



## ORGANIZATIONAL INFORMATION: DEPARTMENT DUTIES

The Coordinating Board for Higher Education (CBHE) and its administrative arm, the Missouri Department of Higher Education (MDHE), have a varied portfolio of duties. The following provides a high-level summary of those duties.

**Planning** is one of the MDHE's core functions. The department is responsible for developing and overseeing implementation of a coordinated plan for higher education for the state and its subregions (§ 173.020(4)), identifying the state's higher education and workforce needs (§ 173.020(2)), and delineating each institution's areas of competence (§ 173.005.2(10)). The department reviews each public college's and university's mission periodically (§ 173.030(8)) and has authority to approve applications from institutions seeking to establish a statewide mission (§ 173.030(9)). The department collects data to use in its decision-making processes and makes those data available in the Statistical Summary of Missouri Higher Education published on the MDHE website.

**Academic program approval and review** are closely linked to the department's planning function. The department reviews new degree program proposals offered by public colleges and universities (§ 173.005.2(1)) and has authority to make recommendations to institutions' governing boards regarding the development, consolidation, or elimination of programs, degree offerings, and facilities (§ 173.030(2)).

The department is also tasked with fostering **institutional relationships** that serve the state's higher education needs. Specific responsibilities in this area include encouraging the development of cooperative agreements for the offering of graduate degrees, as well as developing arrangements for more effective and economical specialization among institutions, and for more effective coordination and mutual support among institutions in the use of facilities, faculty, and other resources (§ 173.020(3)).

The department coordinates public colleges' and universities' core operating and capital projects **budget requests** by establishing guidelines for public universities' requests (§ 173.005.2(4)), approving a community college funding model (§ 163.191.3), and submitting a unified budget request for community colleges (§ 163.191.2). Requests for

operating appropriations are made based on the performance funding model the department adopted in 2008 (§ 173.1006.1).

The department also develops budget requests for and oversees the state's **student financial aid** programs, the largest of which are Access Missouri (§ 173.1103.1); the Higher Education Academic Scholarship Program, commonly referred to as "Bright Flight" (§ 173.250.3); and the A+ Scholarship Program (assigned to the department by Executive Order 10-16).

Also in the affordability category, the department administers the Higher Education Student Funding Act, commonly referred to as SB 389, which provides that a public university that increases tuition and some fees more than the rate of inflation plus an amount (no more than 5%) that would produce an increase in net tuition revenue no greater than the amount by which state operating support was reduced in the previous fiscal year will be subject to a fine of up to 5% of the institution's state operating support (§ 173.1003.5). The law also includes a provision that allow institutions ask the commissioner of higher education for a waiver of all or part of the fine (§ 173.1003.5).

**Proprietary school certification** is another of the department's important responsibilities. The department licenses and oversees *for-profit* proprietary schools like the University of Phoenix and some *not-for-profit* proprietary schools like Victory Trade School, a religiously affiliated institution in Springfield with a mission of preparing homeless individuals for work in the culinary arts (§§ 173.612.2 & 173.616.1).

Finally, the department offers resources that help students **plan for** and **complete** postsecondary programs. The MDHE's Journey to College programs support high school students as they apply for college admission and financial aid, and celebrate students' choices about attending college and participating in military service.

The department has a long history of working with colleges and universities to develop guidelines that promote **transfer** between institutions; a statewide library of core courses that transfer from one institution to another; and a policy fostering “reverse transfer,” which allows a student who transfers from a community college before earning enough credits to receive an associate degree to be awarded an associate degree when he or she earns the remaining needed credits at the university to which they have transferred (§ 173.005.2(9)).

Senate Bill 997, a higher education omnibus bill that became law on August 28, 2016, gives the department significant additional responsibilities, many of which strengthen the department’s role in promoting transfer. The department is tasked with working with an advisory committee – the majority of which must be faculty members – to develop a core curriculum that is guaranteed to transfer to another institution and a common course numbering equivalency matrix (§ 178.780.2(10)). These provisions essentially make mandatory practices that have been voluntary in the past. The new law also requires the department to evaluate and maintain data on each institution’s transfer practices (§ 178.788.1) and to resolve disputes about transfer (§ 178.788.2).

Senate Bill 997 requires the department to develop programs designed to promote **on-time completion**, including “15 to Finish” (§ 173.2510) and guided pathways (§ 173.2515); to establish a pilot program for “concurrent enrollment,” which allows community college students to enroll in a public university, take select university classes, and use the university’s facilities (§ 173.2520); and to create a website that provides information about academic programs available at each institution, financial aid, and transfer of course credit (§ 173.035).

In addition, the new law establishes a dual credit scholarship for high school students who meet certain academic

standards and demonstrate financial need. The MDHE has indicated that it will cost approximately \$4.5 million to launch the scholarship program. That information is included in the department’s high-priority budget recommendation, which accompanies the department’s actual budget request and is intended to provide information about important funding needs that do not fit within the parameters of the Office of Administration’s budget instructions.

The department has served as the **state-designated student loan guaranty agency** in the Federal Family Education Loan Program (FFELP) since 1979, making it possible for generations of students, regardless of personal resources, to receive loans because of protection against defaults.

As a FFELP guaranty agency, the MDHE receives servicing fees from the U.S. Department of Education (USDE) and retains a portion of defaulted student loan collections. These revenues are used to fund loan administration functions and other financial aid-related activities. In addition, the MDHE purchases defaulted student loans from lending institutions and is reimbursed for loan purchases by USDE (20 U.S.C. §1072a).

As Missouri’s guaranty agency, the MDHE helps students and families pay for a college education by:

- Providing information on postsecondary opportunities and financial aid directly to students and families (20 U.S.C. § 1072b);
- Creating financial literacy materials and programs for students, families, and schools to help them better manage finances (§ 165.275); and
- Helping borrowers resolve problems repaying their loans and restore their credit if they default (20 U.S.C. § 1072b).

## CURRENT STATUTORY FUNCTIONS

The previous summary does not include all of the department's current statutory functions. Those functions are listed below. Many of the items listed here are referred to in the summary above.

### Fiscal

- Establish guidelines for appropriation requests by public four-year institutions (§173.005.2(4))
- Approve a community college funding model developed in cooperation with the community colleges (§ 163.191.3)
- Submit an aggregated community college budget request (§ 163.191.2)
- Oversee implementation of the Higher Education Student Funding Act (commonly referred to as Senate Bill 389), including the adjudication of waiver requests submitted by institutions proposing to raise tuition at a rate that exceeds the statutory guideline (§ 173.1003.5)
- Recommend to governing boards of state-supported institutions, including community colleges, formulas to be employed in specifying plans for general operations, development and expansion and requests for appropriations from the general assembly (§ 173.030(3))
- Promulgate rules to include selected off-campus instruction in public colleges' and universities' appropriation requests where prior need has been established in areas designated by the CBHE (§ 173.030(4))

### Planning

- Conduct studies of population and enrollment trends affecting institutions of higher education in the state (§ 173.020(1))
- Identify higher education needs in the state in terms of requirements and potential of young people and labor force requirements (§ 173.020(2))
- Develop arrangements for more effective and economical specialization among institutions in types of education programs offered and students served, and for more effective coordination and mutual support among institutions in the utilization of facilities, faculty and other resources (§ 173.020(3))
- Design a coordinated plan for higher education for the state and its subregions (§ 173.020(4))
- Collect information and develop comparable data for all institutions of higher education in the state and use it to delineate areas of competence of each of these institutions and for any other purposes the CBHE deems appropriate (§ 173.005.2(10))
- Establish state- and institution-specific performance measures (§ 173.1006.1)
- Conduct institutional mission reviews every five years (§ 173.030(8))
- Review and approve applications from institutions for statewide missions (§ 173.030(9))
- Issue annual report to the governor and general assembly (§ 173.040)
- Report to Joint Committee on Education (§ 173.1006.3)

### Academic Programs

- Approve proposed new degree programs to be offered by the state institutions of higher education (§ 173.005.2(1))
- Approve degree programs offered by out-of-state institutions, in a manner similar to Missouri public higher education institutions (§ 173.005.2(14)(b))
- Recommend to governing boards the development, consolidation or elimination of programs, degree offerings, physical facilities or policy changes deemed in the best interests of the institutions or the state (§ 173.030(2))
- Approve out-of-district courses offered by community colleges (§ 163.191.8)
- Establish competencies for entry-level courses associated with an institution's general education core curriculum (§ 173.005.2(9))
- Approve dual credit programs offered by postsecondary institutions to high school students (§ 173.2500)
- Develop policies that promote on-time completion of degree programs (§ 173.2510)
- Develop a "guided pathways to success" pilot program designed to provide students with clear pathways to degree completion (§ 173.2515)
- Establish a concurrent enrollment pilot program to coordinate students' simultaneous enrollment at four- and two-year institutions (§ 173.2520)
- Determine to what extent courses of instruction in the Constitution of the U.S., and of the state of Missouri, and in American History should be required by colleges and universities (§ 170.011.1)
- Administer the Studies in Energy Conservation Fund in collaboration with the Department of Natural Resources and, subject to appropriations, establish full professorships of energy efficiency and conservation (§ 640.219.1)
- Promulgate rules to ensure faculty credentials and student evaluations are posted on institutional websites (§ 173.1004.1)
- Coordinate with Department of Economic Development to jointly provide specified career and salary information for each credential offered by a public institution of higher education (§ 173.1004.2)
- Cooperate with the Department of Corrections to develop a plan of instruction for the education of offenders (§ 217.355.3)
- Establish guidelines to promote and facilitate the transfer of students between institutions of higher education within the state (§ 173.005.2(9))
- Develop a recommended lower division core curriculum of 42 credit hours, which shall be transferable among all public institutions; develop criteria to evaluate public institutions' transfer practices; and administer a transfer dispute resolution process (§§ 178.780(10) & 178.785-789)

- Require all public two- and four-year higher education institutions to create a statewide core transfer library of at least 25 lower division courses across all institutions that are transferable among all public higher education institutions (§ 173.005.2(9))
- Develop a policy to foster reverse transfer for any student who has accumulated enough hours by meeting specific statutory requirements to be awarded an associate degree (§ 173.005.2(9))
- Require all public two- and four-year higher education institutions to replicate best practices in remediation (§ 173.005.2(7))
- Require all public institutions to award educational credit for courses that are equivalent in content and experience to a student's prior military training or service (§ 173.1158)

### **Institutional Relationships**

- Promote and encourage the development of cooperative agreements between Missouri public four-year institutions of higher education which do not offer graduate degrees and Missouri public four-year institutions of higher education which do offer graduate degrees for the purpose of offering graduate degree programs on campuses of those public four-year institutions of higher education which do not otherwise offer graduate degrees (§ 173.005.2(3))
- Coordinate reciprocal agreements between or among institutions at the request of one or more of the parties (§ 173.030(5))
- Enter and administer interstate reciprocal agreements for delivery of postsecondary distance education, including approval of applications to participate and development of consumer protection and complaint policies (§ 173.030(6))
- Approve new state-supported senior colleges or residence centers (§ 173.005.2(5))
- Establish admission guidelines consistent with institutional missions (§ 173.005.2(6))
- Establish guidelines to help institutions with decisions relating to residence status of students (§ 173.005.2(8))
- Conduct binding dispute resolution for disputes between public institutions that involve jurisdictional boundaries, or the use or expenditure or any state resources (§ 173.125)
- Receive biennial reports from all public institutions on the number and language background of all teaching assistants, including a copy of the institution's current policy for selection of graduate teaching assistants (§ 170.012.4)
- Promulgate model conflict of interest policy that is used to govern all public institutions of higher education that did not have a similar measure in place (§ 173.735)
- Enforce provisions of the Missouri Returning Heroes Education Act, which limits the amount of tuition public institutions can charge combat veterans (§ 173.900.4)
- Promulgate rules for the refund of all tuition and incidental fees or the awarding of a grade of "incomplete" for students called into active military

service, voluntarily or involuntarily, prior to the completion of the semester (§ 41.948.5)

- Provide an annual report to the Department of Elementary and Secondary Education on the performance of graduates of public high schools in the state during the students' initial year in the public colleges and universities of the state (§ 173.750.1)
- Prepare and circulate instructions and recommendations for implementing eye safety in college and university laboratories (§ 170.009)
- Exercise oversight of State Technical College (§ 178.638)
- Establish standards for the organization of community colleges (§ 178.770.1)
- Approve establishment of community college subdistricts and redistricting (§ 178.820)
- Supervise community colleges (§ 178.780), including:
  - Establishing their role in the state
  - Setting up surveys to be used for local jurisdictions when determining need and potential for a community college
  - Administering the state financial support program
  - Formulating and putting into effect uniform policies as to budgeting, record keeping and student accounting
  - Establishing uniform minimum entrance requirements and uniform curricular offerings
  - Make a continuing study of community college education in the state
  - Being responsible for their accreditation, annually or as often as deemed advisable, and in accordance with established rules
  - Establishing a core curriculum that is guaranteed to transfer to another institution and a common course numbering equivalency matrix

*Note: Section 173.005.7 transfers to the CBHE the duties of the State Board of Education relating to community college state aid, supervision and formation specified in Chapters 163 and 178, RSMo.*

### **Financial Aid<sup>1</sup>**

- Administer the Access Missouri Financial Assistance Program (§ 173.1103.1)
- Administer Higher Education Academic Scholarship Program ("Bright Flight") (§ 173.250.3)
- Administer the A+ Scholarship Program (Executive Order 10-16, January 29, 2010)
- Administer the Advanced Placement Incentive Grant (§ 173.1350)
- Administer the Kids' Chance Scholarship Program for children of workers who were seriously injured or killed as result of a workmen's compensation-related event (need based) (§ 173.256.1)
- Administer the Public Safety Officer or Employee Grant Program for certain public employees and their families if the employee is killed or permanently and totally disabled in the line of duty (§§ 173.260.2 & 173.260.4)

<sup>1</sup> Entries in italics historically have not had funds appropriated to them by the General Assembly and so require no ongoing activity by the department.

- Administer the Marguerite Ross Barnett Competitiveness Scholarship Program for students who are employed 20 hours or more per week while attending school part time (§ 173.262.3)
- *Administer the Missouri Teaching Fellows Program for educational loan repayments, to include maintaining a program coordinator position to identify, recruit, and select potential applicants for the program (§ 168.700)*
- Administer the Minority Teaching Scholarship Program (§ 161.415)
- Administer the Minority and Underrepresented Environmental Literacy Program (§ 173.240)
- Administer the Dual Credit Scholarship for students from low-income families enrolling dual credit courses (§ 173.2505)
- Administer the Advantage Missouri Trust Fund, which provided loans and a loan forgiveness program for students in approved educational programs who become employed in occupational areas of high demand in the state (§§ 173.775.2 & 173.781)
- Make provisions for institutions to award tuition and fee waivers to certain students who have been in foster care or other residential care under the Department of Social Services (§ 173.270.1)
- May request information from public or private institutions to determine compliance with the requirement that no student receiving state need-based financial assistance receive financial assistance that exceeds the student's cost of attendance (§ 173.093)
- Develop, maintain, and operate a website with, at minimum, information on Missouri postsecondary institutions' academic programs, financial aid, and course transferability (§ 173.035)
- Receive annual certification from all postsecondary institutions that they have not knowingly awarded financial aid to a student who is unlawfully present in the U.S. (§ 173.1110.3)
- Promulgate rules to ensure individuals serving in the Missouri National Guard, Armed Forces Reserves, and those in the process of separating from the U.S. military may readily obtain in-state residency status for purposes of tuition and admission (§§ 173.1150 & 173.1153)

#### **State Guaranty Agency under the Federal Family Education Loan Program<sup>2</sup>**

- Administer Missouri Student Loan Program (§§ 173.100 to .120 & .130 & .150 to .187; also Title IV, Part B of the Higher Education Act of 1965, as amended (20 U.S.C. §§ 1071 to 1087-4), and its implementing regulations in 34 C.F.R. §§ 433A, 485D & 682). Responsibilities include:
  - Establishing standards for determining eligible institutions, eligible lenders and eligible borrowers
  - Processing applications
  - Loan disbursement
  - Enrollment and repayment status management
  - Default awareness activities
  - Collecting on defaulted borrowers

- School and lender training
- Financial literacy activities
- Providing information to students and families on college planning, career preparation, and paying for college
- Administering claims
- Compliance
- Provide information on types of financial assistance available to pursue a postsecondary education (§ 167.278)
- Act as a lender of last resort for students or schools that cannot otherwise secure loans (§ 173.110.3)
- Enter into agreements with and receive grants from U.S. government in connection with federal programs of assistance (§173.141)

#### **Proprietary Schools**

- License and oversee all for-profit Missouri certificate or degree granting schools (§ 173.612.2)
- License and oversee some not-for-profit Missouri certificate or degree granting schools (§§ 173.612.2 & 173.616.1)
- License and oversee out-of-state higher education institutions offering instruction in Missouri (public out-of-state are exempt but go through program approval similar to in-state publics) (§§ 173.602 & 173.005.2(14)(b))
- License and oversee certain types of student recruitment by non-Missouri institutions (§ 173.602)
- Require annual recertification, or recertification every two years if certain conditions are met (§ 173.606.1 & 173.606.2)
- Establish appropriate administrative fees to operate the certification program (§ 173.608.2)

#### **Grants for Institutions/Faculty**

- Cooperate with the state board of nursing in evaluating grant proposals for the Nurse Education Incentive Program (§ 335.203)
- Apply for, receive and utilize funds which may be available from private nonprofit foundations and from federal sources for research on higher education needs and problems in the state (§ 173.050(2))
- Serve as the official state agency to plan for, define, and recommend policies concerning the allocation of federal funds where such funds, according to provisions of federal legislation, are to be received and allocated through an official state agency (§ 173.050(1))

#### **Enforcement**

- Compliance with requests from the coordinating board is a prerequisite to the receipt of any funds which the coordinating board is responsible for administering (§ 173.005.2(11))
- Institutions that willfully disregard CBHE policy may be subject to penalties including inability to receive students who participate in student financial aid programs and the withholding of any funds the CBHE is charged with disbursing (§ 173.005.2(12))

<sup>2</sup> As a result of provisions in the Healthcare and Education Affordability Reconciliation Act, no new FFELP loans were issued after June 30, 2010.

However, the Guaranty Agency's statutory and regulatory obligations will continue as to loans still outstanding and guaranteed before that date.

**Boards and Commissions**

- Missouri State Anatomical Board (§§ 194.120 to 194.180)
- Presidential Advisory Committee (§ 173.005.3)
- Minority Environmental Literacy Advisory Committee (§§ 173.240.7 & 173.240.8)
- Proprietary School Advisory Committee (§ 173.614)