

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 2038, Page 1, in the Title, Lines 2-3, by
2 deleting the words "the science, technology, engineering and mathematics fund" and inserting in lieu
3 thereof the words "higher education"; and

4
5 Further amend said bill, Page 3, Section 173.670, Line 61, by inserting immediately after said bill
6 the following:

7 "173.1410. 1. Prior to September 1, 2015, each public institution of higher education within
8 the state shall adopt a policy on student favoritism. The policy, which shall establish a procedure for
9 addressing allegations of favoritism towards any given student, shall include but not be limited to the
10 following:

11 (1) A statement of the institution's commitment to a nondiscriminatory educational
12 environment;

13 (2) A statement prohibiting unfair advantage to any student, including but not limited to,
14 unfair preferential treatment in grading, class selection, class assignments, class attendance, or any
15 kind of grade inflation or course work requirement modification aimed solely at qualifying a student
16 for participation in an extracurricular activity or sport;

17 (3) Specific provisions discouraging or prohibiting relationships or environments that
18 encourage favoritism;

19 (4) A method for reporting an allegation of favoritism that allows allegations to be brought
20 by any individual or any group; and

21 (5) A method for resolving allegations of favoritism including determinations as to
22 appropriate consequences for confirmed acts of favoritism.

23 2. Upon implementation of a policy required under subsection 1 of this section, an institution
24 shall uniformly and consistently apply such policy, make it easily accessible, and train campus
25 leaders on the policy.

26 3. The department of higher education may promulgate all necessary rules and regulations
27 for the administration of this section. Any rule or portion of a rule, as that term is defined in section
28 536.010, that is created under the authority delegated in this section shall become effective only if it
29 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
30 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
31 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
32 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any
33 rule proposed or adopted after August 28, 2014, shall be invalid and void."; and

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

Action Taken _____ Date _____