department of economic
25 development, and the department of community affairs is abolished. The director of the department
26 of economic development may assume all the duties of the director of community affairs or may
27 establish within the department such subunits and advisory committees as may be required to
28 administer the programs so transferred. The director of the department shall appoint all members of
29 such committees and heads of subunits.

30 7. The Missouri housing development commission, chapter 215, is assigned to the
31 department of economic development, but shall remain a governmental instrumentality of the state
32 of Missouri and shall constitute a body corporate and politic.

33 8. ~~[All the authority, powers, duties, functions, records, personnel, property, matters pending~~
34 ~~and other pertinent vestiges of the division of manpower planning of the department of social~~
35 ~~services are transferred by a type I transfer to the "Division of Workforce Development", which is~~
36 ~~hereby created, within the department of economic development. The division of manpower~~
37 ~~planning within the department of social services is abolished. The provisions of section 1 of the~~
38 ~~Omnibus State Reorganization Act of 1974, Appendix B, relating to the manner and procedures for~~
39 ~~transfers of state agencies shall apply to the transfers provided in this section.~~

1 ~~9. All the authority, powers, functions, records, personnel, property, contracts, matters~~
 2 ~~pending and other pertinent vestiges of the division of employment security within the department~~
 3 ~~of labor and industrial relations related to job training and labor exchange that are funded with or~~
 4 ~~based upon Wagner Peyser funds, and other federal and state workforce development programs~~
 5 ~~administered by the division of employment security are transferred by a type I transfer to the~~
 6 ~~division of workforce development within the department of economic development.~~

7 ~~40.]~~ Any rule or portion of a rule, as that term is defined in section 536.010, that is created
 8 under the authority delegated in this section shall become effective only if it complies with and is
 9 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
 10 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
 11 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
 12 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
 13 August 28, 2008, shall be invalid and void.

14 620.515. 1. This section shall be known and may be cited as the "Show-Me Heroes"
 15 program, the purpose of which is to:

16 (1) Assist the spouse of an active duty National Guard or reserve component service
 17 member reservist and active duty United States military personnel to address immediate needs and
 18 employment in an attempt to keep the family from falling into poverty while the primary income
 19 earner is on active duty, and ~~[during the five-year period]~~ following discharge from deployment; and

20 (2) Assist returning National Guard troops or reserve component service member reservists
 21 and recently separated United States military personnel with finding work in situations where an
 22 individual needs to rebuild business clientele or where an individual's job has been eliminated while
 23 such individual was deployed, or where the individual otherwise cannot return to his or her previous
 24 employment.

25 2. Subject to appropriation, the department of higher education and workforce development
 26 shall operate the Show-Me heroes program through existing programs. Eligibility for the program
 27 shall be based on the following criteria:

28 (1) Eligible participants in the program shall be those families where:

29 (a) The primary income earner was called to active duty in defense of the United States for a
 30 period of more than four months;

31 (b) The family's primary income is no longer available;

32 (c) The family is experiencing significant hardship due to financial burdens; and

33 (d) The family has no outside resources available to assist with such hardships;

34 (2) Services that may be provided to the family will be aimed at ameliorating the immediate
 35 crisis and providing a path for economic stability while the primary income is not available due to
 36 the active military commitment. Services shall be made available ~~[up to five years]~~ following
 37 discharge from deployment. Services may include, but not be limited to the following:

38 (a) Financial assistance to families facing financial crisis from overdue bills;

39 (b) Help paying day care costs to pursue training and or employment;

- 1 (c) Help covering the costs of transportation to training and or employment;
- 2 (d) Vocational evaluation and vocational counseling to help the individual choose a visible
- 3 employment goal;
- 4 (e) Vocational training to acquire or upgrade skills needed to be marketable in the
- 5 workforce;
- 6 (f) Paid internships and subsidized employment to train on the job; and
- 7 (g) Job placement assistance for those who don't require skills training.

8 3. (1) In addition to the benefits provided to those meeting the criteria established by
 9 subsection 2 of this section, the department of higher education and workforce development may
 10 award grants from the Show-Me heroes program or programs administering the Show-Me heroes
 11 program to one or more nonprofit organizations that facilitate the participation in apprenticeship
 12 training programs of veterans and active duty United States military personnel who are transitioning
 13 into civilian employment.

14 (2) A grant awarded pursuant to this subsection shall be used only to recruit or assist
 15 veterans or active duty United States military personnel who are transitioning into civilian
 16 employment to participate in an apprenticeship training program in this state.

17 (3) As used in this subsection, the term "apprenticeship training program" means a training
 18 program that provides on-the-job training, preparatory instruction, supplementary instruction, or
 19 related instruction in a trade that has been certified as an apprenticeable occupation by the Office of
 20 Apprenticeship of the United States Department of Labor.

21 4. The department shall promulgate rules to implement the provisions of this section. Any
 22 rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority
 23 delegated in this section shall become effective only if it complies with and is subject to all of the
 24 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
 25 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to
 26 review, to delay the effective date, or to disapprove and annul a rule are subsequently held
 27 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
 28 August 28, 2012, shall be invalid and void.

29
 30 ~~[167.910. 1. There is hereby established the "Career Readiness Course~~
 31 ~~Task Force" to explore the possibility of a course covering the topics described in~~
 32 ~~this section being offered in the public schools to students in eighth grade or ninth~~
 33 ~~grade. Task force members shall be chosen to represent the geographic diversity~~
 34 ~~of the state. All task force members shall be appointed before October 31, 2018.~~
 35 ~~The task force members shall be appointed as follows:~~

- 36 ~~(1) A parent of a student attending elementary school, appointed by the~~
- 37 ~~joint committee on education;~~
- 38 ~~(2) A parent of a student attending a grade not lower than the sixth nor~~
- 39 ~~higher than the eighth grade, appointed by the joint committee on education;~~
- 40 ~~(3) A parent of a student attending high school, appointed by the joint~~
- 41 ~~committee on education;~~

1 (4) ~~An elementary education professional from an accredited school~~
 2 ~~district, appointed by the joint committee on education from names submitted by~~
 3 ~~statewide education employee organizations;~~

4 (5) ~~Two education professionals giving instruction in a grade or grades not~~
 5 ~~lower than the sixth nor higher than the eighth grade in accredited school districts,~~
 6 ~~appointed by the joint committee on education from names submitted by statewide~~
 7 ~~education employee organizations;~~

8 (6) ~~Two secondary education professionals from accredited school~~
 9 ~~districts, appointed by the joint committee on education from names submitted by~~
 10 ~~statewide education employee organizations;~~

11 (7) ~~A career and technical education professional who has experience~~
 12 ~~serving as an advisor to a statewide career and technical education organization,~~
 13 ~~appointed by a statewide career and technical education organization;~~

14 (8) ~~An education professional from an accredited technical high school,~~
 15 ~~appointed by a statewide career and technical education organization;~~

16 (9) ~~A public school board member, appointed by a statewide association of~~
 17 ~~school boards;~~

18 (10) ~~A secondary school principal, appointed by a statewide association of~~
 19 ~~secondary school principals;~~

20 (11) ~~A principal of a school giving instruction in a grade or grades not~~
 21 ~~lower than the sixth nor higher than the eighth grade, appointed by a statewide~~
 22 ~~association of secondary school principals;~~

23 (12) ~~An elementary school counselor, appointed by a statewide association~~
 24 ~~of school counselors;~~

25 (13) ~~Two school counselors from a school giving instruction in a grade or~~
 26 ~~grades not lower than the sixth nor higher than the eighth grade, appointed by a~~
 27 ~~statewide association of school counselors;~~

28 (14) ~~A secondary school counselor, appointed by a statewide association~~
 29 ~~of school counselors;~~

30 (15) ~~A secondary school career and college counselor, appointed by a~~
 31 ~~statewide association of school counselors;~~

32 (16) ~~An apprenticeship professional, appointed by the division of~~
 33 ~~workforce development of economic development;~~

34 (17) ~~A representative of Missouri Project Lead the Way, appointed by the~~
 35 ~~statewide Project Lead the Way organization;~~

36 (18) ~~A representative of the state technical college, appointed by the state~~
 37 ~~technical college;~~

38 (19) ~~A representative of a public community college, appointed by a~~
 39 ~~statewide organization of community colleges; and~~

40 (20) ~~A representative of a public four-year institution of higher education,~~
 41 ~~appointed by the commissioner of higher education.~~

42 2. ~~The members of the task force established under subsection 1 of this~~
 43 ~~section shall elect a chair from among the membership of the task force. The task~~
 44 ~~force shall meet as needed to complete its consideration of the course described in~~
 45 ~~subsection 5 of this section and provide its findings and recommendations as~~
 46 ~~described in subsection 6 of this section. Members of the task force shall serve~~
 47 ~~without compensation. No school district policy or administrative action shall~~
 48 ~~require any education employee member to use personal leave or incur a reduction~~
 49 ~~in pay for participating on the task force.~~

3. The task force shall hold at least three public hearings to provide an opportunity to receive public testimony including, but not limited to, testimony from educators, local school boards, parents, representatives from business and industry, labor and community leaders, members of the general assembly, and the general public.

4. The department of elementary and secondary education shall provide such legal, research, clerical, and technical services as the task force may require in the performance of its duties.

5. The task force established under subsection 1 of this section shall consider a course that:

(1) Gives students an opportunity to explore various career and educational opportunities by:

(a) Administering career surveys to students and helping students use Missouri Connections to determine their career interests and develop plans to meet their career goals;

(b) Explaining the differences between types of colleges, including two-year and four-year colleges and noting the availability of registered apprenticeship programs as alternatives to college for students;

(c) Describing technical degrees offered by colleges;

(d) Explaining the courses and educational experiences offered at community colleges;

(e) Describing the various certificates and credentials available to earn at the school or other schools including, but not limited to, career and technical education certificates described under section 170.029 and industry-recognized certificates and credentials;

(f) Advising students of any advanced placement courses that they may take at the school;

(g) Describing any opportunities at the school for dual enrollment;

(h) Advising students of any Project Lead the Way courses offered at the school and explaining how Project Lead the Way courses help students learn valuable skills;

(i) Informing students of the availability of funding for postsecondary education through the A+ schools program described under section 160.545;

(j) Describing the availability of virtual courses;

(k) Describing the types of skills and occupations most in demand in the current job market and those skills and occupations likely to be in high demand in future years;

(l) Describing the typical salaries for occupations, salary trends, and opportunities for advancement in various occupations;

(m) Emphasizing the opportunities available in careers involving science, technology, engineering, and math;

(n) Advising students of the resources offered by workforce or job centers;

(o) Preparing students for the ACT assessment or the ACT WorkKeys assessments required for the National Career Readiness Certificate;

(p) Administering a practice ACT assessment or practice ACT WorkKeys assessments required for the National Career Readiness Certificate to students;

(q) Advising students of opportunities to take the SAT and the Armed Services Vocational Aptitude Battery;

(r) Administering a basic math test to students so that they can assess their math skills;

(s) Administering a basic writing test to students so that they can assess their writing skills;

(t) Helping each student prepare a personal plan of study that outlines a sequence of courses and experiences that concludes with the student reaching his or her postsecondary goals; and

(u) Explaining how to complete college applications and the Free Application for Federal Student Aid;

(2) Focuses on career readiness and emphasizes the importance of work ethic, communication, collaboration, critical thinking, and creativity;

(3) Demonstrates that graduation from a four-year college is not the only pathway to success by describing to students at least sixteen pathways to success in detail and including guest visitors who represent each pathway described. In exploring how these pathways could be covered in the course, the task force shall consider how instructors for the course may be able to rely on assistance from Missouri's career pathways within the department of elementary and secondary education;

(4) Provides student loan counseling; and

(5) May include parent student meetings.

6. Before December 1, 2019, the task force established under subsection 1 of this section shall present its findings and recommendations to the speaker of the house of representatives, the president pro tempore of the senate, the joint committee on education, and the state board of education. Upon presenting the findings and recommendations as described in this subsection, the task force shall dissolve.]

[167.910. 1. There is hereby established the "Career Readiness Course Task Force" to explore the possibility of a course covering the topics described in this section being offered in the public schools to students in eighth grade or ninth grade. Task force members shall be chosen to represent the geographic diversity of the state. All task force members shall be appointed before October 31, 2018. The task force members shall be appointed as follows:

(1) A parent of a student attending elementary school, appointed by a statewide association of parents and teachers;

(2) A parent of a student attending a grade not lower than the sixth nor higher than the eighth grade, appointed by a statewide association of parents and teachers;

(3) A parent of a student attending high school, appointed by a statewide association of parents and teachers;

(4) An elementary education professional from an accredited school district, appointed by agreement among the Missouri State Teachers Association, the Missouri National Education Association, and the American Federation of Teachers of Missouri;

(5) An education professional giving instruction in a grade or grades not lower than the sixth nor higher than the eighth grade in an accredited school district, appointed by agreement among the Missouri State Teachers Association, the Missouri National Education Association, and the American Federation of Teachers of Missouri;

1 ~~(6) A secondary education professional from an accredited school district,~~
 2 ~~appointed by agreement among the Missouri State Teachers Association, the~~
 3 ~~Missouri National Education Association, and the American Federation of~~
 4 ~~Teachers of Missouri;~~

5 ~~(7) A career and technical education professional who has experience~~
 6 ~~serving as an advisor to a statewide career and technical education organization,~~
 7 ~~appointed by a statewide career and technical education organization;~~

8 ~~(8) An education professional from an accredited technical high school,~~
 9 ~~appointed by a statewide career and technical education organization;~~

10 ~~(9) A public school board member, appointed by a statewide association of~~
 11 ~~school boards;~~

12 ~~(10) A secondary school principal, appointed by a statewide association of~~
 13 ~~secondary school principals;~~

14 ~~(11) A principal of a school giving instruction in a grade or grades not~~
 15 ~~lower than the sixth nor higher than the eighth grade, appointed by a statewide~~
 16 ~~association of secondary school principals;~~

17 ~~(12) An elementary school counselor, appointed by a statewide association~~
 18 ~~of school counselors;~~

19 ~~(13) A school counselor from a school giving instruction in a grade or~~
 20 ~~grades not lower than the sixth nor higher than the eighth grade, appointed by a~~
 21 ~~statewide association of school counselors;~~

22 ~~(14) A secondary school counselor, appointed by a statewide association~~
 23 ~~of school counselors;~~

24 ~~(15) A secondary school career and college counselor, appointed by a~~
 25 ~~statewide association of school counselors;~~

26 ~~(16) An apprenticeship professional, appointed by the division of~~
 27 ~~workforce development of the department of economic development;~~

28 ~~(17) A representative of Missouri Project Lead the Way, appointed by the~~
 29 ~~statewide Project Lead the Way organization;~~

30 ~~(18) A representative of the State Technical College of Missouri,~~
 31 ~~appointed by the State Technical College of Missouri;~~

32 ~~(19) A representative of a public community college, appointed by a~~
 33 ~~statewide organization of community colleges; and~~

34 ~~(20) A representative of a public four-year institution of higher education,~~
 35 ~~appointed by the commissioner of higher education.~~

36 ~~2. The members of the task force established under subsection 1 of this~~
 37 ~~section shall elect a chair from among the membership of the task force. The task~~
 38 ~~force shall meet as needed to complete its consideration of the course described in~~
 39 ~~subsection 5 of this section and provide its findings and recommendations as~~
 40 ~~described in subsection 6 of this section. Members of the task force shall serve~~
 41 ~~without compensation. No school district policy or administrative action shall~~
 42 ~~require any education employee member to use personal leave or incur a reduction~~
 43 ~~in pay for participating on the task force.~~

44 ~~3. The task force shall hold at least three public hearings to provide an~~
 45 ~~opportunity to receive public testimony including, but not limited to, testimony~~
 46 ~~from educators, local school boards, parents, representatives from business and~~
 47 ~~industry, labor and community leaders, members of the general assembly, and the~~
 48 ~~general public.~~

1 4. The department of elementary and secondary education shall provide
 2 such legal, research, clerical, and technical services as the task force may require
 3 in the performance of its duties.

4 5. The task force established under subsection 1 of this section shall
 5 consider a course that:

6 (1) Gives students an opportunity to explore various career and
 7 educational opportunities by:

8 (a) Administering career surveys to students and helping students use
 9 Missouri Connections to determine their career interests and develop plans to meet
 10 their career goals;

11 (b) Explaining the differences between types of colleges, including two-
 12 year and four-year colleges, and noting the availability of registered
 13 apprenticeship programs as alternatives to college for students;

14 (c) Describing technical degrees offered by colleges;

15 (d) Explaining the courses and educational experiences offered at
 16 community colleges;

17 (e) Describing the various certificates and credentials available to earn at
 18 the school or other schools including, but not limited to, career and technical
 19 education certificates described under section 170.029 and industry-recognized
 20 certificates and credentials;

21 (f) Advising students of any advanced placement courses that they may
 22 take at the school;

23 (g) Describing any opportunities at the school for dual enrollment;

24 (h) Advising students of any Project Lead the Way courses offered at the
 25 school and explaining how Project Lead the Way courses help students learn
 26 valuable skills;

27 (i) Informing students of the availability of funding for postsecondary
 28 education through the A+ schools program described under section 160.545;

29 (j) Describing the availability of virtual courses;

30 (k) Describing the types of skills and occupations most in demand in the
 31 current job market and those skills and occupations likely to be in high demand in
 32 future years;

33 (l) Describing the typical salaries for occupations, salary trends, and
 34 opportunities for advancement in various occupations;

35 (m) Emphasizing the opportunities available in careers involving science,
 36 technology, engineering, and math;

37 (n) Advising students of the resources offered by workforce or job centers;

38 (o) Preparing students for the ACT assessment or the ACT WorkKeys
 39 assessments required for the National Career Readiness Certificate;

40 (p) Administering a practice ACT assessment or practice ACT WorkKeys
 41 assessments required for the National Career Readiness Certificate to students;

42 (q) Advising students of opportunities to take the SAT and the Armed
 43 Services Vocational Aptitude Battery;

44 (r) Administering a basic math test to students so that they can assess their
 45 math skills;

46 (s) Administering a basic writing test to students so that they can assess
 47 their writing skills;

(t) Helping each student prepare a personal plan of study that outlines a sequence of courses and experiences that concludes with the student reaching his or her postsecondary goals; and

(u) Explaining how to complete college applications and the Free Application for Federal Student Aid;

(2) Focuses on career readiness and emphasizes the importance of work ethic, communication, collaboration, critical thinking, and creativity;

(3) Demonstrates that graduation from a four-year college is not the only pathway to success by describing to students at least sixteen pathways to success in detail and including guest visitors who represent each pathway described. In exploring how these pathways could be covered in the course, the task force shall consider how instructors for the course may be able to rely on assistance from Missouri Career Pathways within the department of elementary and secondary education;

(4) Provides student loan counseling; and

(5) May include parent-student meetings.

6. Before December 1, 2019, the task force established under subsection 1 of this section shall present its findings and recommendations to the speaker of the house of representatives, the president pro tempore of the senate, the joint committee on education, and the state board of education. Upon presenting the findings and recommendations as described in this subsection, the task force shall dissolve.]

[170.012. 1. Any graduate student who did not receive both his primary and secondary education in a nation or territory in which English is the primary language shall not be given a teaching appointment during his or her first semester of enrollment at any public institution of higher education in the state of Missouri. Exceptions may be granted in special cases upon approval of the chief academic and executive officers of the institution.

2. All graduate students who did not receive both their primary and secondary education in a nation or territory in which English is the primary language shall be tested for their ability to communicate orally in English in a classroom setting prior to receiving a teaching appointment. Such testing shall be made available by the public institution at no cost to the graduate student.

3. All graduate students prior to filling a teaching assistant position as a graduate student, who have not previously lived in the United States shall be given a cultural orientation to prepare them for such teaching appointment.

4. All public institutions of higher education in this state shall provide to the coordinating board for higher education on a biennial basis a report on the number and language background of all teaching assistants, including a copy of the institutions current policy for selection of graduate teaching assistants.

5. The provisions of this section and sections 174.310 and 175.021 shall not apply to any person employed under a contract of employment in existence prior to August 13, 1986.]

[172.651. Whenever any bond or securities which are held in the seminary fund shall mature, the state treasurer, upon order of the board of curators of the state university, shall present the same for payment, and shall hold the proceeds

thereof as part of the seminary fund, and such proceeds shall be immediately reinvested as in sections 172.610 to 172.720 provided.]

[172.660. 1. The state treasurer shall be the custodian of all original and renewal certificates of indebtedness of the state to the seminary fund and of all bonds and securities in which the seminary fund shall be invested, and also of all moneys belonging to said seminary fund, and he and his sureties shall be responsible on his official bond for the performance of his duties in the safekeeping, disbursement and investment of all money or property of the seminary fund in accordance with the provisions of sections 172.610 to 172.720.]

2. The state treasurer shall keep an accurate account of all certificates of indebtedness, money, bonds and securities in the seminary fund, the maturities thereof, the rates of interest thereon, and the dates when said interest is payable, and shall certify to the board of curators quarter yearly such accounts and reports relating thereto as may be required by said board.

3. The state treasurer shall include in each of his reports to the general assembly a full account of all receipts and expenditures on account of the seminary fund and the income therefrom and a report of all information in his possession which relates to such fund and property dedicated to the use of the university.]

[172.661. 1. The board of curators shall keep a regular account with the state treasurer and all other persons in relation to the seminary fund.]

2. The board of curators of the state university shall require all persons who shall have received any money belonging to said fund or income to settle their accounts, and, in that name, may sue for and recover all moneys due from any person on account of such fund or income.]

[172.680. The state treasurer, whenever any bonds or securities shall have been purchased by the board of curators for the seminary fund and payment therefor and delivery thereof have been made, shall plainly stamp on the face of each of said bonds or securities these words: "This bond is the property of the seminary fund", and shall sign such statement, and thereafter no bond or securities so stamped shall be negotiable, but it or they shall only be payable to the state treasurer as trustee of the seminary fund. The interest on all such bonds or securities, when due, shall be collected by the state treasurer and credited to the "State Seminary Moneys Fund", which is hereby created, and the payment of such interest certified by him to the board of curators.]

[172.720. The income received from the seminary fund shall be paid for the maintenance of the state university, its College of Agriculture and University of Missouri-Rolla, upon requisition by the board of curators upon the commissioner of administration and shall be applied as in sections 172.610 to 172.720.]

[173.095. In recognition of the role of education in modern society and its influence upon whether or not a citizen will beneficially contribute to his state and community by his talents and developed abilities, and in recognition that educational opportunity should not be limited by the financial means of the

1 student, and in further recognition of the public purposes designated by the United
 2 States through the Higher Education Act of 1965, P.L. 89-329, as amended, and
 3 the National Vocational Student Loan Insurance Act of 1965, P.L. 89-287, the
 4 general assembly of the state of Missouri declares that state assistance to
 5 postsecondary students will benefit the state economically and culturally and is a
 6 public purpose of great importance.]

7
 8 [173.100. As used in sections 173.095 to 173.187 the following terms
 9 mean:

- 10 (1) "Board", the Missouri coordinating board for higher education;
- 11 (2) "Borrower", any person who has become legally obligated to repay a
 12 loan made under the student loan program or that person's guardian, trustee, estate,
 13 or other person legally responsible for defending against or satisfying borrower's
 14 obligations under the student loan program;
- 15 (3) "Department", the Missouri department of higher education and
 16 workforce development;
- 17 (4) "Earnings", compensation paid or payable for personal services,
 18 whether denominated wages, salary, commission, bonus, or otherwise;
- 19 (5) "Eligible borrower", any person attending or the parent of a dependent
 20 attending an eligible institution;
- 21 (6) "Eligible institution", any institution of postsecondary education,
 22 including a university, college, vocational and technical school, and other
 23 postsecondary institution, which has been approved for purposes of participation
 24 in the Missouri student loan program by the department and the United States
 25 Secretary of Education;
- 26 (7) "Eligible lender", any bank, savings and loan association, credit union,
 27 insurance company, pension fund, eligible educational institution lender, or the
 28 department, or the federal Student Loan Marketing Association or other secondary
 29 market operation;
- 30 (8) "Employer", any person, partnership, association, corporation,
 31 institution, governmental body, unit or agency, school district or municipal
 32 corporation, or any other entity employing one or more persons for a salary, wage,
 33 commission or other compensation, or any self-employed borrower;
- 34 (9) "Fund", the state guaranty student loan fund;
- 35 (10) "LLR fund", the lender of last resort revolving fund established in
 36 section 173.187;
- 37 (11) "Program", the Missouri guaranteed student loan program.]

38
 39 [173.105. 1. The board shall determine the basic policies for the loan
 40 program and shall promulgate rules and regulations necessary to establish the loan
 41 program and to carry out the purposes of sections 173.095 to 173.180. The basic
 42 policies of the board and all rules and regulations promulgated pursuant to sections
 43 173.095 to 173.180 shall be designed to encourage maximum involvement and
 44 participation by lenders and financial institutions in the student loan program.
 45 Lenders and financial institutions shall be encouraged by institutions of higher
 46 education to maximize the number of loans available to students. It shall be the
 47 responsibility of the coordinating board for higher education to establish
 48 guidelines and criteria for institutions of higher education for usage in maximizing
 49 the availability of student loans. The department shall be the administrative

1 agency for the implementation of the program, and may employ such personnel as
 2 is necessary, in excess of the number provided in subsection 2 of section 6 of the
 3 omnibus state reorganization act of 1974, to administer the provisions of sections
 4 173.095 to 173.230.

5 ~~2. All reports relating to the program which are now or may hereafter be~~
 6 ~~required by the federal government shall also be submitted to the director of the~~
 7 ~~office of administration and to the senate and house appropriations committees.]~~
 8

9 [173.110. 1. The department is authorized to issue certificates of
 10 guarantee covering student loans by eligible lenders which meet the requirements
 11 of sections 173.095 to 173.180 and the regulations of the board adopted hereunder
 12 to eligible borrowers, and to pay from the fund to an eligible lender the amount
 13 established by federal law in the event the student defaults. Upon payment of the
 14 loss the department shall be subrogated to all the rights of the eligible lender.

15 ~~2. The department shall charge for each guaranteed loan a special loan~~
 16 ~~insurance premium established by federal law which shall be paid to the~~
 17 ~~department by the borrower. Amounts so received shall be used by the department~~
 18 ~~to pay the costs of administering the program and to guarantee student loans.~~

19 ~~3. The department is authorized to originate loans, including lender of last~~
 20 ~~resort loans. All moneys to originate loans, including lender of last resort loans,~~
 21 ~~shall be paid from a fund established for that purpose, including the lender of last~~
 22 ~~resort revolving fund created under section 173.187.~~

23 ~~4. The total outstanding guaranteed loans shall at no time exceed an~~
 24 ~~amount which, according to sound actuarial judgment as determined by the state~~
 25 ~~auditor, can be guaranteed by the fund.]~~
 26

27 [173.115. 1. After the department has paid a loss on a defaulted loan and
 28 has entered a statement of claim in which it determines and sets forth the
 29 existence, nature and amount of the money due it by the defaulting borrower and a
 30 proposed payment schedule, the department may issue an order directing any
 31 employer of the borrower to withhold or pay over to the department money due or
 32 to become due to the department.

33 ~~2. Before issuing the order as provided in subsection 1 of this section, the~~
 34 ~~department shall serve on the borrower the statement of claim and shall inform the~~
 35 ~~borrower that the department intends to initiate proceedings to collect the debt~~
 36 ~~through deductions from earnings. The department shall also provide a copy of~~
 37 ~~this section or an explanation of the borrower's rights under this section.~~

38 ~~3. The department shall provide the borrower with an opportunity to~~
 39 ~~inspect and copy records related to the defaulted loans.~~

40 ~~4. The department shall provide the borrower with the opportunity to enter~~
 41 ~~into a written agreement with the department under terms agreeable to the~~
 42 ~~department to establish a schedule for the repayment of the debt.~~

43 ~~5. The department shall provide the borrower with the opportunity to have~~
 44 ~~a hearing before an impartial hearing officer appointed by the department but who~~
 45 ~~is not under the control or supervision of the board or department. The procedures~~
 46 ~~for the hearing shall be the same as those for contested cases under chapter 536.~~
 47 ~~Upon the borrower's filing of a request for a hearing in compliance with the rules~~
 48 ~~of the board, the department shall stay the commencement of collection~~

1 proceedings for the debt described in the statement of claim until the department
2 issues an order provided for in subsection 6, 7, or 8, of this section.

3 ~~6. At the earliest practicable date but not later than sixty days after the~~
4 ~~filing of the request for the hearing, the hearing officer shall file with the~~
5 ~~department his written decision which states specifically his findings in regard to~~
6 ~~those matters set forth in the department's statement of claim. The hearing officer~~
7 ~~shall also determine and include in his decision the terms of the repayment~~
8 ~~schedule which shall be the same as that set forth by the department in its~~
9 ~~statement of claim unless he finds no good cause to enter that schedule. Upon~~
10 ~~receipt of the hearing officer's decision, the department shall issue an order to pay~~
11 ~~debt which adopts the findings in the decision as to the existence, nature and~~
12 ~~amount of the debt and as to the repayment schedule.~~

13 ~~7. When a borrower properly requests a hearing under the board's rules~~
14 ~~and when the hearing officer does not issue a decision within sixty days of the~~
15 ~~department's having received the request for the hearing, the department shall~~
16 ~~issue an order withdrawing the statement of claim and serve it upon the borrower~~
17 ~~with a copy of this subsection. After such an order is entered, the department shall~~
18 ~~not use the provisions of this section in regard to the loans set forth in the~~
19 ~~statement of claim, but may use any other remedy provided by law to recover the~~
20 ~~moneys owed the department. The order issued by the department shall not have~~
21 ~~the effect of precluding any other administrative or judicial tribunal from deciding~~
22 ~~any claim brought by the department or other party against the borrower or from~~
23 ~~deciding any factual or legal issue relevant to such claim.~~

24 ~~8. When a borrower does not make a proper timely request for a hearing,~~
25 ~~the department may issue and serve on the borrower an order to pay debt which~~
26 ~~contains as its provisions the content of the statement of claim including the~~
27 ~~proposed repayment schedule.~~

28 ~~9. The borrower may seek judicial review of any order to pay debt under~~
29 ~~sections 536.100 to 536.140.~~

30 ~~10. Upon issuing an order to pay debt, but not less than thirty days after~~
31 ~~the statement of claim was served on the borrower, the department may issue an~~
32 ~~order to withhold earnings which directs any employer of the borrower to withhold~~
33 ~~and pay over to the department money due or to become due the borrower. The~~
34 ~~employer shall withhold from the earnings the amount specified in the order,~~
35 ~~except that the total amount withheld shall not exceed ten percent of the~~
36 ~~borrower's earnings after deduction from those earnings of any amount required by~~
37 ~~law to be withheld. When the borrower voluntarily makes a written request that~~
38 ~~money due or to become due him be withheld or applied to the debt or that more~~
39 ~~than the ten percent maximum be withheld from his earnings, the employer shall~~
40 ~~comply with that request as if so ordered by the department.~~

41 ~~11. Subject to the provisions of section 454.505, an order to withhold~~
42 ~~earnings shall have the same force and effect in regard to the employer as any~~
43 ~~other garnishment.~~

44 ~~12. No employer or other payor who complies with an order to withhold~~
45 ~~earnings shall be liable to the borrower, or to any other person claiming rights~~
46 ~~derived from the borrower, for wrongful withholding. An employer who fails or~~
47 ~~refuses to withhold or pay the amounts as ordered under this section shall be liable~~
48 ~~to the department in an amount equal to the amount which became due the~~

department during the relevant period and which, under the order, should have been withheld and paid over.

13. An employer shall not discharge, refuse to hire or otherwise discipline an employee as a result of an order to withhold and pay over certain money authorized by this section. Any employer who does so is guilty of an infraction.

14. Service on the borrower or on the employer pursuant to this section or pursuant to rules promulgated under this section may be made on the borrower or employer, respectively or on other party in the manner provided for service of process in a civil action by a duly authorized process server appointed by the department, or by certified mail, return receipt requested, to the borrower's last known address or to the employer's address. The department may appoint any disinterested party, including, but not necessarily limited to, employees of the department, to serve such process. For purposes of this section, a borrower or an employer who does not accept receipt of service by certified mail or a borrower who has not provided the department his new or correct address is deemed to have been served as of the date on which the certified mail is mailed.

15. The board may promulgate rules to carry out the provisions of this section, including, but not limited to, rules pertaining to proceedings before the hearing officer and before the department and rules pertaining to procedures to be followed by employers to comply with the order to withhold and pay over earnings.]

[173.125. As a condition of receiving state funds, every public institution of higher education shall agree to submit to binding dispute resolution with regard to disputes among public institutions of higher education that involve jurisdictional boundaries or the use or expenditure of any state resources whatsoever, as determined by the coordinating board. In all cases, the arbitrator shall be the commissioner of higher education or his or her designee, whose decision shall be binding on all parties. Any institution aggrieved by a decision of the commissioner may appeal such decision, in which instance the case shall be reviewed by the full coordinating board, at which time the full coordinating board shall have the authority to make a binding and final decision, by means of a majority vote, regarding the matter.]

[173.130. Moneys in the fund, both unobligated and obligated as a reserve, which in the judgment of the board are not currently needed for the payment of defaults of guaranteed loans, may be invested by the state treasurer, and any income therefrom shall be deposited to the credit of the fund.]

[173.141. The board may:

(1) Enter into agreements with and receive grants from the United States government in connection with federal programs of assistance to students of postsecondary education;

(2) Contract with public agencies or private persons or organizations for the purpose of carrying out the administrative functions imposed upon it by sections 173.095 to 173.180;

(3) Call upon agencies of the state which have actuarial or financial expertise for consultation and advice, and upon any agency of the state for assistance in the location of delinquent borrowers.]

~~[173.150. The board, by rules and regulations, shall determine the policy of collections and recovery of loans, including the use of private collection agencies or assigning loans to the United States Secretary of Education. Pursuant to the rules and regulations of the board the department may institute action to recover any amount due the program in any loan transaction, use private collection agencies, or otherwise carry out the policy set by the board.]~~

~~[173.160. The board shall adopt and promulgate regulations establishing standards for determining eligible institutions, eligible lenders, and eligible borrowers under sections 173.095 to 173.180. These standards shall include, but are not limited to, the following:~~

- ~~(1) The student's enrollment in an eligible institution, where his good standing and workload meet the criteria of the institution;~~
- ~~(2) The total guaranteed loans made to a student for one academic year;~~
- ~~(3) The aggregate insured unpaid principal of all guaranteed loans made to any student;~~
- ~~(4) The loans received by the student other than those guaranteed under the provisions of sections 173.095 to 173.180;~~
- ~~(5) The need of the student for the loan;~~
- ~~(6) The proportion of guaranteed outstanding student loans in default or potential default status from individual institutions or lenders;~~
- ~~(7) The percentage of the enrolled students at an institution who have guaranteed student loans and then withdraw; and~~
- ~~(8) The proportion of students at an institution having received guaranteed loans.]~~

~~[173.170. 1. The board shall adopt regulations establishing standards for determining eligibility of loan agreements to be guaranteed under the provisions of sections 173.095 to 173.180. The regulations shall provide for, but shall not be limited to, the following:~~

- ~~(1) The requirement or nonrequirement of security or endorsement;~~
- ~~(2) The manner and time of repayment of the principal and interest;~~
- ~~(3) The maximum rate of interest;~~
- ~~(4) The right of the borrower to accelerate payments without penalty;~~
- ~~(5) The amount of the guarantee charge;~~
- ~~(6) The effective period of the guarantee;~~
- ~~(7) The percent of the loan covered by the guarantee;~~
- ~~(8) The assignability of loans by the lender;~~
- ~~(9) Procedures in the event of default by the borrower;~~
- ~~(10) The due diligence effort on the part of lenders for collection of guaranteed loans;~~
- ~~(11) Collection assistance and supplemental preclaims assistance to be provided to lenders; and~~
- ~~(12) The extension of the guarantee in consideration of eligible deferments or forbearances.~~

~~2. The eligibility of any person for a student loan under the provisions of sections 173.095 to 173.180 shall not be determined or otherwise affected by any~~

1 considerations of that person's race, religion, sex, creed, color, location of
2 residence, or choice of eligible institution.]

3
4 [173.180. The regulations of the board for the program shall be filed with
5 the secretary of state as provided by statute before they shall become effective.]

6
7 [173.186. Independent or private guarantors of student loans of Missouri
8 residents attending Missouri postsecondary educational institutions shall be
9 subject to the following provisions in order to be eligible to guaranty such loans:

10 (1) No such loan shall be guaranteed for attendance at a correspondence
11 school, at a school which has been suspended or terminated from eligibility for the
12 Missouri guaranteed student loan program by the Missouri guaranty agency, at a
13 school which is not designated as an eligible institution for the Missouri
14 guaranteed student loan program by the Missouri guaranty agency or at a school
15 which has been designated as an eligible institution but does not participate;

16 (2) Each such guarantor of student loans shall file an annual report by each
17 August fifteenth with the Missouri coordinating board for higher education giving,
18 for the immediately preceding period of July first through June thirtieth and for
19 each month therein and for each Missouri postsecondary institution attended by
20 Missouri residents for which loans were guaranteed, the total number of loans
21 guaranteed and the total dollar amount of such loans;

22 (3) The coordinating board for higher education shall develop and
23 promulgate rules pursuant to and shall administer the provisions of these
24 requirements. The coordinating board shall take reasonable action to identify and
25 notify affected guaranty agencies, lenders and postsecondary educational
26 institutions.]

27
28 [173.187. 1. The "Lender of Last Resort Revolving Fund" is hereby
29 established in the state treasury and shall consist of funds received from the United
30 States Secretary of Education, charges, gifts, grants, and bequests from federal,
31 private or other sources made for the purpose of assisting students in financing
32 their education. No portion of the fund shall be transferred to the general revenue
33 fund.

34 2. The fund shall be administered by the program.]

35
36 [173.236. 1. As used in this section, unless the context clearly requires
37 otherwise, the following terms mean:

38 (1) "Board", the coordinating board for higher education;

39 (2) "Grant", the Vietnam veteran's survivors grant as established in this
40 section;

41 (3) "Institution of postsecondary education", any approved public or
42 private institution as defined in section 173.205;

43 (4) "Survivor", a child or spouse of a Vietnam veteran as defined in this
44 section;

45 (5) "Tuition", any tuition or incidental fee or both charged by an institution
46 of postsecondary education, as defined in this section, for attendance at the
47 institution by a student as a resident of this state;

48 (6) "Vietnam veteran", a person who served in the military in Vietnam or
49 the war zone in Southeast Asia and to whom the following criteria shall apply:

1 (a) The veteran was a Missouri resident when first entering the military
2 service and at the time of death;

3 (b) The veteran's death was attributable to illness that could possibly be a
4 result of exposure to toxic chemicals during the Vietnam Conflict; and

5 (c) The veteran served in the Vietnam theater between 1961 and 1972.

6 2. Within the limits of the amounts appropriated therefor, the coordinating
7 board for higher education shall award annually up to twelve grants to survivors of
8 Vietnam veterans to attend institutions of postsecondary education in this state. If
9 the waiting list of eligible survivors exceeds fifty, the coordinating board may
10 petition the general assembly to expand the quota. If the quota is not expanded the
11 eligibility of survivors on the waiting list shall be extended.

12 3. A survivor may receive a grant pursuant to this section only so long as
13 the survivor is enrolled in a program leading to a certificate, or an associate or
14 baccalaureate degree. In no event shall a survivor receive a grant beyond the
15 completion of the first baccalaureate degree, regardless of age. No survivor shall
16 receive more than one hundred percent of tuition when combined with similar
17 funds made available to such survivor.

18 4. The coordinating board for higher education shall:

19 (1) Promulgate all necessary rules and regulations for the implementation
20 of this section;

21 (2) Determine minimum standards of performance in order for a survivor
22 to remain eligible to receive a grant under this program;

23 (3) Make available on behalf of a survivor an amount toward the
24 survivor's tuition which is equal to the grant to which the survivor is entitled under
25 the provisions of this section;

26 (4) Provide the forms and determine the procedures necessary for a
27 survivor to apply for and receive a grant under this program.

28 5. In order to be eligible to receive a grant pursuant to this section, a
29 survivor shall be certified as eligible by a Missouri state veterans service officer.
30 Such certification shall be made upon qualified medical certification by a Veterans
31 Administration medical authority that exposure to toxic chemicals contributed to
32 or was the cause of death of the veteran, as defined in subsection 1 of this section.

33 6. A survivor who is enrolled or has been accepted for enrollment as an
34 undergraduate postsecondary student at an approved institution of postsecondary
35 education shall receive a grant in an amount not to exceed the least of the
36 following:

37 (1) The actual tuition, as defined in this section, charged at an approved
38 institution where the child is enrolled or accepted for enrollment; or

39 (2) The average amount of tuition charged a Missouri resident at the
40 institutions identified in section 174.020 for attendance as a full-time student, as
41 defined in section 173.205.

42 7. A survivor who is a recipient of a grant may transfer from one approved
43 public or private institution of postsecondary education to another without losing
44 his entitlement under this section. The board shall make necessary adjustments in
45 the amount of the grant. If a grant recipient at any time withdraws from the
46 institution of postsecondary education so that under the rules and regulations of
47 that institution he is entitled to a refund of any tuition, fees, or other charges, the
48 institution shall pay the portion of the refund to which he is entitled attributable to
49 the grant for that semester or similar grading period to the board.

8. If a survivor is granted financial assistance under any other student aid program, public or private, the full amount of such aid shall be reported to the board by the institution and the eligible survivor.

9. Nothing in this section shall be construed as a promise or guarantee that a person will be admitted to an institution of postsecondary education or to a particular institution of postsecondary education, will be allowed to continue to attend an institution of postsecondary education after having been admitted, or will be graduated from an institution of postsecondary education.

10. The benefits conferred by this section shall be available to any academically qualified surviving children and spouses of Vietnam veterans as defined in subsection 1 of this section, regardless of the survivor's age, until December 31, 1995. After December 31, 1995, the benefits conferred by this section shall not be available to such persons who are twenty-five years of age or older, except spouses will remain eligible until the fifth anniversary after the death of the veteran.

11. This section shall expire on December 31, 2015.]

[173.262. 1. There is hereby established the "Marguerite Ross Barnett Competitiveness Scholarship Program", and any moneys appropriated by the general assembly for this program shall be used to provide scholarships for Missouri citizens to attend a Missouri college or university of their choice pursuant to the provisions of this section.

2. The definitions of terms set forth in section 173.205 shall be applicable to such terms as used in this section. The term "competitiveness scholarship" means an amount of money paid by the state of Missouri to a qualified college or university student pursuant to the provisions of this section.

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

(1) Promulgate reasonable rules and regulations for the exercise of its functions and the effectuation of the purposes of this section;

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

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

4. A student shall be eligible for initial or renewed competitiveness scholarship if, at the time of his application and throughout the period during which he is receiving such assistance, he is a part-time student who:

(1) Is eighteen years of age or older;

(2) Is employed twenty hours or more per week;

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

(4) Is a resident of the state of Missouri, as determined by reference to standards promulgated pursuant to section 173.140;

(5) Is enrolled, or has been accepted for enrollment, as a part-time undergraduate student in an approved private or public institution; and

(6) Establishes financial need.

5. A recipient of competitiveness scholarship awarded under the provisions of this section may transfer from one approved Missouri public or

1 private institution to another without losing eligibility for the scholarship. If a
 2 recipient of the scholarship at any time withdraws from an approved private or
 3 public institution so that under the rules and regulations of that institution he is
 4 entitled to a refund of any tuition, fees or other charges, the institution shall pay
 5 the portion of the refund attributable to the scholarship for that term to the
 6 coordinating board for higher education.]

7
 8 [173.264. There is hereby established as a pilot project the "International
 9 Economic Development Exchange Program". The department of economic
 10 development, with the advice of the advisory committee established in section
 11 173.265, shall administer the program, except that the department shall administer
 12 the program without additional staff or salary for such program. The program
 13 shall be established to encourage international exchanges at industrial and
 14 commercial business enterprises for students enrolled in institutions of higher
 15 education. Full-time students who attend institutions of higher education in this
 16 state shall be eligible for financial assistance to attend the student internship
 17 exchange portion of the program in eligible countries other than the United States.
 18 Priority shall be given to business internship exchange programs of public and
 19 private institutions of higher education in this state, where such programs have
 20 been in existence for at least ten successive years prior to December 23, 1997.
 21 The program shall include an inventory of the number of students involved in such
 22 programs, which shall be maintained by the advisory committee. The program
 23 shall also include the development of methods for fostering international trade
 24 through exchange programs and through business and entrepreneurial training
 25 programs. The program may include the provision of scholarships and other
 26 financial assistance in cooperation with the federal government, public and private
 27 institutions of higher education, and businesses, to enable students and business
 28 people from eligible countries to study and attend training programs in the United
 29 States.]

30
 31 [173.265. 1. There is hereby created an "International Economic
 32 Development Exchange Program Advisory Committee", which shall consist of
 33 five members, to be appointed by the director of the department of economic
 34 development. The committee shall include two persons associated with
 35 institutions of higher education in this state and one resident business person who
 36 deals with international business. Of the five members, all shall be residents of the
 37 state, at least one member shall be a resident of one of the two largest metropolitan
 38 areas of this state, and at least one member shall not be a resident of one of the two
 39 largest metropolitan areas of this state. The members shall serve three-year terms.
 40 The committee shall meet only in Jefferson City. The committee shall review the
 41 administration of the international economic development exchange program by
 42 the department of economic development. The director of the department of
 43 economic development shall make an annual report of the program's activities to
 44 the governor, the speaker of the house of representatives and the president pro tem
 45 of the senate. Members of the committee shall serve without compensation but
 46 may be reimbursed for ordinary and necessary expenses incurred in the
 47 performance of their official duties.

48 2. The program may receive grants, loans and other funding from the
 49 federal government and from private sources. In addition, the general assembly

may appropriate up to one hundred thousand dollars in each fiscal year for the program; however, such appropriation shall not exceed an amount equal to the amounts contributed to the program from nongovernmental sources.]

[173.475. Notwithstanding any provision of law or policy of a public institution of higher education to the contrary, no public college or university, as defined in section 173.355, shall reject an applicant for a faculty position based solely on the applicant having not earned a graduate degree, provided that the applicant has earned an undergraduate baccalaureate degree and has served for at least eight years in the general assembly.]

[173.775. 1. Sections 173.775 to 173.796 shall be known as the "Advantage Missouri Program". This program shall provide loans to and establish a loan forgiveness program for students in approved educational programs who become employed in occupational areas of high demand in this state.

2. The "Advantage Missouri Trust Fund" is hereby created in the state treasury, to be used by the coordinating board for higher education to provide loans pursuant to sections 173.775 to 173.796. All appropriations, private donations, and other funds provided to the board for this program shall be credited to the fund. All funds generated by loan repayments and any penalties received pursuant to sections 173.787 and 173.790, shall also be credited to the fund. Notwithstanding the provisions of section 33.080 to the contrary, any unexpended balance in the fund shall not revert to the general revenue fund.]

[173.778. As used in sections 173.775 to 173.796, the following terms mean:

- (1) "Board", the coordinating board for higher education;
- (2) "Eligible institution", any approved public or private institution of postsecondary education, as defined in section 173.205 or any other Missouri private institution that:
 - (a) Is required by statute to be certified to operate by the board;
 - (b) Is institutionally accredited by a United States Department of Education recognized accrediting commission;
 - (c) Has operated continuously in the state of Missouri for five or more years;
 - (d) Has no more than fifty percent of its students in correspondence programs;
 - (e) Offers a one-year or two-year certificate, associate or baccalaureate degree programs, or graduate or professional degree programs; and
 - (f) Is approved for participation in the advantage Missouri program by the board;
- (3) "Eligible student", an individual who is enrolled full time in an eligible institution, unless the board approves less than full-time enrollment, who meets the eligibility requirements pursuant to subsection 1 of section 173.215 and who meets the following additional requirements:
 - (a) Has received a high school diploma, general educational development certificate (GED), or its equivalent;
 - (b) Maintains satisfactory academic progress as determined by the eligible institution such student attends in pursuing a one-year or two-year certificate,

1 associate or baccalaureate degree, or graduate or professional degree. Failure to
 2 maintain satisfactory academic progress shall result in ineligibility for continued
 3 participation in the program and ineligibility for forgiveness of any loan or loans
 4 received;

5 (c) Is not currently confined in any federal or state correctional facility or
 6 jail;

7 (d) Has not defaulted on the repayment of any previously granted higher
 8 education loan; and

9 (e) Submits an application provided by the board for participation in the
 10 program;

11 (4) "Fund", the advantage Missouri trust fund, established in section
 12 173.775; and

13 (5) "Occupational areas of high demand", specific professions or skill
 14 areas for which the board determines that the state is experiencing a shortage of
 15 qualified employees;

16 (6) "Program", the advantage Missouri program established pursuant to
 17 sections 173.775 to 173.796.]

18
 19 [173.781. By August 28, 1998, and by June first of each year thereafter,
 20 the board shall designate occupational areas of high demand in the state. The
 21 board shall also designate professions and skill areas directly related to the areas
 22 of high demand, and the degree programs or certifications directly leading to
 23 employment in such areas. In making such designations, the board shall consult
 24 with the department of labor and industrial relations, the department of economic
 25 development, and private sector business and labor groups. The board shall also
 26 consult with other private and public agencies and individuals with expertise
 27 related to labor markets, geographic and demographic analysis, and solicit input
 28 from interested parties throughout the state, in order to ensure that:

29 (1) The diverse needs of the state are considered; and

30 (2) That these designations reflect the broad, long-term economic,
 31 educational, and public policy interests of the state in both the public and private
 32 sectors.]

33
 34 [173.784. An eligible student may participate in the program for up to ten
 35 semesters, or their equivalent, whether consecutive or not, and may be awarded a
 36 loan of up to two thousand five hundred dollars per academic year by the board,
 37 not to exceed a maximum of ten thousand dollars. No student shall participate in
 38 the program more than seven years after beginning such participation.]

39
 40 [173.787. Eligible students who are in compliance with program
 41 requirements may qualify for forgiveness of a loan or loans received through the
 42 program by agreeing to be employed in an occupational area of high demand
 43 within the state of Missouri, as determined by the board, with such employment
 44 beginning within one calendar year of graduation by the individual from an
 45 eligible institution, and as outlined in the contract pursuant to section 173.790.
 46 The employment qualifying the eligible student for loan forgiveness shall be
 47 approved by the board. The board shall approve loan forgiveness on a year-for-
 48 year basis, with each year of approved employment qualifying the student for the
 49 forgiveness of one year's loans. Students electing not to comply with these

1 employment requirements, or students failing to meet these requirements shall be
 2 required to repay with interest any or all loans received, pursuant to the contractual
 3 provisions described in section 173.790.]
 4

5 [173.790. 1. The board shall enter into a contract with each individual
 6 qualifying for participation in the program at the time the individual declares a
 7 major or decides on a course of study, if a major is not declared at the institution at
 8 which the individual is enrolled. The written contract shall contain, but not be
 9 limited to, the following:

10 (1) The terms and conditions under which the loan is made, and the
 11 requirements for repayment of the loan by the student;

12 (2) A stipulation that, the provisions of section 143.811 to the contrary
 13 notwithstanding, no interest shall be assessed on any loan provided through the
 14 program while the student is enrolled full time, or enrolled part-time with the
 15 approval of the board, and meets the eligibility requirements pursuant to section
 16 173.778;

17 (3) The terms and conditions for qualifying for forgiveness of loan
 18 proceeds received through the program;

19 (4) A provision that any financial obligations arising out of a contract
 20 entered into, and any obligations of the individual which are conditioned thereon,
 21 are contingent upon funds being appropriated to the fund and on the availability of
 22 a targeted high-demand job; and

23 (5) The amount of any penalties assessed, in the event repayment of the
 24 loan by the student is not made in accordance with the contract, or the student fails
 25 to maintain eligibility or other requirements of the program. All such penalties
 26 shall be deposited in the fund.

27 2. Sections 173.775 to 173.796 shall not be construed to require the board
 28 to enter into contracts with individuals who otherwise qualify for the program
 29 when funds are not available for such purpose.]
 30

31 [173.793. Nothing in sections 173.775 to 173.796 shall be construed as a
 32 promise or guarantee by the coordinating board for higher education, or the state
 33 of Missouri that a person will be admitted to a state institution of higher education
 34 or to a particular state institution of higher education, will be allowed to continue
 35 to attend an institution of higher education after having been admitted, or will be
 36 graduated from an institution of higher education.]
 37

38 [173.796. 1. As used in this section, the term "taxpayer" means an
 39 individual, a partnership, or a corporation as described in section 143.441 or
 40 143.471, and includes any charitable organization which is exempt from federal
 41 income tax and whose Missouri unrelated business taxable income, if any, would
 42 be subject to the state income tax imposed under chapter 143.

43 2. Any taxpayer may make a contribution to the fund. Within the limits
 44 specified in subsection 3 of this section, a taxpayer shall be allowed a credit
 45 against the taxes imposed pursuant to chapter 143, except for sections 143.191 to
 46 143.265, on that individual or entity of up to fifty percent of the total amount
 47 contributed to the fund, not to exceed one hundred thousand dollars per taxpayer.

48 3. The department of revenue shall administer the tax credits pursuant to
 49 this section, and shall certify eligibility for the tax credits in the order applications

are received. The total amount of tax credits certified in any one calendar year shall not exceed five million dollars annually. Contributions of up to one hundred thousand dollars per annum per taxpayer may be certified by the department of revenue as a qualified contribution for purposes of receiving a tax credit under this program.

4. If the amount of tax credit exceeds the total tax liability for the year in which the tax credit is claimed, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed pursuant to chapter 143, except for sections 143.191 to 143.265, for the succeeding ten years, or until the full credit is used, whichever occurs first.

5. For all tax years beginning on or after January 1, 2005, no tax credits shall be authorized, awarded, or issued to any person or entity claiming any tax credit under this section.

6. The provisions of this section shall become effective January 1, 1999.]

[620.552. Sections 620.552 to 620.574 shall be known and may be cited as the "Missouri Youth Service and Conservation Corps Act".]

[620.554. There is hereby established a "Missouri Youth Service and Conservation Corps" which shall provide educational remediation, employability skills training, and meaningful work experience necessary to better prepare the state's youths for meeting basic work requirements and their civic responsibility, while offering them opportunities to explore careers, gain needed work experience and contribute to the general welfare of their communities and the state.]

[620.556. As used in sections 620.552 to 620.574 the following terms mean:

(1) "Corps" and "youth corps", the Missouri youth service and conservation corps;

(2) "Division", the division of workforce development within the department of economic development;

(3) "Local workforce investment boards", the local workforce investment boards established under Section 117 of the Workforce Investment Act, Public Law 105-220, as amended, or any other succeeding administrative body established by subsequent federal legislation to provide for the local administration and expenditure of funding for employment and job training and approved by the division of workforce development;

(4) "Participant", a person who has been hired, or who has been accepted as a volunteer, and who meets the program eligibility criteria established by sections 620.552 to 620.574;

(5) "Project", an undertaking designed to provide or assist in providing services to promote conservation, public health, education and welfare among the general population. The term includes, but is not limited to:

(a) The rehabilitation of substandard housing;

(b) The repair, restoration and maintenance of public facilities and amenities;

(c) Assistance with the organization and delivery of educational and health services;

(d) Assistance for the elderly homebound;

(e) Delivery of food to the hungry and elderly;
 (f) Restoration or development of park facilities;
 (g) Trail construction and maintenance;
 (h) Litter control;
 (i) Land and soil conservation and rehabilitation;
 (j) Road repair;
 (k) Land reclamation;
 (l) Reforestation; and
 (m) Other undertakings which benefit the control, management,
 restoration and conservation of the bird, fish, game, forestry, or wildlife resources,
 and soil or water resources of this state;

(6) "Project sponsor", state agencies, including the departments of
 elementary and secondary education, social services, labor and industrial relations,
 conservation, and natural resources and the University of Missouri extension
 system; any unit of local government, including school districts; private not-for-
 profit corporations or organizations; administrative entities designated pursuant to
 the requirements of the Workforce Investment Act and any subsequent
 amendments; and community-based organizations.]

[620.558. 1. The Missouri youth service and conservation corps shall
 consist of the following programs:

(1) A year-round community services and conservation program for young
 adults;

(2) A summer employment program;

(3) A volunteer program for youths.

2. In selecting participants for the youth service and conservation corps,
 the director of the division shall give preference to persons who are high school
 dropouts and who are at risk of not graduating from high school. The director may
 segregate programs and funds to serve such persons to enhance the efficiency of
 administering any federal Workforce Investment Act funds which are available to
 the youth service and conservation corps.

3. Residents of both urban and rural areas of the state shall be eligible to
 apply to participate in the youth service and conservation corps. No person who
 has been convicted of a felony within the previous two years shall be eligible to
 participate in the youth service and conservation corps. Participants shall be
 unemployed at the time of their enrollment.]

[620.560. 1. The community services and conservation program for
 young adults shall consist of projects offering participants paid work experience
 integrated with educational activities which may include, but is not limited to,
 employability skills training and educational remediation activities.

2. Participants who are high school dropouts shall work toward the
 completion of their graduate equivalency diploma and shall be excused from work
 according to a planned work schedule proposed by the project sponsor and
 approved by the division of workforce development in its review of a project
 application, to allow them to attend classes or gain instruction. The division of
 workforce development shall work with the department of elementary and
 secondary education to establish criteria for determining participants who may be
 at risk of not earning a high school diploma. Participants who meet these criteria

1 shall be required to attend remediation classes designed to assist in the retention
2 and successful completion of high school according to a planned work schedule
3 proposed by the project sponsor and approved by the division in its review of a
4 project application. All participants shall be paid a wage according to a work plan
5 approved by the division, and commensurate with the number of hours worked by
6 the participant. During the last three weeks of employment, all participants may
7 be granted eight hours of paid time each week to search for permanent
8 employment.]
9

10 [620.562. 1. The summer employment program shall consist of projects
11 offering needed paid work experience integrated with educational activities which
12 may include, but is not limited to, employability skills training and educational
13 remediation activities. Participants shall be unemployed at the time of their
14 enrollment.

15 2. Participants in the program shall be paid a wage according to a work
16 plan approved by the division of workforce development, and commensurate with
17 the number of hours worked by the participant. If participants are high school
18 dropouts, they shall be required to work toward the completion of their graduate
19 equivalency diploma while employed in the summer employment and remediation
20 program. The division of workforce development shall work with the department
21 of elementary and secondary education to establish criteria for determining
22 participants who may be at risk of not earning a high school diploma. Participants
23 who meet these criteria shall be required to attend remediation classes designed to
24 assist in the retention and successful completion of high school.]
25

26 [620.564. The youth volunteer program shall consist of unpaid work in
27 projects which provide employability skills training and preemployment work
28 experience. Such unpaid work shall not preclude the provision of supportive
29 services deemed appropriate. Each volunteer program of the Missouri youth
30 service and conservation corps shall demonstrate a high degree of youth input into
31 program development, shall provide career-related information pertaining to
32 volunteer projects, shall provide useful service to the community and shall abide
33 by state and federal child labor laws.]
34

35 [620.566. 1. The division of workforce development within the
36 department of economic development is hereby authorized to administer the
37 Missouri youth service and conservation corps programs and adopt rules and
38 regulations governing their operation and participation requirements.

39 2. The division shall cooperate with and may directly contract with all
40 state agencies, local units of government and any of the governor's advisory
41 councils or commissions, or their successor agencies, and with private not-for-
42 profit organizations in delivery of youth corps programs. For purposes of this
43 section, the contracting process of the division with these entities need not be
44 governed by the provisions of chapter 34.

45 3. Upon application to the division and subject to the availability of funds,
46 the division is authorized to provide funding assistance through contracts with
47 administrative entities, designated pursuant to the Workforce Investment Act and
48 any subsequent amendments, and project sponsors. The application shall form the
49 basis for the contract agreement and, at a minimum, shall include:

(1) ~~A general project description, including the extent to which it satisfies community development or resource conservation objectives and whether or not such objectives are stated within any municipal, county, regional or state agency plan;~~

(2) ~~The number of corps members to be assigned to each project, a description of the nature and duration of their employment or volunteer work, and a description of combinations or sequences of education or vocational training to be provided;~~

(3) ~~The amount of total funds required to sustain the project, distinguishing between the amounts required for corps members' wages and stipends, if any, and the amounts required for other purposes;~~

(4) ~~A statement of the amount and purpose of funding assistance requested from the division and the manner and timing of its disbursement;~~

(5) ~~A description of the interagency coordination, technical assistance and financial support which together with the funding assistance, the resources of the applicant and support from any other source, is sufficient to ensure the success of the project. The commitment of financial support from the project sponsor shall be equal to or greater than twenty-five percent of the amount of the total project cost.~~

4. ~~An application shall only be submitted to the division after review by the private industry council operating within the service delivery area in which the project is to be located, regardless of the actual project sponsor. It shall include the signatures of the workforce investment board chairperson and the designated chief local elected official of the local workforce investment area.~~

5. ~~The division shall ensure that all affected state agencies are made aware of the application and are provided the opportunity to offer comments related to the project feasibility, including the identification of other available funds for the project.]~~

[620.568. 1. A project sponsor shall administer projects funded under sections 620.552 to 620.574 in the following manner:

(1) ~~Participants, except those enrolled in the youth volunteer program, shall be paid at least the minimum wage as established by federal or state law at the time of employment;~~

(2) ~~Persons employed through any of the corps programs shall be exempt from merit system requirements, and shall not be eligible for membership in any public employees' retirement system. All participants shall be so advised by the project sponsor and the regulating authority;~~

(3) ~~Services performed by a participant in any corps program shall not constitute "employment" within the meaning of the Missouri employment security law in chapter 288, if the program is operated as a work-relief or work-training program in accordance with subdivision (5) of subsection 9 of section 288.034.~~

2. ~~Not more than ten percent of the funds distributed to a project sponsor may be expended for administrative expenses. Administrative expenses shall be approved by the division.~~

3. ~~No funds shall be awarded for any program which replaces or supplants employees engaged in any authorized work stoppage or which replaces or supplants currently employed workers or which impairs existing contracts for services provided by other workers.]~~

1
2 ~~[620.570. 1. The Missouri training and employment council, as~~
3 ~~established in section 620.523, shall review and recommend criteria for evaluating~~
4 ~~project funding assistance, program criteria, and other requirements and priorities~~
5 ~~to be used by the division in the evaluation and monitoring of Missouri youth~~
6 ~~service and conservation corps projects.~~

7 ~~2. The division shall work with the department of higher education and~~
8 ~~workforce development, the department of elementary and secondary education,~~
9 ~~all colleges, universities and lending institutions throughout the state to develop a~~
10 ~~system of academic credit, tuition grants and deferred loan repayment incentives~~
11 ~~for young adults who enroll and complete participation in corps programs. The~~
12 ~~division shall adopt rules under chapter 536 designed to implement any such~~
13 ~~incentive programs.~~

14 ~~3. The division of workforce development of the department of economic~~
15 ~~development shall establish and promote the recruitment of "Show Me~~
16 ~~Employers" which shall consist of Missouri-based corporations and businesses~~
17 ~~agreeing to interview, for entry-level jobs, participants successfully completing a~~
18 ~~youth corps program.~~

19 ~~4. The division of workforce development of the department of economic~~
20 ~~development shall recognize and promote within the labor exchange system the~~
21 ~~youth service corps and the potential benefits of hiring participants who have~~
22 ~~successfully completed any of the corps' programs.]~~

23
24 ~~[620.572. The directors of the departments of conservation, economic~~
25 ~~development, social services, elementary and secondary education, labor and~~
26 ~~industrial relations, and natural resources and the director of the University of~~
27 ~~Missouri extension system shall meet regularly to establish appropriate allocations~~
28 ~~from their respective budgets to be made for the operation of the Missouri youth~~
29 ~~service and conservation corps. Funding for the operation of the corps may come~~
30 ~~from, but not be limited to, moneys available through the federal Carl Perkins Act,~~
31 ~~the federal Workforce Investment Act, the federal Wagner-Peyser Act, the one-~~
32 ~~eighth of one-cent sales tax as authorized by Sections 43(a) and 43(b) of Article IV~~
33 ~~of the Missouri Constitution, and other discretionary funds which may be available~~
34 ~~to the various departments and to the governor's office.]~~

35
36 ~~[620.574. There is hereby created in the state treasury the "Youth Service~~
37 ~~and Conservation Corps Fund". The state treasurer shall deposit to the credit of~~
38 ~~the fund all moneys which may be appropriated to it by the general assembly and~~
39 ~~any gifts, contributions, grants or bequests received from federal, private or other~~
40 ~~sources. The general assembly shall appropriate moneys in the youth service and~~
41 ~~conservation corps fund for the support of the corps.]" ; and~~

42
43 Further amend said bill by amending the title, enacting clause, and intersectional references
44 accordingly.