

FIRST REGULAR SESSION

HOUSE BILL NO. 438

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES STORCH (Sponsor), YAEGER, CHAPPELLE-NADAL, COOPER (158), LeVOTA, LOW (39), ROBINSON, SWINGER, MEADOWS, SCHOEMEHL, WILDBERGER, MOORE, McGHEE, ST. ONGE, GRILL, HARRIS (23), OXFORD, ROORDA, BURNETT, FRAME, ZIMMERMAN, WALLACE, HARRIS (110), SATER, STEVENSON, HODGES, BROWN (50), HOLSMAN, SCAVUZZO, NORR, SCHIEFFER, JOHNSON, HUBBARD, HOSKINS, ZWEIFEL, McCLANAHAN, SKAGGS, MEINERS, WALSH, TALBOY, WRIGHT-JONES, DAUS, CORCORAN, HUGHES, QUINN (9), KUESSNER, KRATKY, SHIVELY, WITTE, DONNELLY AND EL-AMIN (Co-sponsors).

Read 1st time January 17, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0997L.011

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to the twenty-first century scholars program.

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

Section A. Chapter 173, RSMo, is amended by adding thereto one new section, to be known as section 173.191, to read as follows:

- 173.191. 1. There is hereby established the "Twenty-first Century Scholars Program" to be administered by the department of higher education. The program shall:**
- (1) Reduce the number of students who withdraw from high school before graduation;**
 - (2) Increase the number of students who are prepared to enter the workforce upon graduation;**
 - (3) Increase the number of students entering and graduating from institutions of higher education;**
 - (4) Encourage eligible students to attend institutions of higher education by reducing the financial burden on the eligible students and their families;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 11 **(5) Decrease drug and alcohol abuse by encouraging higher education pursuits;**
12 **(6) Increase individual economic vitality; and**
13 **(7) Improve the overall quality of life for many Missouri residents.**
- 14 **2. A student who meets the following criteria is eligible for the program:**
- 15 **(1) Is a resident of Missouri;**
16 **(2) Is a student enrolled in grade eight in a public or private school in Missouri;**
17 **(3) Is eligible for free or reduced lunches under the national school lunch program;**
18 **(4) Agrees in writing, together with the student's custodial parents or guardian,**
19 **that the student will:**
- 20 **(a) Graduate from a public or private secondary school in Missouri that meets the**
21 **admission criteria of an institution of higher education;**
22 **(b) Not illegally use controlled substances;**
23 **(c) Not commit a crime or infraction of operating a motor vehicle while intoxicated;**
24 **(d) Not be adjudicated as a delinquent, not become a runaway child, or not become**
25 **a truant;**
- 26 **(e) When the eligible student is a senior in high school, timely apply:**
27 **a. To an institution of higher education for admission; and**
28 **b. For any federal and state student financial assistance available to the eligible**
29 **student to attend an institution of higher education; and**
- 30 **(5) Achieve a cumulative grade point average upon graduation of at least two point**
31 **zero on a four-point scale, or its equivalent if another grading scale is used, for courses**
32 **taken during grades nine, ten, eleven, and twelve.**
- 33 **3. (1) There is hereby created in the state treasury the "Twenty-first Century**
34 **Scholars Fund" as a separate fund under the control of the commissioner of higher**
35 **education. The fund shall consist of moneys appropriated and made available to the**
36 **commissioner of higher education for scholarships under this section. The state treasurer**
37 **shall be custodian of the fund and shall disburse moneys from the fund in accordance with**
38 **sections 30.170 and 30.180, RSMo. Upon appropriation, moneys in the fund shall be used**
39 **solely for scholarships for students meeting all of the requirements of this section, including**
40 **meeting the requirements of subdivision (2) of subsection 1 of this section. Scholarships**
41 **awarded under this section shall not exceed the resident tuition rate and mandatory fees**
42 **for the program of enrollment established for public institutions of higher education in this**
43 **state.**
- 44 **(2) Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any**
45 **moneys remaining in the fund at the end of the biennium shall not revert to the credit of**
46 **the general revenue fund.**

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

50 **4. (1) Moneys in the fund created in subsection 3 of this section shall be used to**
51 **provide annual tuition scholarship applicants who qualify under this section in an amount**
52 **equal to the lowest of the following amounts:**

53 **(a) If the scholarship applicant attends a state institution of higher education that**
54 **satisfies the requirements of subdivision (3) of this subsection and:**

55 **a. Receives no other financial assistance specifically designated for tuition and**
56 **other regularly assessed fees, a full tuition scholarship to the state institution of higher**
57 **education;**

58 **b. Receives other financial assistance specifically designated for tuition and other**
59 **regularly assessed fees, the balance required to attend the state institution of higher**
60 **education not to exceed the amount described in subparagraph a. of this paragraph;**

61 **(b) If the scholarship applicant attends a private institution of higher education**
62 **that satisfies the requirements of subdivision (3) of this subsection and:**

63 **a. Receives no other financial assistance specifically designated for tuition and**
64 **other regularly assessed fees, an average of the full tuition scholarship amounts of all state**
65 **institutions of higher education;**

66 **b. Receives other financial assistance specifically designated for tuition and other**
67 **regularly assessed fees, the balance required to attend the institution of higher education**
68 **not to exceed the amount described in subparagraph a. of this paragraph;**

69 **(c) If the scholarship applicant attends a postsecondary educational institution**
70 **other than a four-year institution of higher education that satisfies the requirements of**
71 **subdivision (3) of this subsection and:**

72 **a. Receives no other financial assistance specifically designated for tuition and**
73 **other regularly assessed fees, the actual tuition and regularly assessed fees of the**
74 **institution; or**

75 **b. Receives other financial assistance specifically designated for tuition and other**
76 **regularly assessed fees, the balance required to attend the institution not to exceed the**
77 **amount described in subparagraph a. of this paragraph.**

78 **(2) Each tuition scholarship awarded under this section shall be renewable under**
79 **subsection 5 of this section for a total scholarship award that does not exceed the**
80 **equivalent of eight semesters.**

81 **(3) An institution of higher education attended by an applicant described in**
82 **subdivision (1) of this subsection shall satisfy the following requirements:**

83 (a) Be accredited by an agency that is recognized by the Secretary of the United
84 States Department of Education;

85 (b) Operate an organized program of postsecondary education leading to an
86 associate or baccalaureate degree on a campus located in Missouri;

87 (c) Be approved by the commissioner of higher education under rules adopted by
88 the department.

89 5. (1) To initially qualify for a tuition scholarship under this section, a scholarship
90 applicant shall:

91 (a) Enroll as a full-time student in an institution of higher education that satisfies
92 the requirements of this section;

93 (b) Submit to the commissioner all of the information and evidence required by the
94 commissioner to determine eligibility as a scholarship applicant; and

95 (c) Meet any other minimum criteria established by the commissioner.

96 (2) To qualify for a tuition scholarship renewal under this section, a scholarship
97 recipient shall:

98 (a) Submit to the commissioner a renewal application;

99 (b) Continue to comply with the requirements set forth in subdivision (1) of this
100 subsection; and

101 (c) Continue to be a student in good standing at the institution of higher education.

102 6. If an eligible student, scholarship applicant, or scholarship recipient violates an
103 agreement entered into under this section, such student, applicant, or recipient is
104 disqualified from further consideration as a scholarship recipient under this section.

105 7. Each institution of higher education that participates in the program under this
106 section shall develop specific mentoring programs for scholarship recipients under this
107 section to assist the recipients through particularized academic and social counseling.

108 8. The commissioner of higher education may promulgate rules to implement the
109 provisions of this section. Any rule or portion of a rule, as that term is defined in section
110 536.010, RSMo, that is created under the authority delegated in this section shall become
111 effective only if it complies with and is subject to all of the provisions of chapter 536,
112 RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are
113 nonseverable and if any of the powers vested with the general assembly pursuant to
114 chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule
115 are subsequently held unconstitutional, then the grant of rulemaking authority and any
116 rule proposed or adopted after August 28, 2007, shall be invalid and void.

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