

Coordinating Board for Higher Education

Agenda of Meeting

9:00 a.m.

Thursday

February 7, 2013

Truman State Office Building

COORDINATING BOARD FOR HIGHER EDUCATION

Dalton Wright, Chair, Conway

Betty Sims, Vice-Chair St. Louis

Brian Fogle, Secretary, Springfield

Lowell C. Kruse, St. Joseph

Carolyn Mahoney, Jefferson City

TIME: 9:00 a.m.
Thursday, February 7, 2013

PLACE: Truman State Office Building
Room 490/492
Jefferson City, MO

Schedule of Events February 6-7, 2013

Wednesday, February 6, 2013

2:00 p.m. – 5:30 p.m.

CBHE Work Session / CBHE Executive Session

Candlewood Suites
3514 Amazonas Drive
Jefferson City, MO 65109

6:00 p.m. – 8:30 p.m.

CBHE Working Dinner

Guest – Joe Watts, Senior Fellow, American Council on Education
Candlewood Suites
3514 Amazonas Drive
Jefferson City, MO 65109

Thursday, February 7, 2013

9:00 a.m. – 12:00 p.m.

CBHE / PAC Meeting

Harry S. Truman State Office Building
301 West High Street
Room 490/492
Jefferson City, MO 65101

Individuals needing special accommodations relating to a disability should contact Elizabeth Whaley, at the Missouri Department of Higher Education, 205 Jefferson Street, P. O. Box 1469, Jefferson City, MO 65109 or at (573) 751-2361, at least three working days prior to the meeting.

**COORDINATING BOARD FOR HIGHER EDUCATION
PRESIDENTIAL ADVISORY COMMITTEE**

Representatives by Statute

Public Four-Year Universities

Dr. Albert L. Walker, President
Harris-Stowe State University

Dr. Connie Hamacher, Interim President
Lincoln University

Dr. Bruce Speck, President
Missouri Southern State University

Mr. Clif Smart, President
Missouri State University

Dr. Cheryl Schrader, Chancellor
Missouri University of Science and Technology

Dr. Robert Vartabedian, President
Missouri Western State University

Dr. John Jasinski, President
Northwest Missouri State University

Dr. Ken Dobbins, President
Southeast Missouri State University

Dr. Troy Paino, President (PAC Chair)
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Mr. Timothy Wolfe, President
University of Missouri

Dr. Brady Deaton, Chancellor
University of Missouri-Columbia

Mr. Leo Morton, Chancellor
University of Missouri-Kansas City

Dr. Thomas George, Chancellor
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Dr. Raymond Cumiskey, President
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Mr. Mark James, Chancellor
Metropolitan Community Colleges

Dr. Steven Kurtz, President
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Dr. Evelyn Jorgenson, President
Moberly Area Community College

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Dr. Ronald Chesbrough, President
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Dr. Myrtle Dorsey, Chancellor
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Dr. Marsha Drennon, President
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Dr. Devin Stephenson, President
Three Rivers Community College

Public Two-year Technical College

Dr. Donald Claycomb, President
Linn State Technical College

(PAC Vice-Chair)

Independent Four-year Colleges and Universities

Dr. James Evans, President
Lindenwood University

Dr. Marianne Inman, President
Central Methodist University

Dr. Ron Slepitz, President
Avila University

Dr. Mark S. Wrighton, Chancellor
Washington University

Four-year alternate:

Dr. Gerald Brouder
Columbia College

Independent Two-year Colleges

Col. William Sellers, President
Wentworth Military Academy and Junior College

Two-year alternate:

Dr. Judy Robinson Rogers, President
Cottey College

Association Chairs

COPHE - Dr. Brady Deaton, Chancellor, University of Missouri-Columbia

MCCA - Dr. Steve Kurtz, President, Mineral Area College

ICUM – Dr. Ron Slepitz, President, Avila University

COORDINATING BOARD FOR HIGHER EDUCATION
 February 7, 2013 – 9:00 a.m. – 2:00 p.m.
 Harry S Truman State Office Building Room 490/492

AGENDA

Agenda Item Description	Tab	Presenter
General Business		
<u>Action</u>		
1. Review Consent Agenda		
a. Minutes of the December 6, 2012 CBHE Meeting		
b. Distribution of Community College Funds	A	Paul Wagner
Report of the Commissioner		
1. Missouri College Application Week 2013 Pilot		David Russell Joe Watts, ACE
Presidential Advisory Committee		
	Troy Paino, Chair	
<u>Information</u>		
1. 2013 Legislative Session	B	Paul Wagner
2. Budget Update	C	Paul Wagner
3. Academic Program Review Update	D	Rusty Monhollon
4. State Authorization Reciprocity Agreement	E	Leroy Wade
Budget and Financial Aid Committee		
	Brian Fogle, Chair	
<u>Action</u>		
1. Revision of 6 CSR 10-3.010 Determination of Student Residency	F	Bill Thornton
2. Capital Funding Match	G	Paul Wagner
<u>Information</u>		
1. Appointments to the State Student Financial Aid Committee	H	Leroy Wade
2. Student Loan Update	I	Leanne Cardwell
Academic Affairs and Workforce Needs Committee		
	Lowell Kruse, Chair	
<u>Action</u>		
1. Academic Program Actions	J	Rusty Monhollon
2. Fees Charged to Out-of-State Public Institutions	K	Rusty Monhollon
<u>Information</u>		
1. Proprietary School Certification Actions and Reviews	L	Leroy Wade
Audit Committee		
	Betty Sims, Chair	
External Relations Committee		
	Carolyn Mahoney, Chair	
<u>Action</u>		
1. American College Application Campaign	M	Leanne Cardwell
<u>Information</u>		
2. Governing Board Forum Update		David Russell
General Business		
<u>Information</u>		
1. Good and Welfare of the Board		
2. CBHE Members by Congressional District	N	
3. CBHE Statutory Functions	O	
<u>Action</u>		
1. Adjourn Public Session of Coordinating Board for Higher Education Meeting		

**COORDINATING BOARD FOR HIGHER EDUCATION
MINUTES OF MEETING
December 5, 2012**

The Coordinating Board for Higher Education met on Wednesday, December 5, 2012, at the Truman State Office Building, Jefferson City, MO. Chairwoman Swan called the meeting to order at 2:10 p.m. The presence of a quorum was established with the following in attendance:

	Present	Absent
Brian Fogle	X	
Lowell Kruse	X	
Mary Beth Luna Wolf	X	
Betty Sims	X	
Kathryn Swan	X	
Dalton Wright	X	

CONSENT AGENDA

Items on the consent agenda included the Minutes of the September 5, 2012, CBHE meeting in Jefferson City, MO and the Distribution of Community College Funds. **Mr. Fogle made a motion to approve the consent agenda in its entirety. Ms. Sims seconded the motion. Motion passed unanimously.**

REPORT OF THE COMMISSIONER

No report of the commissioner was presented at this meeting.

**PRESIDENTIAL ADVISORY COMMITTEE
2013 Legislative Session and Budget Update**

Mr. Wagner provided the group with a brief overview of the upcoming legislative session. The 2013 session will have 52 new representatives and 12 new senators. The House now has a republican majority that allows it to be veto-proof.

National and State Initiatives

Dr. Monhollon provided an update on the various recently award grants to the Department of Higher Education. These grants will be used in: common core; developmental students; transfer library and reverse transfer. In addition, Debbie Schatz, Assistant Director of Admissions for MS&T and Jean McCann, Vice President for Instruction at ECC provided the group with a firsthand account of developing a reverse transfer agreement, which they believe could be used as a basis for a statewide model.

BUDGET AND FINANCIAL AID COMMITTEE

Mr. Wright chaired the Budget and Financial Aid Committee report.

Guaranty Agency

Mr. Wagner and Ms. Cardwell went over the board item and explained the need for the two separate votes.

The following recommendation was read **“It is recommended that the CBHE authorize a one-time transfer of an amount not to exceed \$1 million from the guaranty agency operating fund to the A+ Scholarship Program for FY13.”**

Mr. Fogle made a motion to approve the recommended action. Ms Sims seconded the motion. The following votes were recorded:

	Yea	Nay
Brian Fogle	X	
Lowell Kruse	X	
Mary Beth Luna Wolf		X
Betty Sims	X	
Kathryn Swan	X	
Dalton Wright	X	

The following recommendation was read **“It is further recommended that the CBHE authorize a one-time transfer of an amount not to exceed \$4 million from the guaranty agency operating fund to the A+ Scholarship Program for FY14.”**

Ms. Luna Wolf asked that we look at individuals that have graduated and have student debt they are struggling with to see if there are ways this money could be used to help these individuals instead of the budget.

Motion was made by Wright to approve the recommended action. Ms. Sims seconded the motion. The following votes were recorded:

	Yea	Nay
Brian Fogle	X	
Lowell Kruse	X	
Mary Beth Luna Wolf		X
Betty Sims	X	
Kathryn Swan	X	
Dalton Wright	X	

Revision of the A+ Administrative Rule

Mr. Wade provided the board and its guests with background information about the revisions to the A+ Administrative Rule. The revisions have been reviewed by MCCA and its members and a consensus was finally reached on the following rules.

Chapter 2--Student Financial Assistance Program

PROPOSED AMENDMENT

6 CSR 10-2.190 A+ Scholarship Program

PURPOSE: This rule sets forth the policies of the Coordinating Board for Higher Education regarding institutional and student eligibility for student financial assistance under the A+ Scholarship program.

(1) Definitions.

(A) Academic year shall be twenty-four (24) semester or trimester credit hours, thirty-six (36) quarter credit hours, or nine hundred (900) clock hours, and at least thirty (30) weeks of instructional time for a credit hour program or at least twenty-six (26) weeks of instructional time for a clock hour program.

(B) A+ Scholarship shall mean the tuition reimbursement program set forth in subsections 7. through 9. of section 160.545, RSMo.

(C) A+ tuition reimbursement shall mean an amount of money paid by the state of Missouri to a qualified student under the A+ Scholarship for costs related to tuition, general fees, and up to fifty percent (50%) of book costs, subject to state appropriations, after federal sources of funding have been applied.

(D) Award year shall be from July 1 of any year through June 30 of the following year.

(E) CBHE shall mean the Coordinating Board for Higher Education created by section 173.005.2., RSMo.

(F) Department shall mean the Department of Higher Education created by section 173.005.1., RSMo.

(G) Federal sources of funding shall mean grant funds made available directly to students by the federal government and shall not include any funds that must be repaid or work-study funds.

(H) Full-time student shall mean a student who, regardless of the course delivery method, is enrolled in at least twelve (12) semester hours, eight (8) quarter hours, **twenty-four (24) clock hours per week**, or the equivalent in another measurement system[, *but*] **for the fall and spring terms or at least six (6) semester hours, twenty-four (24) clock hours per week, or the equivalent in another measurement system for the summer term.** A student may not be enrolled in less than the respective number sufficient to secure the certificate or degree toward which the student is working in no more than the number of semesters or their equivalent normally required by the institution for the program in which the student is enrolled. Provided, however, that an otherwise eligible student having a disability as defined by Title II of the Americans with Disabilities Act (42 U.S.C. 12101–12213) who, because of his or her disability, is unable to satisfy the statutory minimum requirements for full-time status under federal student financial aid programs included in Title IV of the Higher Education Act of 1965 shall be considered to be making satisfactory academic progress[, *as defined in subsection (1)(P) of this rule.*] while carrying a minimum of six (6) credit hours or their equivalent at the approved institution.

(I) Good-faith effort to secure all federal sources of funding that could be applied to tuition reimbursement shall mean, by the deadline established by the department, being eligible to complete and completing the federal need-based aid application form as prescribed by the United States Department of Education (USDE). For students whose parents refuse to provide financial information, the application form must, at a minimum, include the dependent student's financial information. For students attending institutions that do not participate in the federal Title IV student financial aid programs, completion of the predictor tool for federal Title IV student financial aid eligibility approved by the USDE is acceptable.

(J) His, him, or he shall apply equally to the female as well as the male sex where applicable in this rule.

(K) Initial recipient shall mean a student who qualifies under subsection 7. of section 160.545, RSMo, and this rule, and who has made a good faith effort to secure all federal sources of funding that could be applied to tuition reimbursement, and has not received A+ tuition reimbursement in any prior award year.

(L) Participating institution shall mean a Missouri public community college, a public vocational or technical school, or a two (2)-year private vocational or technical school meeting the requirements set forth in subsection 9. of section 160.545, RSMo, that has entered into a participation agreement for the A+ Scholarship program with the department.

(M) Partnership shall mean a written agreement between two (2) or more institutions, at least one (1) of which must be an A+ participating institution, providing for the processing and delivery of A+ tuition reimbursement.

(N) Renewal recipient shall mean a student who received A+ tuition reimbursement, **or whose A+ award was reduced to zero upon application of federal sources of funding**, in a prior award year, qualifies under subsection 7. of section 160.545, RSMo, and who has made a good faith effort to secure all federal sources of funding that could be applied to tuition reimbursement.

(O) Repeat coursework shall be any coursework for which the student has been assigned a grade under the institution's standard grading policy, excluding coursework for which the student was placed in an incomplete or withdrawn status, in a previous term.

[(P) Satisfactory academic progress shall be a cumulative grade point average (CGPA) of at least two and one-half (2.5) on a four-point (4.0) scale, or the equivalent on another scale, and, with the exception of grade point average, as otherwise determined by the participating institution's policies as applied to other students at the participating institution receiving assistance under federal Title IV student financial aid programs. The calculation of CGPA shall be based on the participating institution's policies as applied to other students in similar circumstances.]

[(Q)](P) Tuition and fees shall mean any charges to students classified as tuition and any institutional fees charged to all students, excluding program-specific fees.

[(R)](Q) USDE shall mean the United States Department of Education.

(2) Responsibilities of Participating Institutions.

(A) Only institutions who have entered into a participation agreement with the department may receive reimbursement under the A+ Scholarship program.

(B) Participating institutions shall meet the following requirements:

1. Before requesting reimbursement for an initial recipient, verify the following:

A. The student has met the eligibility requirements listed in section (3) of this rule through collection of a high school transcript bearing the official A+ seal;

B. The student has met the institution's definition of satisfactory academic progress, including any GPA requirement included as part of that definition;

[B.]C. The *[eligible]* student is enrolled as a full-time student, except as provided in subsection (1)(H) of this rule; and

[C.]D. The student has made a good faith effort to secure all federal sources of funding that could be applied to tuition reimbursement, except as provided in subsection (1)(I) of this rule;

2. Before requesting reimbursement for a renewal recipient, verify the following:

A. The *[eligible]* student is enrolled as a full-time student, except as provided in subsection (1)(H) of this rule;

B. The student has met the cumulative grade point average (CGPA) and satisfactory academic progress requirements referenced in paragraph (3)(B)2. of this rule; and

[B.]C. The student has made a good faith effort to secure all federal sources of funding that could be applied to tuition, except as provided in subsection (1)(I) of this rule; *and*].

[C. The student is maintaining satisfactory academic progress;]

3. Comply with the institutional responsibilities required in 6 CSR 10-2.140(5), with the exception of 6 CSR 10-2.140(5)(A)5.; and

4. Verify federal sources of funding are applied correctly to tuition, general fees, and up to fifty percent (50%) of book costs as specified in subsection (4)/(K)/(N) of this rule.

(C) Partnerships must comply with the following:

1. Reimbursement will only be made to A+ participating institutions;

2. Reimbursement will only be made for coursework actually delivered by a participating institution;

3. Reimbursement may be requested by only one (1) participating institution as specified in the agreement and must be at a tuition rate consistent with the rate charged to other students enrolled in the course;

4. When a partnership includes only one (1) A+ participating institution, the student must be considered to be enrolled full time at the participating institution;

5. When two (2) or more A+ participating institutions are involved in a partnership, students must be enrolled in sufficient hours at a combination of the participating institutions to be considered to be enrolled full time as defined in this rule; *[and]*

6. Institutions entering into partnerships must provide to the department any requested documentation pertaining to the processing and delivery of A+ tuition reimbursements.

(3) Eligibility Policy.

(A) To qualify for A+ tuition reimbursement, an initial recipient must meet the following criteria:

1. Meet the requirements set forth in subsection 7. of section 160.545, RSMo;

2. Be a U.S. citizen, permanent resident, or otherwise lawfully present in the United States, in accordance with section 208.009, RSMo;

3. Enter into a written agreement with the A+ designated high school prior to high school graduation;

4. Graduate from an A+ designated high school with an overall grade point average of at least two and one-half (2.5) on a four-point (4.0) scale, or the equivalent on another scale;

5. Have at least a ninety-five percent (95%) attendance record overall for grades nine through twelve (9–12);

6. Have performed fifty (50) hours of unpaid tutoring or mentoring, of which up to twenty-five percent (25%) may include job shadowing;

7. Beginning with the high school senior class of 2015, *[have achieved a score of proficient or advanced on the official Algebra I end-of-course exam or complete the first semester at a postsecondary institution with a minimum of twelve (12) hours or the equivalent and a two and one-half (2.5) grade point average prior to receiving A+ tuition reimbursement;]* **meet one of the following, unless the A+ school district has met all of the Department of Elementary and Secondary Education's requirements for waiver of the Algebra I End of Course exam for the recipient:**

A. Have achieved a score of proficient or advanced on the official Algebra I end-of-course exam, or a higher level DESE approved end-of-course exam in the field of mathematics; or

B. Have achieved a qualifying score, as established annually by the CBHE, on the COMPASS exam published by ACT, Inc. or the mathematics component of the ACT test as a high school or postsecondary student. Institutions must collect official documentation of the qualifying score from ACT, Inc. from postsecondary students;

8. Have maintained a record of good citizenship and avoidance of the unlawful use of drugs and/or alcohol;

9. Be admitted as a regular student and enroll in and attend on a full-time basis a participating institution, except that students in the following circumstances may be enrolled less than full time:

A. The student is enrolled in all of the available hours applicable to his program of study in a given term;

B. The student is participating in a required internship; or

C. The student is enrolled in prerequisite courses that do not require full-time enrollment;

10. Not be enrolled or intend to use the award to enroll in a course of study leading to a degree in theology or divinity; *[and]*

11. Not have a criminal record preventing receipt of federal Title IV student financial aid^[.]; **and**

12. Meet the institution's definition of satisfactory academic progress, including any GPA requirement included as part of that definition.

(B) To qualify for tuition reimbursement under the A+ Scholarship program, a renewal recipient must meet the following criteria:

1. Be admitted as a regular student and enroll in and attend on a full-time basis a participating institution, except that students in the following circumstances may be enrolled less than full time:

A. The student is enrolled in all of the available hours applicable to his program of study in a given term;

B. The student is participating in a required internship; or

C. The student is enrolled in prerequisite courses that do not require full-time enrollment;

2. Maintain *[satisfactory academic progress]* a **cumulative grade point average (CGPA) of at least two and one-half (2.5) on a four-point (4.0) scale, or the equivalent on another scale, and, with the exception of grade point average, maintain satisfactory academic progress as determined by the participating institution's policies as applied to other students at the participating institution receiving assistance under federal Title IV student financial aid programs. The calculation of CGPA shall be based on the participating institution's policies as applied to other students in similar circumstances;** and

3. Make a good-faith effort to secure all federal sources of funding that could be applied to tuition before the award is disbursed but no later than the deadline established by the CBHE.

(C) The department will review written appeals of its eligibility policy in the following circumstances:

1. The student failed to make a good-faith effort to secure all federal sources of funding that could be applied to tuition; or

2. The student failed to meet the grade point average requirement as a result of a documented medical reason.

(4) Award Policy.

(A) A+ tuition reimbursement for institutions with credit-hour programs shall occur each semester within one (1) award year.

(B) A+ tuition reimbursement for institutions with clock-hour programs shall be made in installments determined by the department annually.

(C) Student eligibility for the A+ Scholarship expires at the earliest of the following, except a student who is eligible at the beginning of a term may receive A+ tuition reimbursement for the full term in which the expiration criterion is met:

1. Forty-eight (48) months after *[completion of high school coursework]* **high school graduation as documented on the high school transcript;**

2. Receipt of an associate's degree; or

3. Completion of one hundred five percent (105%) of the hours required for the program in which the student is currently enrolled.

A. **For a student seeking a first certificate or degree,** *[C]* calculation of the one hundred five percent (105%) shall include:

(I) All known hours completed at any participating A+ institution, including those earned as part of coursework designated as remedial or developmental; and

(II) All hours accepted in transfer by an A+ participating institution from an institution that is ineligible for A+ participation.

B. **For a student seeking a first certificate or degree,** *[C]* calculation of the one hundred five percent (105%) shall not include *[the following]*:

(I) Postsecondary hours earned for work performed before high school graduation. Such hours shall include, but not be limited to, those earned through dual credit, dual enrollment, technical education articulation, Advanced Placement, or international baccalaureate programs; and

(II) Hours earned at a postsecondary institution that is ineligible for A+ participation that are not accepted in transfer by an A+ participating institution.

C. For a student who has received a postsecondary certificate and enrolls in a program leading to a related, higher-level certificate or degree, calculation of the one hundred five percent (105%) shall include:

(I) All hours that are applied toward the related, higher-level program; and

(II) All known hours completed after receipt of the most recent certificate at any participating A+ institution, including those earned as part of coursework designated as remedial or developmental; and

(III) All hours completed after receipt of the most recent credential that are accepted in transfer from an institution that is ineligible for A+ participation.

D. For a student who has received a postsecondary certificate and enrolls in a program leading to a related, higher-level certificate or degree, calculation of the one hundred five percent (105%) shall not include:

(I) Postsecondary hours earned for work performed before high school graduation. Such hours shall include, but not be limited to, those earned through dual credit, dual enrollment, technical education articulation, Advanced Placement, or international baccalaureate programs; and

(II) All hours that are not applied toward the related, higher-level program; and

(III) All hours completed at an institution that is ineligible for A+ participation after receipt of the most recent certificate that are not accepted in transfer by an A+ participating institution.

(D) If an initial recipient is unable to enroll or a renewal recipient ceases attendance for the purpose of providing **active duty** service in any branch of the armed forces of the United States, the eligibility of the student **under paragraph (4)(C)1 of this rule that remains** will be *[extended]***deferred** for the period of the service as documented on the student's DD214 form. *[and all remaining eligibility will be retained if the]* **The student** *[returns]***must return** to full-time status, **or qualify for an exception to the full-time status requirement**, within twelve (12) months of the end of military service and *[provides]***provide** verification to the department that the military service was satisfactorily completed **to retain eligibility**. **Calculation of the twelve (12) months will begin on the first of the month following the student's discharge from service. The recipient's eligibility under paragraph (4)(C)1 of this rule that remains will be calculated from the first day of the month following the student's return to full-time status or other qualifying enrollment.**

(E) For a student concurrently seeking more than one certificate or degree, reimbursement will be made to and the calculation of the one hundred and five percent (105%) eligibility limit will be made by the institution providing the highest outcome, unless the student provides written notification specifying otherwise to all institutions in which he is enrolled.

*[(E)]***(F)** Reimbursement will be as specified for the following categories of coursework:

1. Completed coursework~~], including remedial coursework,~~ for which a grade is assigned under the institution's standard grading policy, **including remedial coursework and coursework assigned a grade of Incomplete**, and that is required by the institution for the completion of a certificate or degree will be reimbursed~~]. The amount of reimbursement paid for coursework for which a standard grade was not assigned, including coursework for which the student was placed in an incomplete or withdrawn status, will be deducted from subsequent reimbursement requests for the student];~~

2. ~~Repeat coursework will not be reimbursed; and~~ **Coursework for which a standard grade was not assigned, including coursework from which the student officially or unofficially withdrew, or was terminated, is not eligible for reimbursement. Institutions can use any of the following options to adjust a student's award amount to meet this requirement:**

A. Deduct the amount reimbursed for such coursework from subsequent reimbursement requests;

B. Omit such coursework from the current reimbursement request; or

C. Return the amount reimbursed for such coursework in accordance with subsection 6 CSR 10-2.140(5)(C);

3. ~~Coursework that is part of a higher level certificate or a degree that is taken after receipt of a certificate will be reimbursed provided that the certificate or degree is in a field related to the original certificate received.]Repeat coursework will not be reimbursed; and~~

4. Coursework that is part of a higher level certificate or a degree that is taken after receipt of a certificate will be reimbursed provided that the certificate or degree is in a field related to the original certificate received.

(G) For a student that fully establishes eligibility by achieving a qualifying score on the COMPASS exam published by ACT, Inc. or the mathematics component of the ACT test as a postsecondary student, reimbursement may be made for the term in which the student achieves the qualifying score provided the student has established such eligibility prior to the institution's submission of the reimbursement request to the department.

*[(F)]***(H)** The amount of the A+ tuition reimbursement must be calculated based on the remaining costs of actual tuition and fees after any federal sources of funding have been applied and any deductions have been made for reimbursement of coursework for which a standard grade was not assigned, including coursework ~~for which the student was placed in an incomplete or withdrawn status] from which the student officially or unofficially withdrew, or was terminated.~~

(I) The amount of an A+ reimbursement must be reduced by the amount of any federal sources of funding received by or on behalf of an initial or renewal recipient and, when applicable, any adjustments required in (4)(F)2.

*[(G)]***(J)** The amount of the A+ tuition reimbursement is subject to legislative appropriation.

*[(H)]***(K)** If the appropriated funds exceed the amount necessary to fund tuition and fees, up to fifty percent (50%) of book costs may be reimbursed.

*[(I)]***(L)** If insufficient funds are available to pay all eligible students the full amount of tuition and fees calculated in subsection (4)~~[(F)]~~**(H)** of this rule, the department may take any of the following measures to address the shortfall in order to ensure the A+ reimbursement does not exceed the appropriation:

1. Reduce the number of hours eligible for reimbursement; or
2. If projections indicate that the measure cited above is inadequate to address the funding shortfall, the department shall, as soon as may practicably be accomplished, make available for public comment a plan containing at least two (2) options to ensure that total A+ reimbursements do not exceed the appropriation. Such plan shall be distributed to all participating institutions and the department shall accept public comments on the plan for no less than thirty (30) days before publication in a CBHE board book. No plan for accommodating the additional shortfall shall be approved before it has been on the agenda of a regularly scheduled CBHE meeting and an opportunity for public comment at the CBHE meeting has been provided.

~~[(J)](M)~~ The hourly tuition rate used to calculate the A+ tuition reimbursement shall not exceed the published standard per credit hour tuition rate charged by Linn State Technical College.

1. Institutions with high need programs that have tuition charges above this limit may apply to the department for a waiver of this requirement on a program-by-program basis.
2. The federal credit hour to clock hour conversion calculation will be applied to institutions with clock hour programs.

~~[(K)](N)~~ Financial aid must be applied to tuition and general fees in the following order:

1. First, all available federal sources of funding; and
2. Second, A+ tuition reimbursement.

~~[(L)](O)~~ Award amounts may be increased or decreased at the department's discretion based on availability of funds for distribution during the award year.

~~[(M)](P)~~ A student who has been denied A+ tuition reimbursement for lack of satisfactory academic progress may not receive another A+ tuition reimbursement until the enrollment period after the applicable standard has once again been met.

~~[(N)](Q)~~ No A+ tuition reimbursement will be made retroactive to a previous award year. An A+ tuition reimbursement will be made retroactive to a previous semester or payment period only upon the sole discretion of the department.

~~[(O)](R)~~ A+ tuition reimbursement will be made only after institutional certification of the student's eligibility and the amount of the A+ tuition reimbursement.

~~[(P)](S)~~ An eligible student's failure to provide required information by the established deadlines may result in loss of the A+ Scholarship for the period covered by the deadline.

~~[(Q)](T)~~ The CBHE has the discretion to withhold payments of any A+ tuition reimbursements after initiating an inquiry into the eligibility or continued eligibility of a student or into the participation status of an institution.

~~[(R)](U)~~ An eligible student may transfer the A+ Scholarship from one (1) participating institution to another without losing eligibility for assistance, but the department shall make any necessary adjustments in the amount of the award.

(5) Information Sharing Policy. All information on an individual's A+ Scholarship application will be shared with the financial aid office of the institution to which the individual has applied, or is attending, to permit verification of data submitted. Information may be shared with federal financial aid offices if necessary to verify data furnished by state or federal governments as provided for in the Privacy Act of 1974, 5 U.S.C. sections 552, 552a.

AUTHORITY: section 160.545, RSMo Supp. 2010 and Executive Order 10-16, dated January 29, 2010. Original rule filed Feb. 17, 2011, effective Oct. 30, 2011.*

**Original authority: 160.545, RSMo 1993, amended 2002, 2008, 2009, 2010.*

Mr. Wade read the following recommendation: **“It is recommended that the Coordinating Board direct the Commissioner of Higher Education to take all actions necessary to ensure the attached proposed rulemaking becomes effective as an administrative rule as soon as possible.**

Mr. Fogle made a motion to approve the recommended action. Ms. Luna Wolf seconded the motion. Motion passed unanimously.

AUDIT COMMITTEE

Ms. Sims went over the finds of the recent BKD audit of the Missouri Student Loan Program. No major findings were reported.

ACADEMIC AFFAIRS AND WORKFORCE NEEDS COMMITTEE

Mr. Kruse chaired the Academic Affairs and Workforce Needs Committee report.

Academic Program Actions

Dr. Monhollon noted that State Fair Community College changed the location of their Clinton education center.

Dr. Monhollon read the following recommended action **“It is recommended that the Coordinating Board for Higher Education approve the program changes and new program proposals listed in the attachment.**

Mr. Kruse made a motion to approve the recommended action. Ms. Sims seconded the motion. Motion passed unanimously.

EXTERNAL AFFAIRS COMMITTEE

Ms. Luna Wolf chaired the External Affairs Committee report.

Nominating Committee

The Nominating Committee for the 2013 Board Officers was Lowell Kruse and Mary Beth Luna Wolf. Mr. Kruse will serve as chair.

Mr. Kruse made the following recommendation **“Dalton Wright, Chair; Betty Sims, Vice-Chair and Brian Fogle, Secretary.”**

Mr. Kruse made the motion to approve the candidates as presented. Ms. Sims seconded the motion. Motion passed.

Proposed 2014 Meeting Dates

The following dates were presented as dates for the 2014 CBHE meetings:

Proposed 2014 Meeting Dates

February 5-6, 2014

April 2-3, 2014

June 4-5, 2014

August 6-7, 2014 (Retreat)

September 3-4, 2014

December 3-4, 2014

Mr. Wright made a motion to accept the dates as presented. Mr. Fogle seconded the motion. Motion passed.

Resolution for Kathy Swan

Mr. Wright thanked Ms. Swan for her years of service on the board. Mr. Polley read a resolution that was presented to Ms Swan. Ms. Swan was a valued member of the board from April 2003 until December 2012.

Mr. Wright made a motion to adjourn the meeting. Ms. Sims seconded the motion. Motion passed.

DRAFT

AGENDA ITEM SUMMARY

AGENDA ITEM

Distribution of Community College Funds
Coordinating Board for Higher Education
February 7, 2013

DESCRIPTION

State aid payments to community colleges will be made on a monthly basis. All FY13 state aid appropriations are subject to a three percent governor's reserve. The Truly Agreed To and Finally Passed (TAFP) core state aid appropriations were revised to reflect an equity adjustment to the distribution formula as proposed and agreed to by the community college presidents and chancellors. Expenditure restrictions made by the governor included a one percent reduction to the revised core.

The TAFP state aid appropriation for community colleges included in House Bill 3 for FY13 is \$130,815,295, and the amount after expenditure restrictions is \$129,507,142. The amount available to be distributed (revised TAFP appropriation minus the three percent governor's reserve less expenditure restrictions) is \$125,582,685.

The payment of state aid distributions to community colleges for November and December 2012 is summarized below.

State Aid (excluding M&R) – GR portion	\$19,015,060
State Aid – Lottery portion	1,204,822
Maintenance and Repair	<u>803,381</u>
TOTAL	\$21,023,263

The total distribution of state higher education funds to community colleges during the period July 2012 through December 2012 is \$61,547,761.

STATUTORY REFERENCE

Section 163.191, RSMo

RECOMMENDED ACTION

Assigned to Consent Calendar

ATTACHMENT(S)

None

Coordinating Board for Higher Education
February 7, 2013

AGENDA ITEM SUMMARY

AGENDA ITEM

2013 Legislative Session
Coordinating Board for Higher Education
February 7, 2013

DESCRIPTION

The First Regular Session of the 97th General Assembly is underway, and some higher education-related issues have already emerged. A report detailing all higher education-related legislation, filed as of January 25, 2013, is provided in Attachment A. Please note that this information and the information provided in the attachment are current as of February 1, 2013. Updated information will be provided in the verbal report that accompanies this item at the February 7, 2013, CBHE meeting.

Higher Education Capital Funding

Senator Kurt Schaefer's SJR 3 seeks a constitutional amendment allowing the Board of Fund Commissioners to issue up to \$950 million in bonds to fund higher education and other public capital projects. The resolution provides that at least \$700 million would be for higher education projects and that at least \$142 million would be dedicated to community college projects.

Veterans

SB 117 (Sen. Kraus) and HB 168 (Rep. Davis) - grants resident status to individuals separating from the military and demonstrating presence in the state or, if attending a community college, presence in a community college service area for the purpose of admissions and in-state tuition.

SB 106 (Sen. Brown) and HB 114 (Rep. Davis) - requires the CBHE to adopt a policy requiring every university, college and vocational and technical school to award credits to a student who is a veteran for courses that are part of his or her military training or service and that meet the standards of the American Council of Education or equivalent standards.

Firearms

HB 70 (Rep. Mike Kelley) – allows a teacher or school administrator with a valid concealed carry endorsement or permit to carry a concealed firearm into a higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board.

OTHER

SB 3 (Sen. Rupp) – creates the Early High School Graduation Scholarship Program for public high school students who graduate early.

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SB 9 (Sen. Pearce) – allows the University of Missouri Extension Councils to form Extension Districts and seek voter approval to levy a property tax to provide funding for Extension programs.

SB 17 (Sen. Munzlinger) and HB 56 (Rep. Thomson) – establishes the Career and Technical Education Board to replace the State Advisory Committee for Vocational Education and oversee and coordinate career and technical education in Missouri.

STATUTORY REFERENCE

Chapter 173, RSMo, Department of Higher Education

RECOMMENDED ACTION

This is an information item only.

ATTACHMENT

MDHE Legislative Update



Legislative Update 1-18-13

Summary of Legislation Impacting Higher Education

HB 56 **Thomson** Establishes the Career and Technical Education Student Protection Act and the Career and Technical Education Board to oversee and coordinate career and technical education and student organizations' activities.

Bill History: 01-10-13 H Read second time

HB 70 **Kelley** Allows a teacher or school administrator to carry a concealed firearm into a higher education institution or elementary or secondary school if he or she has a valid concealed carry endorsement or permit.

Bill History: 01-10-13 H Read second time

HB 114 **Davis** Requires institutions of higher education to award educational credits to a veteran for certain courses that were a part of his or her military training or service.

Bill History: 01-10-13 H Read second time

HB 168 **Davis** Allows individuals who are separating from the military to have resident student status for purposes of attending public institutions of higher education.

Bill History: 01-16-13 H Read second time

HCR 7	Pfautsch	Directs the State Historical Society of Missouri to develop plans, ideas and proposals to commemorate and celebrate the State of Missouri's bicentennial in 2021.
	Bill History:	01-14-13 H Introduced and read first time
SB 3	Rupp	Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early.
	Bill History:	01-10-13 S Referred to Senate Committee on Senate-Education
SB 8	Pearce	Makes technical corrections and updates obsolete references in certain higher education statutes.
	Bill History:	01-10-13 S Referred to Senate Committee on Senate-Education
SB 9	Pearce	Allows University of Missouri Extension Councils to form extension districts made up of cooperating counties.
	Bill History:	01-10-13 S Referred to Senate Committee on Senate-Education
SB 17	Munzlinger	Establishes the Career and Technical Education Board to oversee and coordinate career and technical education.
	Bill History:	01-10-13 S Referred to Senate Committee on Senate-Financial/Gov. Org. and Elections
SB 18	Munzlinger	Requires agencies to track federal fund usage, requires political subdivisions and charter schools to disclose indebtedness, requires the Governor to report withholdings, and removes the Auditor from the Board of Fund Commissioners.
	Bill History:	01-10-13 S Referred to Senate Committee on Senate-Govt. Accountability/Fiscal Oversight

SB 67	Dixon	Updates references to higher education statutes that have been previously repealed.
Bill History:		01-17-13 S Referred to Senate Committee on Senate-Education
SB 106	Brown	Requires higher education institutions to accept credits for military courses and professional licensing boards must consider military qualifications when considering licensing.
Bill History:		01-09-13 S Read first time
SB 117	Kraus	Allows individuals who are separating from the military to have resident student status for purposes of attending public institutions of higher education.
Bill History:		01-09-13 S Read first time
SJR 3	Schaefer	Amends the Constitution to provide the authority for a Fifth State Building Bond issue.
Bill History:		01-09-13 S Read first time

AGENDA ITEM SUMMARY

AGENDA ITEM

Budget Update - Governor's Actions and Recommendations
Coordinating Board for Higher Education
February 7, 2013

DESCRIPTION

The intent of this item is to provide an update on the governor's recommendations relating to the Fiscal Year 2014 Missouri Department of Higher Education budget, including state scholarship programs administered by the department, public institutional operating and capital budgets and University of Missouri-related budget items.

FY13 Supplemental

The governor has recommended an additional \$2.5 million for FY13 for the Access Missouri Program. This represents use of a portion of the existing fund balance rather than additional state dollars. The supplemental is necessary to maintain the awards given for the spring 2013 semester at the same level as awarded in the fall 2012 semester.

FY14 Recommendations

MDHE Budget

The governor's recommendations for FY14 for the department's internal budget include no cuts in the expense and equipment or personal service appropriations. In addition the governor recommended a two percent pay increase for state employees, to take effect on January 1, 2014.

The governor also recommended new funding of \$56,556 from the Out-of-State Program Fund to implement the review of out-of-state programs as established in HB 1042 (2012). The governor did not recommend the 1 FTE requested for this activity by the CBHE.

The governor also recommended an increase of \$164,075 and 2 FTE for proprietary school certification, consistent with the implementation requirements of HB 1042 (2012) and the CBHE recommendations.

The governor also recommended \$300,000 in new spending authority and 1.5 FTE in order for the MDHE to administer the previously received Lumina Foundation grant.

Student Financial Assistance Programs

A+

The governor has recommended a total of \$30,413,326 for the A+ Schools Program, which represents a \$1 million increase over FY13. This includes the continuation of the use of \$4 million from the guaranty agency operating fund as authorized by the Coordinating Board at its December 2013 meeting.

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Bright Flight

The governor has recommended \$12,269,250 for the Bright Flight program. This is the same as the amount that was available in FY13. It is unknown at this time what this level of funding will yield in terms of award amounts in FY14.

Access Missouri

The governor has recommended a total appropriation of \$52,632,307 for the Access Missouri program. This is \$5,195,000 million below the FY13 core appropriation; however the same amount will be available to spend in FY14 as was available in FY13 due to the use of an equivalent amount of balance currently existing in the Access Missouri Fund. It is unknown at this time what this level of funding will yield in terms of award amounts in FY14.

Advance Placement Incentive Grant

The governor has recommended \$100,000 to continue the Advanced Placement Incentive Grant. This grant awards five hundred dollars to any student who receives an Access Missouri or A+ award and in addition has received two grades of three or higher on advanced placement examinations in the fields of mathematics or science while attending a Missouri public high school. This funding is being provided by MOHELA.

Other MDHE Student Financial Aid Programs

The governor recommended several changes in the other MDHE-administered programs. A total of \$31,000 was reallocated from the Veteran's Survivors Grant (now at \$250,250) to the Public Service Survivor Grant (now at \$131,000) to better align the available dollars with the eligible students.

The governor also recommended a reduction in the Kids' Chance Scholarship from \$27,750 to \$17,500 consistent with the CBHE request to align the appropriation level with the available funding.

The governor also recommended a reduction of \$50,000 in the Minority and Underrepresented Environmental Literacy Program from \$82,964 to \$32,964 due to the loss of funding from the Recruitment and Retention Scholarship Fund.

The governor recommended continued level funding for the following programs:

- Minority Teaching Scholarship Program, \$169,000;
- Vietnam Veterans Survivors Scholarship Program, \$50,000; and
- Marguerite Ross Barnett Scholarship Program, \$363,375.

Special Initiatives

Nursing Incentive Grant Program

The governor has recommended \$1 million from the State Board of Nursing Fund to award additional competitive grants for higher education institutions to enhance and expand their nursing education programs. This is the third of three planned \$1 million annual appropriations for this program.

MSU-UMKC Pharmacy/Doctorate Program

The governor recommended \$2 million of continued funding for the Pharmacy Doctorate program at Missouri State University that is operated in collaboration with the University of Missouri – Kansas City School of Pharmacy.

Performance Funding

The governor recommended \$34 million (a 4 percent increase) for performance funding based on the CBHE-approved performance funding model. Attachment A provides information on the distribution of these funds.

College and University Operating Budgets

The governor has recommended the continuation of the 1% FY13 withholdings from institutional operating budgets (\$8.7 million).

Capital Improvements

The governor's recommendations for FY14 include no recommendations for higher education capital improvements.

The governor has included a \$1E appropriation as a placeholder for a potential bond issuance to benefit higher education institutions among other areas of state government. The governor, in his State of the State address, expressed his support for such a bond issuance.

Other Items

The governor made the following FY14 recommendations for items listed as University of Missouri-related:

- Missouri Telehealth Network – continuation funding of \$437,640
- Missouri Rehabilitation Center – continued funding of \$10,337,870
- Missouri Kidney Program – continued funding of \$1,500,000
- State Historical Society – continuation of the \$100,000 withholding from FY13 and an increase of \$500,000 for a total FY14 recommendation of \$1,827,605
- Spinal Cord Injury Research – continued spending authority of \$1,500,000

STATUTORY REFERENCE

Sections 173.005(2), 173.030(7) RSMo

RECOMMENDED ACTION

This is an information item only.

ATTACHMENT(S)

Performance Funding Distribution

**FY 14 Performance Funding Increases
Governor's Recommendations**

Institution	FY 14 Core Funding	Pool	# of Measures Improved (out of 5)	% of Measures Improved	\$ Increase	% Change
Crowder College	4,399,905	237,790	3	60%	142,674	3.2%
East Central College	4,984,993	269,410	4	80%	215,528	4.3%
Jefferson College	7,313,206	395,237	2	40%	158,095	2.2%
Metropolitan Community College	30,318,270	1,638,530	5	100%	1,638,530	5.4%
Mineral Area College	4,797,111	259,257	5	100%	259,257	5.4%
Moberly Area Community College	4,909,643	265,338	4	80%	212,270	4.3%
North Central Missouri College	2,381,150	128,688	4	80%	102,950	4.3%
Ozarks Technical Community College	9,984,410	539,600	4	80%	431,680	4.3%
St. Charles Community College	7,470,409	403,733	3	60%	242,240	3.2%
St. Louis Community College	43,595,002	2,356,061	3	60%	1,413,637	3.2%
State Fair Community College	5,092,146	275,201	5	100%	275,201	5.4%
Three Rivers Community College	4,260,897	230,277	3	60%	138,166	3.2%
Community College Subtotal	129,507,142	6,999,122			5,230,228	4.0%
Linn State Technical College	4,570,639	196,671	5	100%	196,671	4.3%
University of Central Missouri	52,607,262	2,263,643	4	80%	1,810,914	3.4%
Southeast Missouri State University	43,254,606	1,861,207	4	80%	1,488,966	3.4%
Missouri State University	73,443,748	3,160,219	5	100%	3,160,219	4.3%
Missouri State University - West Plains	5,105,715	219,694	4	80%	175,755	3.4%
Lincoln University	17,308,982	744,790	3	60%	446,874	2.6%
Truman State University	39,510,924	1,700,120	4	80%	1,360,096	3.4%
Northwest Missouri State University	29,351,986	1,262,990	5	100%	1,262,990	4.3%
Missouri Southern State University	22,652,541	974,719	4	80%	779,775	3.4%
Missouri Western State University	21,052,327	905,863	4	80%	724,690	3.4%
Harris-Stowe State University	9,492,814	408,467	5	100%	408,467	4.3%
University of Missouri	394,020,620	16,954,355	5	100%	16,954,355	4.3%
Four Year Institution Subtotal	712,372,164	30,652,738			28,769,772	4.0%
Two and Four Year Institutions Total	841,879,306	37,651,860			34,000,000	4.0%

AGENDA ITEM SUMMARY

AGENDA ITEM

Academic Program Review Update
Coordinating Board for Higher Education
February 7, 2013

This agenda item provides an update on the statewide review of academic programs conducted in 2010-2011.

DESCRIPTION

In October 2010, the Missouri Department of Higher Education (MDHE) undertook a special review of the complete academic program inventory at each of the state's four-year and two-year public institutions of higher education. MDHE staff conducted the review using a methodology developed by the MDHE in consultation with the chief academic officers from both the two-year and four-year sectors.

Among the recommendations included in the final report submitted to the governor in February 2011, MDHE identified 133 selected programs subjected to this special review to undergo a follow-up evaluation in three years. In some cases this recommendation applied to programs whose low-degree production might be an aberration or explained by the recent economic downturn. For other programs, the follow-up is intended to assess the effectiveness of strategic plans developed by the institutions to improve student retention and degree production. For still others, the intent of the follow-up is to examine the effectiveness of novel approaches to low degree productivity, with the expectation that successful approaches might be exported to other institutions and other programs.

The MDHE will begin these follow-up evaluations in the fall of 2013 and report back to the CBHE at the February 2014 meeting. The MDHE proposes to use the same methodology it employed in the 2010 review. In brief, that methodology is as follows:

1. The MDHE will compile degree completions for the 133 academic programs subject to the follow-up review and share the data with the institutions to confirm its accuracy.
2. MDHE staff will compare the current completion data with that compiled from the previous review, and also review the institutions' justification for retaining a particular program.
3. The MDHE will share the results of this review with the institutions. They will be asked to indicate what action they intend to take with each program.
4. MDHE staff will review and assess the institutions' justifications for the action they propose to take. MDHE staff will analyze the institutions' responses for maintaining a programs based on data and documentation provided by the institutions and qualitative measures contained in existing CBHE policy.
5. The MDHE will provide to each institution a preliminary report of the department's initial review of each proposed action. The institutions will have an opportunity to respond to this report and, if requested, provide additional data, documentation, and information to the MDHE for review.

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6. The MDHE will compile a final report for the CBHE.

The MDHE will engage the chief academic officers from both the two-year and four-year sectors to discuss the follow-up reviews, our proposed methodology, and the timeline for completing the reviews.

STATUTORY REFERENCE

Section 173.005(7) CBHE statutory responsibility to collect the necessary information and develop comparable data for all institutions of higher education in the state . . .

Section 173.020(4) CBHE statutory responsibility for designing a coordinated plan for higher education in the state...

Section 173.030(2) CBHE statutory responsibility for recommending to governing boards of any institutions in the state the development, consolidation, or elimination of programs, degree offerings, physical facilities or policy changes where that action is deemed . . . in the best interests of the institution . . . and or the general requirements of the state.

RECOMMENDED ACTION

Information item only.

ATTACHMENT(S)

None

AGENDA ITEM SUMMARY

AGENDA ITEM

State Authorization Reciprocity Agreement
Coordinating Board for Higher Education
February 7, 2013

DESCRIPTION

Distance education continues to expand educational opportunities for students to acquire new skills and fulfill degree requirements. As such, distance education is a crucial tool in efforts to raise college completion rates and prepare students for the careers of today and tomorrow. However, the rapid growth of these programs has focused considerable attention on the absence of a coherent, national system of regulation that balances consumer protection and quality with the unique features of distance education. This board item is intended to provide information about regional and national efforts to address this situation.

Background

Because the U.S. Constitution does not include education among the enumerated powers of the federal government, the administration and oversight of education is considered to be a state responsibility. The role of the federal government in postsecondary education has been largely limited to providing financial assistance to students.

In fulfilling their role, states have developed a broad range of regulatory structures to monitor the offering of postsecondary education within their borders. These structures operate in remarkably different ways, with widely varying standards, policies, and practices for application and enforcement. Particularly in regard to distance or online programs, this has led to considerable confusion and frustration. In addition, as a condition for institutional participation in federal financial aid programs, U.S. Department of Education rules require institutions to operate legally in all states or territories in which they serve students.

At present, there are only limited alternatives to each institution separately pursuing state authorization or assurance that authorization is not required wherever it serves students. The recent agreement between Missouri and Kansas on the issue of distance education regulation provides some degree of relief but was never intended to address the broader interstate issues. Consequently, institutions offering distance education are faced with seeking authorization individually in multiple states. For major distance education providers, this means working with as many as 54 states and territories, some of which have multiple regulatory structures. The result is inefficient and challenging for institutions and states alike.

Current Status

There are currently three major efforts underway to address this challenge. These efforts include:

- The Commission on Regulation of Distance Education, organized by the Association of Public Land-grant Universities and the State Higher Education Executive Officers;
- A joint effort of the Council of State Governments and the Presidents' Forum, a collaboration of accredited, national, adult-serving institutions and programs, to develop a model state authorization reciprocity agreement; and
- The existing regional higher education compacts, lead by the Western Interstate Compact on Higher Education.

While each of these efforts has approached the task from a different perspective, there is increasing recognition of the common goals and objectives for these efforts and of the advantages of developing a single approach that can be implemented on a national level. This convergence has led to tentative agreement on several principles.

- Institutional and state participation in state reciprocity must be voluntary.
- A state is ultimately responsible for education delivered by its native institutions and other states should recognize and accept the value of the home state's process for fulfilling that responsibility.
- All components of the "triad" of responsibility for institutional oversight (federal government, state government, accreditation) must be incorporated as part of the solution.
- While states are ultimately responsible for making a system of reciprocity work, the system should rely on the strengths of the regional higher education compacts in managing state participation, determining effective governance models, and developing strategies for broad state participation.
- Some type of administrative structure will be necessary to ensure this solution is national, rather than regional, in nature.

Outlook

It appears the national commission will release its final report sometime in February or March. That report is likely to both support and guide the work of the other groups involved in this effort. The CSG/Presidents' Forum development of a model agreement is virtually complete, with their work shifting to working with WICHE and the other regional compacts to establish an implementation plan that will ensure adequate qualitative control and broad implementation within a reasonable time frame.

Implementation will require states to review their current approval structures in the context of interstate reciprocity. In many instances, revision of existing higher education statutes will be needed to meet the state's responsibilities under the reciprocity agreement. Discussions are currently underway regarding a national symposium on the subject of distance education regulation. This symposium represents the transition from planning and development to implementation and will likely focus on providing institutions and states with the information necessary to make decisions regarding participation in and implementation of a state reciprocity agreement for distance education.

Conclusion

As distance education continues to develop and expand, the pressure to find a workable alternative to the myriad current of regulations will only increase. The MDHE has been actively engaged in this process for some time and will continue to monitor ongoing developments and provide updated information to institutions as proposals for implementation develop. MDHE staff expect to host a statewide convening of college and university representatives to be held in mid-to-late summer, when the policy framework at the national and regional level is clearer. The MDHE is committed to working closely with MHEC and Missouri institutions in the development of the Midwestern approach to this issue.

STATUTORY REFERENCE

Section 173.020 RSMo, Responsibilities of the Coordinating Board

Section 173.700 RSMo, Midwestern Higher Education Compact

RECOMMENDED ACTION

This is an information item only.

ATTACHMENT(S)

None

AGENDA ITEM SUMMARY

AGENDA ITEM

Revision of 6 CSR 10-3.010 Determination of Student Residency
Coordinating Board for Higher Education
February 7, 2013.

DESCRIPTION

Section 173.005 establishes one of the responsibilities of the Coordinating Board as establishing “policies and procedures for institutional decisions relating to the residence status of students.” In response to a grievance from the parent of an unemancipated minor student regarding the application of this policy, the Missouri Department of Higher Education (MDHE) reviewed whether regular presence within the state of Missouri for the primary purpose of working fulltime is enough to establish resident status in Missouri and eligibility for in-state tuition.

Background

Through its administrative rule 6 CSR 10-3.010, the Coordinating Board and MDHE have fulfilled the obligation to provide institutions with a policy framework for determining if a student is a Missouri resident. While public institutions have the authority to make final decisions with regard to student residency, the CBHE policy in this area provides guidance and consistency for those decisions, which typically are related to whether the student is eligible for in-state tuition. In addition, several state student aid programs administered by the MDHE require eligible students to be Missouri residents. These programs reference this policy as the basis for determining whether students are Missouri residents and, as such, are eligible to receive awards through those programs.

Missouri Code of State Regulations for Higher Education, under the section of “Determination of Student Residency” defines an unemancipated minor student as “any student not having attained the age of twenty-one (21) years, and under the care, custody, or support of the individual or individuals having legal custody of the student.” It adds: “If those having legal custody of the unemancipated minor or dependent student establish a Missouri domicile, that student shall be granted resident status at the first enrollment following the establishment of the Missouri domicile.” In determining resident status for the state of Missouri, there are two ways to show sufficient proof of domicile:

1. Presence within the state of Missouri for a minimum of the twelve (12) immediate past, consecutive months coupled with proof of intent to make the state of Missouri a permanent home for an indefinite period; or
2. Presence within the state of Missouri for the primary purpose of retirement, full-time employment, full-time professional practice, or to conduct a business full-time. (*Please see 6 CSR 10-3.010*)

Outstanding Issues

Based on the plain language in the current regulations, presence within the state of Missouri for the primary purpose of full time employment is one of two ways to demonstrate sufficient proof of domicile. The rule as presently written does not accurately describe CBHE intent with respect to residency tests.

The position and past practice of this department has been that the twelve month requirement for determination of resident status may only be waived if a family member moves to Missouri to work full time, combined with proof of intent to make Missouri a permanent home for an indefinite period of time.

Summary of Revision

A change proposed to more clearly reflect the intent of CBHE that mere presence, even if continuous and consistent, for the purpose of working fulltime is not enough to establish domicile without proof of the individual's intent to make the state of Missouri a permanent home.

A copy of the current rule is at Attachment A. A copy of the proposed revised rule is at Attachment B. Examples of proof of intent to establish residency appear in 6 CSR 10-3.010 Sections (9)(D) and (9)(E).

Assuming normal timing for completing the rulemaking process with the Secretary of State, we estimate the rule revisions will become effective in August of 2013. The revision should be effective for the 2013-2014 academic year.

Conclusion

A major MDHE goal is to ensure clarity and consistency in the administration of the Determination of Student Residency guidelines. To that end, the MDHE is committed to ensuring the policy, as expressed in the administrative rule, matches the past practice and intent of MDHE. We trust that the open process used to develop this proposed revision with the involvement of interested parties ensures that goal is achieved

STATUTORY REFERENCE

Section 173.005.2 (7), RSMo

RECOMMENDED ACTION

It is recommended that the Coordinating Board direct the Commissioner of Higher Education to take all actions necessary to ensure the attached proposed rulemaking becomes effective as an administrative rule as soon as possible.

ATTACHMENT(S)

Attachment A: Current 6 CSR 10-3.010 Determination of Student Residency

Attachment B: Proposed 6 CSR 10-3.010 Determination of Student Residency

Coordinating Board for Higher Education
February 7, 2013

**Title 6—DEPARTMENT OF
HIGHER EDUCATION
Division 10—Commissioner
of Higher Education
Chapter 3—Higher Educational
Residency Determination**

6 CSR 10-3.010 Determination of Student Residency

PURPOSE: This rule sets forth the criteria and requirements for decisions by institutions of higher education relating to the residency status of students, including the determination of student fee charges and of student eligibility for financial aid administered by the Coordinating Board for Higher Education.

(1) Definitions.

(A) Academic year is the period from July 1 of any year through June 30 of the following year.

(B) Adult student shall mean any student having attained the age of twenty-one (21) years.

(C) Continuous enrollment shall mean enrollment in a Missouri institution in at least one (1) credit or clock hour or the equivalent in at least one (1) semester, excluding summer terms, each academic year.

(D) Coordinating board or board shall mean the Coordinating Board for Higher Education created by section 173.005, RSMo.

(E) Dependent student shall mean, for the purposes of financial aid eligibility, any student who is not an independent student.

(F) Domicile shall mean presence within a state with an intent of making the state a permanent home for an indefinite period.

(G) Emancipated minor student shall mean any student not having attained the age of twenty-one (21) years and who is not under the care, custody, and support of an individual or individuals having legal custody.

(H) Independent student shall mean, for the purposes of financial aid eligibility, any student who qualifies as an independent student under section 480(d) of the Higher Education Act of 1965, as amended.

(I) Residency or resident status shall mean that status which is achieved when sufficient proof of a domicile within a state is presented.

(J) Unemancipated minor student shall mean any student not having attained the age of twenty-one (21) years, and under the care, custody, or support of the individual or individuals having legal custody of the students.

(2) Adult Students. For purposes of the determination of fee charges, if an adult student, not a resident, shall present sufficient proof of the establishment of a domicile within the state of Missouri, this student shall be granted the resident status at the first enrollment following the establishment of the domicile.

(3) Independent Student. For purposes of financial aid eligibility, if an independent student, not a resident, shall present sufficient proof of the establishment of a domicile within the state of Missouri, this student shall be granted resident status at the first enrollment following the establishment of the domicile.

(4) Unemancipated Minor Students.

(A) The domicile of an unemancipated minor or a dependent student is presumed to be that of the individual or individuals having legal custody of the student.

(B) If those having legal custody of the unemancipated minor or dependent student establish a Missouri domicile, that student shall be granted resident status at the first enrollment following the establishment of the Missouri domicile.

(C) Once unemancipated minor or dependent students have established resident status under this rule, they may continue to qualify for resident status so long as they remain continuously enrolled, excluding summer terms, in a Missouri institution of higher education, even if the individual or individuals having legal custody of the unemancipated minor or dependent students cease to hold Missouri resident status or the students become adult or independent students.

(5) Emancipated Minor Students.

(A) The domicile of emancipated minor students shall be determined as if they were adults.

(B) A minor may become emancipated through marriage, formal court action, abandonment, or positive action of alienation on the part of the minor. In all instances, alienation from care, custody, and support shall be complete and the burden of satisfactory proof of emancipation shall be that of the minor student.

(C) Mere absence of the student from the domicile of the individual or individuals having legal custody of that minor student shall not constitute proof of emancipation.

(D) In no instance shall a minor student be eligible for emancipation when that student is taken as an income tax deduction by a second party other than a spouse.

(6) Members of the Military Forces.

(A) Students shall neither gain nor lose resident status solely as a consequence of military service.

(B) For the purposes of student resident status, military personnel, when stationed within the state of Missouri pursuant to military orders, their spouses, and unemancipated minor or dependent children shall be regarded as holding Missouri resident status. However, a member of the military forces who is specifically assigned, under orders, to attend a Missouri institution of higher education as a full-time student, shall be classified, along with his/her spouse and unemancipated minor or dependent children, as if they had no connection with the military forces.

(7) Noncitizens of the United States.

(A) Students who are not citizens of the United States must possess resident alien status, as determined by federal authority, prior to consideration for resident status.

(B) Aliens present within Missouri as representatives of a foreign government or at the convenience of the United States or Missouri governments and holding G visas shall be entitled to resident status, except for those who are government-funded students.

(C) Aliens and their dependents holding A or L visas may be granted resident status if determined to be individually designated as representatives of their governments and whose education is not government-funded.

(8) Public Community College Residency.

(A) Missouri public community college districts have legal geographic boundaries within the state and only residents of each district are eligible for the in-district student fee charge.

(B) For purposes of establishing district residency, a Missouri resident who resides out-of-district shall meet the same criteria as set forth in this rule for establishing Missouri residency by a person not a resident of Missouri. However, Missouri residency is the only residency requirement germane to student eligibility for financial aid programs restricted to Missouri residents.

(9) Determination of Resident Status.

(A) Attendance at an institution of higher education shall be regarded as a temporary presence within the state of Missouri; therefore, a student neither gains nor loses resident status solely by such attendance.

(B) The burden of proof of establishing eligibility for Missouri resident status shall rest with the student.

(C) In determining resident status for the state of Missouri, either of the following shall be sufficient proof of domicile of a person and his/her unemancipated minor or dependent children within the state of Missouri:

1. Presence within the state of Missouri for a minimum of the twelve (12) immediate past, consecutive months coupled with proof of intent to make the state of Missouri a permanent home for an indefinite period; or

2. Presence within the state of Missouri for the primary purpose of retirement, full-time employment, full-time professional practice, or to conduct a business full-time.

(D) In determining whether an adult, emancipated minor, or independent student, or the individual or individuals having legal custody of an unemancipated minor or dependent student, holds an intent to make the state of Missouri a permanent home for an indefinite period, the following factors, although not conclusive, shall be given heavy weight: continuous presence in the state of Missouri during those periods not enrolled as a student; presence within the state of Missouri upon marriage to a Missouri resident and the maintenance of a common domicile with the resident spouse; substantial reliance on sources within the state of Missouri for financial support; former domicile within the state and maintenance of significant connections while absent; and ownership of a home within the state of Missouri. The twelve (12)-month period of presence within the state, as stipulated in paragraph (9)(C)1. of this rule, in and of itself, does not establish resident status in the absence of the required proof of intent.

(E) The following factors shall be given less weight than those in subsection (9)(D) and include: Voting or registration for voting; part-time employment; lease of living quarters; a statement of intention to establish a domicile in Missouri; automobile registration or operator's license obtained in Missouri; and payment of income, personal, and property taxes in Missouri. The factors listed in this subsection have applicability only as they support the intent to make the state of Missouri a permanent home for an indefinite period.

(F) Resident status is one criterion of eligibility for student grant awards administered by the coordinating board. There are additional criteria of eligibility and the establishment of resident status by a student does not guarantee that the student will be awarded a student grant.

(G) The waiver or forgiveness of a nonresident student fee, in full or in part, shall have no bearing on the residency status of a student and shall not be a basis for classification of a nonresident student as a resident.

(H) For those nonresidents who pay Missouri income tax, the nonresident student shall receive a credit against the nonresident student fee in an amount equal to the actual Missouri income tax paid for the previous calendar year except that the remaining fee obligation shall not be less than the amount of the resident student fee. Unemancipated minor students are eligible by reason of payment of Missouri income tax by the nonresident individual or individuals having legal custody of students. Students entering in January shall be regarded as entering in the immediately preceding fall for purposes of determining previous calendar year. For students entering after January, previous year means immediate past calendar year.

(10) Determination of Loss of Residency Status.

(A) An adult, emancipated minor, or independent student will lose Missouri residency status twelve (12) consecutive months after establishing a domicile outside of the state of Missouri, unless the absence is for the purpose of attending an institution of higher education in another state and the student remains in compliance with subsections (9)(C)–(E) of this administrative rule.

(B) An unemancipated minor or dependent student will lose Missouri residency status:

1. Twelve (12) consecutive months after the individual or individuals having legal custody of that student establish a domicile outside of the state of Missouri, except as provided for in subsection (4)(C) of this administrative rule; or

2. If the individual or individuals having legal custody of that student establish a domicile outside of the state of Missouri more than twelve (12) consecutive months before the student's first enrollment at a postsecondary education institution.

(11) Administrative and Compliance.

(A) Each institution shall establish procedures for the determination of institutional decisions in accordance with this rule. These procedures shall adhere to the guidelines set forth in this rule and to the concepts of procedural fairness and reasonableness to the students, to the institution and to the taxpaying public of the state. The procedures shall provide for at least two (2) levels of institutional appeal review and the last stage of the procedure shall be considered final by the institution.

(B) Compliance with the guidelines as set forth in this rule is required of institutions of higher education in order to be determined as eligible institutions under student financial aid programs administered by the coordinating board and for which student eligibility is restricted to residents. For financial aid purposes, institutions may exercise professional judgment in residency determinations for documented exceptional circumstances.

(C) On complaint of any student or other indication of possible institutional noncompliance with the guidelines set forth in this rule, the coordinating board may review the eligibility of an institution for student financial aid programs, or any other funds administered by the board and may take such actions or make such recommendations relating to the institution's eligibility as the coordinating board deems appropriate. These actions shall be consistent with any other administrative rules the board has established pertaining to the review of institutional eligibility.

*AUTHORITY: section 173.005.2(5), RSMo Supp. 2008. * Original rule filed Aug. 7, 1978, effective March 17, 1979. Rescinded and readopted: Filed July 3, 1985, effective Aug. 1, 1986. Amended: Filed Dec. 16, 1988, effective April 1, 1989. Amended: Filed June 15, 2009, effective Dec. 30, 2009.*

**Original authority: 173.005.2(5), RSMo 1973, amended 1983, 1985, 1999, 2003, 2005, 2007.*

**Title 6—DEPARTMENT OF
HIGHER EDUCATION
Division 10—Commissioner
of Higher Education
Chapter 3—Higher Educational
Residency Determination**

6 CSR 10-3.010 Determination of Student Residency

PURPOSE: This rule sets forth the criteria and requirements for decisions by institutions of higher education relating to the residency status of students, including the determination of student fee charges and of student eligibility for financial aid administered by the Coordinating Board for Higher Education.

(1) Definitions.

(A) Academic year is the period from July 1 of any year through June 30 of the following year.

(B) Adult student shall mean any student having attained the age of twenty-one (21) years.

(C) Continuous enrollment shall mean enrollment in a Missouri institution in at least one (1) credit or clock hour or the equivalent in at least one (1) semester, excluding summer terms, each academic year.

(D) Coordinating board or board shall mean the Coordinating Board for Higher Education created by section 173.005, RSMo.

(E) Dependent student shall mean, for the purposes of financial aid eligibility, any student who is not an independent student.

(F) Domicile shall mean presence within a state with an intent of making the state a permanent home for an indefinite period.

(G) Emancipated minor student shall mean any student not having attained the age of twenty-one (21) years and who is not under the care, custody, and support of an individual or individuals having legal custody.

(H) Independent student shall mean, for the purposes of financial aid eligibility, any student who qualifies as an independent student under section 480(d) of the Higher Education Act of 1965, as amended.

(I) Residency or resident status shall mean that status which is achieved when sufficient proof of a domicile within a state is presented.

(J) Unemancipated minor student shall mean any student not having attained the age of twenty-one (21) years, and under the care, custody, or support of the individual or individuals having legal custody of the students.

(2) Adult Students. For purposes of the determination of fee charges, if an adult student, not a resident, shall present sufficient proof of the establishment of a domicile within the state of Missouri, this student shall be granted the resident status at the first enrollment following the establishment of the domicile.

(3) Independent Student. For purposes of financial aid eligibility, if an independent student, not a resident, shall present sufficient proof of the establishment of a domicile within the state of Missouri, this student shall be granted resident status at the first enrollment following the establishment of the domicile.

(4) Unemancipated Minor Students.

(A) The domicile of an unemancipated minor or a dependent student is presumed to be that of the individual or individuals having legal custody of the student.

(B) If those having legal custody of the unemancipated minor or dependent student establish a Missouri domicile, that student shall be granted resident status at the first enrollment following the establishment of the Missouri domicile.

(C) Once unemancipated minor or dependent students have established resident status under this rule, they may continue to qualify for resident status so long as they remain continuously enrolled, excluding summer terms, in a Missouri institution of higher education, even if the individual or individuals having legal custody of the unemancipated minor or dependent students cease to hold Missouri resident status or the students become adult or independent students.

(5) Emancipated Minor Students.

(A) The domicile of emancipated minor students shall be determined as if they were adults.

(B) A minor may become emancipated through marriage, formal court action, abandonment, or positive action of alienation on the part of the minor. In all instances, alienation from care, custody, and support shall be complete and the burden of satisfactory proof of emancipation shall be that of the minor student.

(C) Mere absence of the student from the domicile of the individual or individuals having legal custody of that minor student shall not constitute proof of emancipation.

(D) In no instance shall a minor student be eligible for emancipation when that student is taken as an income tax deduction by a second party other than a spouse.

(6) Members of the Military Forces.

(A) Students shall neither gain nor lose resident status solely as a consequence of military service.

(B) For the purposes of student resident status, military personnel, when stationed within the state of Missouri pursuant to military orders, their spouses, and unemancipated minor or dependent children shall be regarded as holding Missouri resident status. However, a member of the military forces who is specifically assigned, under orders, to attend a Missouri institution of higher education as a full-time student, shall be classified, along with his/her spouse and unemancipated minor or dependent children, as if they had no connection with the military forces.

(7) Noncitizens of the United States.

(A) Students who are not citizens of the United States must possess resident alien status, as determined by federal authority, prior to consideration for resident status.

(B) Aliens present within Missouri as representatives of a foreign government or at the convenience of the United States or Missouri governments and holding G visas shall be entitled to resident status, except for those who are government-funded students.

(C) Aliens and their dependents holding A or L visas may be granted resident status if determined to be individually designated as representatives of their governments and whose education is not government-funded.

(8) Public Community College Residency.

(A) Missouri public community college districts have legal geographic boundaries within the state and only residents of each district are eligible for the in-district student fee charge.

(B) For purposes of establishing district residency, a Missouri resident who resides out-of-district shall meet the same criteria as set forth in this rule for establishing Missouri residency by a person not a resident of Missouri. However, Missouri residency is the only residency requirement germane to student eligibility for financial aid programs restricted to Missouri residents.

(9) Determination of Resident Status.

(A) Attendance at an institution of higher education shall be regarded as a temporary presence within the state of Missouri; therefore, a student neither gains nor loses resident status solely by such attendance.

(B) The burden of proof of establishing eligibility for Missouri resident status shall rest with the student.

(C) In determining resident status for the state of Missouri, either of the following shall be sufficient proof of domicile of a person and his/her unemancipated minor or dependent children within the state of Missouri:

1. Presence within the state of Missouri for a minimum of the twelve (12) immediate past, consecutive months coupled with proof of intent to make the state of Missouri a permanent home for an indefinite period; or

2. Presence within the state of Missouri for the **“primary” [DELETE: primary]** purpose of retirement, full-time employment, full-time professional practice, or to conduct a business full-time **[ADD: coupled with proof of intent to make the state of Missouri a permanent home for an indefinite period].**

(D) In determining whether an adult, emancipated minor, or independent student, or the individual or individuals having legal custody of an unemancipated minor or dependent student, holds an intent to make the state of Missouri a permanent home for an indefinite period, the following factors, although not conclusive, shall be given heavy weight: continuous presence in the state of Missouri during those periods not enrolled as a student; presence within the state of Missouri upon marriage to a Missouri resident and the maintenance of a common domicile with the resident spouse; substantial reliance on sources within the state of Missouri for financial support; former domicile within the state and maintenance of significant connections while absent; and ownership of a home within the state of Missouri. The twelve (12)-month period of presence within the state, as stipulated in paragraph (9)(C)1. of this rule, in and of itself, does not establish resident status in the absence of the required proof of intent.

(E) The following factors shall be given less weight than those in subsection (9)(D) and include: Voting or registration for voting; part-time employment; lease of living quarters; a statement of intention to establish a domicile in Missouri; automobile registration or operator's license obtained in Missouri; and payment of income, personal, and property taxes in Missouri. The factors listed in this subsection have applicability only as they support the intent to make the state of Missouri a permanent home for an indefinite period.

(F) Resident status is one criterion of eligibility for student grant awards administered by the coordinating board. There are additional criteria of eligibility and the establishment of resident status by a student does not guarantee that the student will be awarded a student grant.

(G) The waiver or forgiveness of a nonresident student fee, in full or in part, shall have no bearing on the residency status of a student and shall not be a basis for classification of a nonresident student as a resident.

(H) For those nonresidents who pay Missouri income tax, the nonresident student shall receive a credit against the nonresident student fee in an amount equal to the actual Missouri income tax paid for the previous calendar year except that the remaining fee obligation shall not be less than the amount of the resident student fee. Unemancipated minor students are eligible by reason of payment of Missouri income tax by the nonresident individual or individuals having legal custody of students. Students entering in January shall be regarded as entering in the immediately preceding fall for purposes of determining previous calendar year. For students entering after January, previous year means immediate past calendar year.

(10) Determination of Loss of Residency Status.

(A) An adult, emancipated minor, or independent student will lose Missouri residency status twelve (12) consecutive months after establishing a domicile outside of the state of Missouri, unless the absence is for the purpose of attending an institution of higher education in another state and the student remains in compliance with subsections (9)(C)–(E) of this administrative rule.

(B) An unemancipated minor or dependent student will lose Missouri residency status:

1. Twelve (12) consecutive months after the individual or individuals having legal custody of that student establish a domicile outside of the state of Missouri, except as provided for in subsection (4)(C) of this administrative rule; or

2. If the individual or individuals having legal custody of that student establish a domicile outside of the state of Missouri more than twelve (12) consecutive months before the student's first enrollment at a postsecondary education institution.

(11) Administrative and Compliance.

(A) Each institution shall establish procedures for the determination of institutional decisions in accordance with this rule. These procedures shall adhere to the guidelines set forth in this rule and to the concepts of procedural fairness and reasonableness to the students, to the institution and to the taxpaying public of the state. The procedures shall provide for at least two (2) levels of institutional appeal review and the last stage of the procedure shall be considered final by the institution.

(B) Compliance with the guidelines as set forth in this rule is required of institutions of higher education in order to be determined as eligible institutions under student financial aid programs administered by the coordinating board and for which student eligibility is restricted to residents. For financial aid purposes, institutions may exercise professional judgment in residency determinations for documented exceptional circumstances.

(C) On complaint of any student or other indication of possible institutional noncompliance with the guidelines set forth in this rule, the coordinating board may review the eligibility of an institution for student financial aid programs, or any other funds administered by the board and may take such actions or make such recommendations relating to the institution's eligibility as the coordinating board deems appropriate. These actions shall be consistent with any other administrative rules the board has established pertaining to the review of institutional eligibility.

*AUTHORITY: section 173.005.2(5), RSMo Supp. 2008. * Original rule filed Aug. 7, 1978, effective March 17, 1979. Rescinded and readopted: Filed July 3, 1985, effective Aug. 1, 1986. Amended: Filed Dec. 16, 1988, effective April 1, 1989. Amended: Filed June 15, 2009, effective Dec. 30, 2009.*

**Original authority: 173.005.2(5), RSMo 1973, amended 1983, 1985, 1999, 2003, 2005, 2007.*

AGENDA ITEM SUMMARY

AGENDA ITEM

Higher Education Capital Fund
Coordinating Board for Higher Education
February 7, 2013

DESCRIPTION

The purpose of this item is to implement the provisions of Senate Bill 563 (2012), which established the “Higher Education Capital Fund.”

Background

Senate Bill 563 (2012) established the “Higher Education Capital Fund” (hereafter, “matching fund”). This matching fund may be used by the General Assembly to appropriate money for capital projects at public colleges and universities. In order to be eligible to receive an appropriation through the matching fund, a public college or university must raise fifty percent of the cost of the capital project from private donations or grants. Institutions are prohibited from using operating budget funds, tuition, fees, bond revenues, or state appropriations to produce their portion of the capital project's cost. The state is prohibited from using bonds to provide its portion of the capital project's cost, and the matching fund cannot be used for any athletic facilities, parking structures, or student housing.

Duties of the Commissioner

The law places two requirements on the commissioner of higher education regarding the administration of the fund. One is to create an application in order for a public college or university to demonstrate that it has obtained fifty percent of the project's cost through private grants and donations. Draft application materials reflective of the requirements of the law are included as attachments for the Board's consideration.

The second requirement is to establish procedures for public colleges or universities to follow to receive matching funds. Since the law also requires that any project funded through the matching fund have a specific line item appropriation, there is no need to establish any new or unique procedures outside of the regular appropriations process for these projects. If an institution wishes to have a project considered for the Higher Education Capital Fund, it would simply need to submit the matching fund application materials in addition to the regular forms and information provided as a part of the capital appropriations request process. Projects that are determined by the commissioner to meet the eligibility requirements for the matching fund could simply be noted as such on the request put forward by the Coordinating Board.

STATUTORY REFERENCE

Chapter 173.480, RSMo, Department of Higher Education, Higher Education Capital Fund

RECOMMENDED ACTION

It is recommended that the Coordinating Board approve the attached application forms regarding the Higher Education Capital Fund.

ATTACHMENT

Request for Appropriation from Higher Education Capital Fund
Coordinating Board for Higher Education
February 7, 2013

**APPLICATION FOR MATCHING FUNDS
FROM THE
HIGHER EDUCATION CAPITAL FUND**

As an authorized representative of *(institution)*, I hereby apply for funds from the Higher Education Capital Fund in the amount of \$_____ to provide matching funds for *(project name)*. A description of the project, including detailed information regarding the institution's matching funds, is attached for review and verification.

I hereby provide assurances to the Commissioner of Higher Education that *(institution)* has obtained \$_____ through private donations or grants and that no funds constituting the 50% match for this project were obtained from the institution's operating budget, tuition, fees, the issuance of revenue bonds or general obligation bonds, or from any state appropriation as precluded by the provisions of Section 173.480.3, RSMo. I further attest that funds applied for herein will not to be used to support the construction of any athletic facilities, parking structures, or student housing as precluded by Section 173.480.2, RSMo.

Signature

Date

Name (printed or typed)

Title

AGENDA ITEM SUMMARY

AGENDA ITEM

Appointments to the State Student Financial Aid Committee
Coordinating Board for Higher Education
February 7, 2013

DESCRIPTION

In June 2006, the Coordinating Board converted its temporary State Aid Program Task Force to the standing State Student Financial Aid Committee. In December 2007, a membership structure and appointment terms were established. The intent of this board item is to notify the board of recent appointments to the committee by the Commissioner of Higher Education.

All members of the committee are appointed by the Commissioner of Higher Education. Regular appointments are for two-year terms and appointments to fill vacant positions are for the remainder of the unexpired term. Appointments to the committee are based on recommendations from the related affinity group, when such a group exists, with other appointments based on input from other organizations and agencies as appropriate.

Terms expired for 10 members at the end of calendar year 2012. The new terms extend from January 1, 2013 through December 31, 2014. The appointments to fill those terms are as follows. An asterisk (*) indicates the reappointment of an existing member. In addition, due to the recent departure of one current committee member, an appointment to complete the remainder of that vacant term (through December of 2013) was also needed.

Council on Public Higher Education (COPHE)

Lashanda Boone, Director of Financial Aid*
Harris-Stowe State University
Becca Diskin, Financial Aid Director
Missouri Southern State University
Nicolas Prewitt, Director of Financial Aid*
University of Missouri - Columbia

Missouri Community College Association (MCCA)

Amy Harer, Director of Financial Aid*
Moberly Area Community College
Dena Norris, Director of Student Financial Aid*
Metropolitan Community Colleges

Independent Colleges and Universities of Missouri (ICUM)

Crystal Buntz, Financial Aid Director
Avila University
Rose Windmiller, Assistant Vice Chancellor for Government and Community Relations*
Washington University

Non-ICUM Member

Cindy Howard, Financial Aid Officer
Wentworth Military Academy and Junior College

Private Professional/Technical Institutions

Jason Crowe, Chief Financial Aid Officer*
Barnes-Jewish College of Nursing

Office of the Governor

Mike Nietzel, Policy Advisor for Education and Workforce Development*

Missouri Higher Education Loan Authority (MOHELA)

William Shaffner, Director of Business Development and Government Relations

A listing of the committee membership effective January 1, 2013 is attached.

STATUTORY REFERENCE

Section 160.545, RSMo, A+ Scholarship Program
Section 161.415, RSMo, Minority Teaching Scholarship
Section 173.234, RSMo, War Veterans Survivor Grant Program
Section 173.235, RSMo, Vietnam Veteran's Survivor Grant Program
Section 173.240, RSMo, Minority and Underrepresented Environmental Literacy Program
Section 173.250, RSMo, Higher Education Academic Scholarship Program
Section 173.254, RSMo, Kids' Chance Scholarship Program
Section 173.260, RSMo, Public Service Officer or Employee's Child Survivor Grant Program
Section 173.262, RSMo, Marguerite Ross Barnett Memorial Scholarship Program
Section 173.1101, RSMo, Access Missouri Financial Assistance Program

RECOMMENDED ACTION

This is an information item only.

ATTACHMENT(S)

State Student Financial Aid Committee Membership Roster – January 1, 2013

**STATE STUDENT FINANCIAL AID COMMITTEE MEMBERS AND LENGTH OF
TERMS**

Effective January 1, 2013

Council on Public Higher Education (COPHE)

Lashanda Boone, Director of Financial Aid

Harris-Stowe State University (term expires December 31, 2013)

Becca Diskin, Financial Aid Director

Missouri Southern State University (term expires December 31, 2014)

Nicholas Prewitt, Financial Aid Director

University of Missouri-Columbia (term expires December 31, 2014)

Vicki Mattocks, Director of Financial Aid

Missouri State University (term expires December 31, 2013)

Missouri Community College Association (MCCA)

Kathy Brockgreitens, Registrar & Director of Financial Assistance & Admissions

St. Charles Community College (term expires December 31, 2013)

Dena Norris, Director of Student Financial Aid

Metropolitan Community College (term expires December 31, 2014)

Khaneetah Cunningham, Manager, Student Financial Aid

St. Louis Community College-Florissant Valley (term expires December 31, 2013)

Amy Hager, Director of Financial Aid

Moberly Area Community College (term expires December 31, 2014)

Independent Colleges and Universities of Missouri (ICUM) Members

Brad Gamble, Director of Financial Assistance

Southwest Baptist University (term expires December 31, 2013)

Rebecca Ruff, Financial Aid Officer

Lindenwood University (term expires December 31, 2013)

Crystal Bruntz, Financial Aid Director

Avila University (term expires December 31, 2014)

Cari Wickliffe, Director of Student Financial Services

Saint Louis University (term expires December 31, 2013)

Rose Windmiller, Assistant Vice Chancellor for Government and Community Relations

Washington University (term expires December 31, 2014)

Non-ICUM Members

Cindy Howard, Financial Aid Officer

Wentworth Military Academy and Junior College (term expires December 31, 2014)

Missouri Association of Private Career Colleges and Schools (MAPCCS)

Jennifer Mathis, Campus Dean

DeVry University (term expires December 31, 2013)

Linn State Technical College

Becky Whithaus, Financial Aid Director (term expires December 31, 2013)

Coordinating Board for Higher Education
February 7, 2013

Professional/Technical Schools

Jerry Cox, Financial Aid Administrator
Pike/Lincoln Technical Center (term expires December 31, 2013)

Private Professional/Technical Institutions

Jason Crowe, Chief Financial Aid Officer
Barnes-Jewish College of Nursing (term expires December 31, 2014)

Office of the Governor

Mike Nietzel, Policy Advisor for Education and Workforce Development (term expires
December 31, 2014)

Missouri Senate Staff

Trevor Foley, Budget Analyst, Senate Appropriations (term expires December 31, 2013)

Missouri House of Representatives Staff

Mike Price, Budget Analyst, House Appropriations (term expires December 31, 2013)

Missouri Higher Education Loan Authority (MOHELA)

William Shaffner, Director of Business Development and Government Relations, MOHELA
(term expires December 31, 2014)

Missouri Department of Higher Education (MDHE)

Leroy Wade, Assistant Commissioner, Financial Assistance, Outreach, and Proprietary
Certification (term expires December 31, 2013)

MDHE Support Staff

Kelli Reed, Student Assistance Associate
Amy Haller, Program Specialist

AGENDA ITEM SUMMARY

AGENDA ITEM

Student Loan Program Update
Coordinating Board for Higher Education
February 7, 2013

DESCRIPTION

The purpose of this item is to update the CBHE about the outlook and activities of the MDHE student loan guaranty agency.

Federal Outlook

With the commencement of the second session of the 112th U.S. Congress and the second term of President Obama, the student loan industry is keeping an eye out for new federal legislative or administrative initiatives that could impact the Federal Family Education Loan Program during its wind down. One likely proposal is a repeat of President Obama's 2012 budgetary recommendation to reduce collection revenues for guaranty agencies.

Future of MDHE Guaranty Agency

The MDHE recently awarded a consulting contract to Student Loan Capital Strategies, LLC. SLCS is a company that was created to provide independent strategic and financial advisory services to student loan organizations and has done similar work for several other state guaranty agencies. After analyzing data and considering strategic options, SLCS will produce a written valuation and management advisory report for the MDHE and CBHE to use when deciding upon a future course for the guaranty agency. That report should be available sometime during the spring of 2013.

Information Security

In May of 2012, the U.S. Department of Education conducted a review of the MDHE's security controls for protection of federal student loan data. The resulting report made numerous recommendations for improving or formalizing MDHE security policies and procedures. Since receiving the report, the guaranty agency has been working to adopt the recommendations. A number of the recommendations involve staff training and awareness regarding internal security policies. In order to implement the training-related recommendations, the MDHE designated the week of December 9, 2012, "Cyber Security Awareness Week." During this week all MDHE staff attended mandatory cyber security training and reaffirmed agreements to comply with the MDHE acceptable use policy. In addition, guaranty agency staff received specific security training relating to federal data systems used for administering the student loan program. The MDHE intends to make Cyber Security Awareness Week an annual event in order to keep employees aware of information security policies and best practices.

RECOMMENDED ACTION

This is an information item only.

Coordinating Board for Higher Education
February 7, 2013

AGENDA ITEM SUMMARY

AGENDA ITEM

Academic Program Actions
Coordinating Board for Higher Education
February 7, 2013

DESCRIPTION

This agenda item reports all proposals for program actions reviewed by the Missouri Department of Higher Education since the December 6, 2012 board meeting. These proposals are submitted to the Coordinating Board for Higher Education for its action.

The following tables summarize the proposed program actions submitted to the CBHE in the attachment to this agenda item.

PUBLIC INSTITUTIONS

	Certificate	Associate	Baccalaureate	Graduate	Total
Deleted	0	1	0	1	2
Inactivated	0	0	0	0	0
Other Program Changes*	5	5	6	1	17
New	1	1	2	2	6
Off-site	0	0	1	0	1
Programs Withdrawn	0	0	0	0	0

Includes options inactivated/deleted, options added, titles changed, certificates added, programs combined.

INDEPENDENT INSTITUTIONS

	Certificate	Associate	Baccalaureate	Graduate	Total
Deleted	0	1	0	0	1
Inactivated	0	0	0	0	0
Other Program Changes*	0	0	0	0	0
New	3	0	2	0	5
Off-site	0	0	0	0	0
Programs Withdrawn	0	0	0	0	0

Includes options inactivated/deleted, options added, titles changed, certificates added, programs combined.

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Change of Location

1. Missouri Western State University will change the address for campus operations at Northland Campus Building 4, 6336 North Lucerne Avenue Kansas City, Missouri 64151 to the following:

Building 18
6364 North Cosby Avenue
Kansas City, MO 64151

Commentary:

University of Missouri-Columbia has requested the CBHE rescind their proposal to inactivate the program BA, Environmental Geology approved December 2012.

STATUTORY REFERENCE

Sections 173.005.2(1), 173.005.2(8), 173.005.11, 173.030(1), and 173.030(2), RSMo, Statutory requirements regarding CBHE approval of new degree programs.

RECOMMENDED ACTION

It is recommended that the Coordinating Board for Higher Education approve the program changes and new program proposals listed in the attachment.

ATTACHMENTS

Attachment A - Academic Program Actions

ACADEMIC PROGRAM ACTIONS

Under RSMo 173.005.11 and 6 CSR 10-10.010, out-of-state public institutions offering programs in Missouri are subject to an approval process similar to that for Missouri's public institutions of higher education. The CBHE must approve all programs before they are offered in Missouri.

I. Programs Discontinued

Linn State Technical College

1. Current program:

AAS, Computer Programming
 Accounting
 General
 Web Design

Approved change:

Delete option in Accounting

Program as changed:

AAS, Computer Programming
 Accounting (*deleted*)
 General
 Web Design

Missouri Western State University

1. Current program:

MAA
 Digital Media
 Integrated
 Convergent

Approved change:

Delete option in Digital Media

Program as changed:

MAA
 Digital Media (*deleted*)
 Integrated
 Convergent

II. Inactivated Programs

No actions of this type have been taken since the last board meeting.

III. Approved Changes in Academic Programs

Linn State Technical College

1. Current program:

AAS, Business Systems Specialist
Automated Accounting Systems
General
C1, Business Systems Specialist

Approved changes:

Change title of option in *Automated Accounting Systems* to *Accounting*

Addition of option:

Technical Specialty

Program as changed:

AAS, Business Systems Specialist
Accounting
General
Technical Specialty
C1, Business Systems Specialist

2. Current program:

AAS, Radiologic Technology

Approved change:

Change title of program to *Medical Radiologic Technology*

Program as changed:

AAS, Medical Radiologic Technology

3. Current program:

AAS, Construction & Civil Technology

Approved change:

Change title of program to *Civil Engineering Technology*

Program as changed:

AAS, Civil Engineering Technology

Missouri Western State University

1. Current program:

BFA, Studio Art

Approved change:

Addition of option
Art Therapy

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Program as changed:

BFA, Studio Art
Art Therapy

2. Current program:

BS, Manufacturing Engineering Technology
Bio-Manufacturing
Technical Graphic Design

Approved change:

Change title of option from *Technical Graphic Design* to *Design & Technical Graphics*

Program as changed:

BS, Manufacturing Engineering Technology
Bio-Manufacturing
Design & Technical Graphics

Missouri University of Science & Technology

1. Current program:

N/A

Approved change:

Addition of free-standing single semester graduate certificate (GRCT), Model Based Systems Engineering

Program as changed:

GRCT, Model Based Systems Engineering

Ozarks Technical Community College

1. Current program:

AAS, Electronic Media Production

Approved change:

Addition of One-year certificate (C1), Electronic Media Production developed from approved existing parent degree

Program as changed:

AAS, Electronic Media Production
C1, Electronic Media Production

2. Current program:

AAS, Networking Technology

Approved change:

Addition of One-year certificate (C1), Networking Technology developed from approved

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existing parent degree

Program as changed:
AAS, Networking Technology
C1, Networking Technology

3. Current program:
N/A

Approved change:
Addition of free-standing single semester certificate (C0), Commercial Driving

Program as changed:
C0, Commercial Driving

Southeast Missouri State University

1. Current program:
BSED, Industrial Education

Approved change:
Change title of program to *Engineering Technology Education*

Program as changed:
BSED, Engineering Technology Education

University of Missouri-Columbia

1. Current program:
BA, Environmental Geology

Approved change:
Change title of program to *Geological Sciences*

Program as changed:
BA, Geological Sciences

2. Current program:
BS, Physics

Approved change:
Addition of option
Astronomy

Program as changed:
BS, Physics
Astronomy

University of Missouri-Kansas City

1. Current program:

BA, Communication Studies
 Film and Media Studies
 Interpersonal and Public Communications
 Journalism and Mass Communications

Approved change:

Change title of option from *Film and Media Studies* to *Film and Media Arts*

Program as changed:

BA, Communication Studies
 Film and Media Arts
 Interpersonal and Public Communications
 Journalism and Mass Communications

2. Current program:

MBA
 Entrepreneurship
 Finance
 General Management
 International Business
 Leadership and Change in Human Systems
 Management
 Marketing
 Supply Chain and Operations Management

Approved change:

Change title of option in *Leadership and Change in Human Systems* to *Leading and Managing People*

Program as changed:

MBA
 Entrepreneurship
 Finance
 General Management
 International Business
 Leading and Managing People
 Management
 Marketing
 Supply Chain and Operations Management

IV. Received and Reviewed Changes in Programs (Independent Colleges and Universities; includes Discontinued Programs and Programs Placed on Inactive Status)

Columbia College

1. Current program:

AS, Fire Service Administration

Approved change:

Delete program

Program as changed:

AS, Fire Service Administration (*deleted*)

2. Current programs:

BA, Business Administration

BS, Business Administration

Approved changes:

Addition of One-year Certificate (C1), Human Resource Management

Addition of One-year Certificate (C1), Management

Addition of One-year Certificate (C1), Marketing Management

Programs as changed:

BA, Business Administration

BS, Business Administration

C1, Human Resource Management

C1, Management

C1, Marketing Management

V. Program Changes Requested and Not Approved

No actions of this type have been taken since the last board meeting.

VI. New Programs Recommended for Provisional Approval

Effective July 1, 2011, the CBHE will give provisional approval to new academic programs. The MDHE will review the program five years from the date of its provisional approval. If this review indicates that the program is not performing as expected, the CBHE may recommend the termination of the program, unless there are compelling justifications (i.e., central to institutional mission; supports other programs; meets statewide needs) for continuing the program.

New Programs

Jefferson College

1.) C2, Radiologic Technology (*coll. with St. Charles Community College*)

Missouri Southern State University

1.) Master of Accountancy (MAcc)

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Traditional
Accelerated

Missouri State University—West Plains

- 1.) AS, Business

Missouri Western State University

- 1.) BA, International Studies
- 2.) BS, Philosophy

University of Central Missouri

- 1.) MS, Computer Science

Off-Site Programs

University of Central Missouri

- 1.) BS, Systems Engineering Technology (*coll. Metropolitan Community College and Lee Summit R-7 School District*) (*for delivery off-site and face-to-face at Central Summit Center Kansas City, Missouri*).

VII. New Programs Received and Reviewed (Independent Colleges and Universities)

Columbia College

- 1.) BABA, Healthcare Management
- 2.) BSBA, Healthcare Management

VIII. New Off-Site or Residency Centers

University of Central Missouri

- 1.) Whiteman Air Force Base, Education Services Building

AGENDA ITEM SUMMARY

AGENDA ITEM

Fees Charged to Out-of-State Public Institutions
Coordinating Board for Higher Education
February 7, 2013

Among other things, House Bill 1042 gave the Coordinating Board for Higher Education the authority to charge and collect fees from out-of-state public institutions to cover the costs of reviewing and assuring the quality of programs offered by out-of-state public institutions. The agenda item provides background information regarding the statutory changes and seeks approval to adopt revisions to the administrative rule governing out-of-state public institutions of higher education.

DESCRIPTION

The Coordinating Board for Higher Education has statutory authority to review and approve any out-of-state public institution of higher education wishing to offer degrees and courses within the state of Missouri. The CBHE is charged with assuring that out-of-state public institutions are evaluated in a manner similar to Missouri public higher education institutions and are held to standards no lower than what is expected of Missouri institutions.

In the past, very few out-of-state public institutions sought to offer degrees and courses in Missouri. That has changed dramatically in the past five years with the proliferation of distance education via the internet. Over the past two years the MDHE has authorized some 300 out-of-state public institutions to offer distance education in Missouri. This has resulted in increased staff time devoted to reviewing and processing the approvals.

The authority to charge and collect fees from out-of-state public institutions will greatly enhance the MDHE's ability to assure the quality of programs being offered by non-Missouri colleges and universities.

STATUTORY REFERENCE

RSMo 173.005.2.(12) (b) b. The coordinating board may charge and collect fees from out-of-state public institutions to cover the costs of reviewing and assuring the quality of programs offered by out-of-state public institutions.

RECOMMENDED ACTION

It is recommended that the Coordinating Board for Higher Education endorse the proposed revisions to 6 CSR 10-10.010, and direct the Commissioner of Higher Education to take all actions necessary to ensure the proposed revisions become effective as administrative rules as soon as possible.

ATTACHMENT(S)

Draft of proposed revisions to 6 CSR 10-10.010

Coordinating Board for Higher Education
February 7, 2013

Proposed revisions and additions are in underlined, bold and italics

Title 6—DEPARTMENT OF HIGHER EDUCATION
Division 10—Commissioner of Higher Education
Chapter 10—Out-of-State Public Institutions
6 CSR 10-10.010 Out-of-State Public Institutions

PURPOSE: This rule describes the requirements with which out-of-state public institutions that offer instruction in Missouri must comply.

(1) Definitions.

- A. Board or Coordinating Board or **CBHE**: The Coordinating Board for Higher Education created by section 173.005(2), RSMo.
- B. Course: A defined and unique educational offering with discrete objectives and requirements in support of a program, whether conducted in person, by mail, or through any telecommunication medium.
- C. Branch campus or branch: A geographically separate and permanent instructional facility that is derived from and controlled by its main campus. A branch campus may provide complete and distinct programs and employ unique or shared instructional and administrative personnel. A branch may produce and maintain its own institutional and student records.
- D. Certificate: Any award, including a diploma, that does not have a degree designation.
- E. Degree: Any award, earned or honorary, conferred with the designation of associate, baccalaureate, master, professional or professional development, specialist, or doctorate.
- F. **Distance education: Those education opportunities provided for credit by public out-of-state postsecondary institutions through on-line education services, as well as those opportunities provided for credit that postsecondary institutions provide outside their primary campus in multiple states. General term for any type of educational activity in which the participants are at a distance from each other--in other words, are separated in space. They may or may not be separated in time (asynchronous vs. synchronous).**
- G. Main campus: The primary instructional facility of a school, as so designated by the school. For accredited schools, the main campus is the one to which accreditation is directly conferred and from which other campus locations derive their accreditation.
- H. MDHE or **the department**: The Missouri Department of Higher Education created by section 173.005(1), RSMo.

- I. Offer: To enroll or seek to enroll anyone residing in the state of Missouri in a course or program beyond the high school level.
- J. **Online course: Any course offered over the Internet.**
- K. **Online course provider: An organization that provides courses that are offered over the Internet.**
- L. **Online education: A type of learning in which instruction and content are delivered primarily over the Internet. The term does not include printed-based correspondence education, broadcast television or radio, videocassettes, and stand-alone educational software programs that do not have a significant Internet-based instructional component. Used interchangeably with Virtual learning, Cyber learning, e-learning.**
- M. Out-of-state public institution of higher education: An educational institution as defined by section 173.005.11(a), RSMo.
- N. Physical presence: Any person or location within the state of Missouri where, from, or through which a school operates for the purpose of conducting an activity relating to postsecondary education, including the granting of certificates or degrees, Location is defined to include any address, physical site, electronic device, or telephone number within or originating from within the boundaries of the state of Missouri. Physical presence shall also mean a formally scheduled instructional interaction organized by or through a school taking place between two or more students and/or instructors within the state of Missouri.
- O. Program or program of instruction: A complete academic or vocational educational offering which fulfills the requirements for the awarding of a certificate or degree. A program may consist of one or multiple courses, and shall, upon satisfactory completion, fulfill an academic, occupational, or other training objective.
- P. Transcript or transcript record: A student's permanent educational record.

(2) No out-of-state public institution shall offer programs or courses in Missouri without receiving prior approval of the CBHE to do so. **This includes programs or courses offered face-to-face at locations within Missouri (including secondary schools) and through distance education.** Failure to seek and receive approval prior to the delivery of instruction and/or the enrollment of students shall be sufficient cause to deny approval to offer courses or programs. **Out-of-state public institutions shall be held to standards no lower than the standards established by the coordinating board for program approval and the policy guidelines of the coordinating board for data collection, cooperation, and resolution of disputes between Missouri institutions of higher education under this section.**

(3) Approval from the CBHE to offer programs or courses **at locations within the state of Missouri** shall be valid for a period of no more than three (3) years. **the out-of-state public**

institutions must provide annual data report concerning their operations in Missouri as specified by the MDHE.—During the period **of in which an institution is approved to offer programs or courses within the state of Missouri,** out-of-state public institutions must provide **an** annual data report concerning their operations in Missouri as specified by the MDHE.

Authorization from the CBHE to offer programs or courses through distance education shall be valid for a period of one year. During the period in which an institution is approved to offer distance education in Missouri, out-of-state public institutions must provide an annual data report concerning their operations in Missouri as specified by the MDHE.

(4) Degree Program Approval: As of July 1, 2008, the standards for approving degree programs of out-of-state public institutions will be substantially identical to the standards for Missouri public institutions of higher education, with the exception of the standards relating to program financing. The proposal components will be those required by the MDHE under the Policies and Procedures for the Review of Academic Program Proposals adopted by the CBHE on April 17, 1997, and standards for approval will be those specified in that policy.

(5) Course Approval: All courses offered by an out-of-state public institution that are not creditable toward a degree program approved by the MDHE for delivery in Missouri must meet, as determined by the MDHE, the following criteria in order to be approved by the CBHE:

(A). The course must be applicable to a recognized program offered by the delivering institution on its home campus;

(B). The course must be of adequate content and duration so as to be considered consistent with similar coursework offered on the institution's home campus or with coursework in the same subject area offered by other higher education institutions;

(C). The course must be taught by regular institutional faculty with educational and experiential qualifications that, in the judgment of the MDHE, are in excess of the level of the program to which the course is applicable;

(D). Students enrolling in the course must have access to adequate academic and student support services, including but not limited to advising, library, financial assistance, and technical assistance;

(E). Students enrolling in the course must have access to adequate information regarding the course content and objectives, all costs associated with enrollment, and the applicability of the course to degree programs offered by the delivering institution; and

(F) Courses offered by telecommunication means must have evidence of sufficient support from the home campus to ensure students have the means to achieve the stated objectives in a manner consistent with students enrolled on the home campus and must be aligned with the Principles of Good Practice for Distance-Learning/Web-Based Courses adopted by the CBHE on April 13, 2000.

(6) In order to be approved **to offer courses or programs at locations within the state of Missouri,** the applicant institution must:

(A) Provide documentation that the courses and programs offered by the institution in Missouri are included within the scope of accreditation currently granted by the institution's recognized accrediting body and any applicable programmatic accrediting agency; and

(B) Agree to comply with all CBHE policies relating to data collection, cooperation, and resolution of disputes.

(7) In order to be authorized to offer distance education in the state of Missouri, the applicant institution must:

(A) Provide documentation that the courses and programs offered by the institution in Missouri are included within the scope of accreditation currently granted by the institution's recognized accrediting body and any applicable programmatic accrediting agency; and

(B) Affirm in writing its compliance with the MDHE Principles of Good Practice for Distance Learning and Web-Based Course. (See <http://www.dhe.mo.gov/files/policies/policyforreview.pdf>)

(8) Fees.

(A) Certification Fee. No certificate of approval to operate shall be issued except upon payment of the prescribed certification fee.

1. The certification fee shall be computed on the basis of \$.0013 per one dollar of net tuition and fees income (excluding refunds, books, tools, and supplies), with a maximum of five thousand dollars (\$5,000) and a minimum of five hundred dollars (\$500) per school. Tuition and fees for schools that operate at two (2) or more locations within Missouri may be reported separately or be combined for all locations for purposes of computing the certification fee. The certification fee shall be computed on the basis of data submitted by the institution, subject to verification by the department.

2. The certification fee for a school upon initial certification to operate shall be computed on the basis of the estimate given in the application of the net tuition income for the first year of operation, except that the fee shall not be less than the minimum of five hundred dollars (\$500). The full initial certification fee shall be assessed whether the initial certification is for an entire or partial certification year.

3. The certification fee requirement for a branch campus operated in Missouri by an out-of-state public institution shall be computed solely on the basis of applicable tuition and fee income at the Missouri branch campus.

4. For a school having a certificate of approval for the sole purpose of recruiting students in Missouri, the net tuition used for the certification fee computation shall be only that paid, or estimated if initial, to the school by students recruited from Missouri and the fee shall be five hundred dollars (\$500) plus \$.0013 per one dollar of net tuition and fees income (excluding refunds, books, tools, and supplies) not to exceed five thousand dollars (\$5,000).

(B) Security Deposit. Each institution must file a security deposit with coverage consistent with the statutory requirements of section 173.612, RSMo.

1. The security deposit shall be executed on the prescribed form provided by the department for that purpose. The security deposit shall cover all facilities and locations of the school in the state of Missouri and shall clearly state that it covers the school and agents of the school.

2. Any bonding company must be approved by the Missouri Department of Insurance.

3. The amount of the security deposit shall be ten percent (10%) of the preceding year's gross tuition but, in no event, shall be less than five thousand dollars (\$5,000) nor more than one hundred thousand dollars (\$100,000), except that the school may deposit a greater amount at its own discretion.
4. The school may comply with the security deposit requirement through any of the following three (3) methods, at the discretion of the school: performance surety bond, irrevocable letter of credit, or cash bond secured by certificate of deposit.
5. The amount of the security deposit required must be computed and compliance verified with each annual application for certification. Written verification of compliance with the security deposit requirement of the authorizing statute must be presented prior to the issuance of a certificate of approval. Failure of a school to post and maintain the required security deposit may result in denial, suspension, or revocation of certification to operate or the school being placed on probation.
6. Any school that operates two (2) or more main campuses in the state may combine, or report separately, gross tuition for all locations for the purpose of determining the annual security deposit requirement. However, if the combined gross tuition calculates a security deposit requirement in excess of the one hundred thousand dollars (\$100,000) maximum, the gross tuition shall be reported separately, and the requirement calculated separately.
7. The security deposit requirement for a branch campus operated in Missouri by an out-of-state school shall be computed solely on the basis of applicable tuition and fee income at the Missouri branch campus.

(2) Fees.

- (A) Fees should be made payable to the Missouri Department of Higher Education.
- (B) All fees are non-refundable.
- (C) The following fees shall be paid:

1. Initial Application for Certification (to be credited toward the certification fee)
\$200
2. Initial Application for Exemption \$50
3. Application to Establish a Branch Campus \$100
4. Application to Establish an Extension Site \$50
5. New Program Review (Certificate) \$100
6. New Program Review (Associate) \$200
7. New Program Review (Bachelor and Graduate) \$500
8. Substantive Change Review (Certificate) \$50
9. Substantive Change Review (Associate) \$100
10. Substantive Change Review (Bachelor and Graduate) \$250
11. Change of Ownership, Name, Location \$100
12. Student Record Verification (per copy) \$10
13. Late Fee (per day) \$10
 - A. A late fee of ten dollars (\$10) per day, not to exceed a maximum of one thousand five hundred dollars (\$1,500), will be assessed on certified schools that fail to respond, within a reasonable timeframe to be stated in official correspondence, to the department's request for information or documentation related to recertification, grievances, department site visits or probation.
 - B. The late fee may be waived in whole or in part at the discretion of the department.

(7) (9) Nothing in this regulation shall be construed or interpreted so that students attending an out-of-state public institution of higher education are considered to be attending a Missouri public institution of higher education for purposes of obtaining student financial assistance.

*AUTHORITY: section 173.005, RSMo Supp. 2007. * 173.005. 1.(12) Original rule filed Dec. 17, 2007, effective June 30, 2008. *Original authority: 173.005, RSMo 1973, amended 1983, 1985, 1999, 2003, 2005, 2007.*

AGENDA ITEM SUMMARY

AGENDA ITEM

Proprietary School Certification Actions and Reviews
Coordinating Board for Higher Education
February 7, 2013

DESCRIPTION

All program actions that have occurred since the December 5, 2012, Coordinating Board meeting are reported in this item. In addition, the report includes information concerning anticipated actions on applications to establish new postsecondary education institutions, exemptions from the department's certification requirements and school closures.

STATUTORY REFERENCE

Sections 173.600 through 173.619, RSMo, Regulation of Proprietary Schools.

RECOMMENDED ACTION

This is an information item only.

ATTACHMENT

Proprietary School Certification Program Actions and Reviews

**Coordinating Board for Higher Education
Proprietary School Certification Program Actions and Reviews**

Certificates of Approval Issued (Authorization for Instructional Delivery)

Midwest Technical Institute
Springfield, Missouri

This private, for-profit school offers non-degree programs in medical and dental assisting, heating-ventilation-air conditioning, and welding. The school's mission is to "offer workforce training, and to provide graduates with the skills necessary to gain entry level employment in their chosen field." The school is a branch of the main campus located in Springfield, Illinois, and is accredited by the Accrediting Commission of Career Schools and Colleges (ACCSC).

Specialized Metalwork
Springfield, Missouri

This sole proprietorship offers a non-degree program in automotive paintless dent repair. The school's mission is to "provide comprehensive training in the field of Paintless Dent Repair" and the "students will...demonstrate the necessary knowledge, skills, and abilities required to be a professional PDR technician." The school is not accredited.

St. Luke's School of Diagnostic Medical Sonography
Kansas City, Missouri

This not-for-profit school offers a non-degree program in diagnostic medical sonography. The mission of the school is to develop within students a broad-based education in medical imaging. Graduates are eligible to take the National Registry Examination to become a Registered Diagnostic Medical Sonographer. Although the school is unaccredited, this program is accredited by the Commission on Accreditation of Allied Health Programs (CAAHEP), a recognized programmatic accrediting agency.

Certificates of Approval Issued (Authorization Only to Recruit Students in Missouri)

None

Applications Pending Approval (Authorization for Instructional Delivery)

Case Western Reserve University
Springfield, Missouri

The Francis Payne Bolton School of Nursing within this private, not-for-profit school proposes to offer a post-master's Doctor of Nursing Practice program. Through a cooperative agreement with Southwest Baptist University's Mercy College of Nursing and Health Sciences, the school will offer four of the required courses at Mercy College

with the remaining courses offered through a combination of online courses and residency sessions at the Cleveland, Ohio main campus. The mission of the school is to provide nursing education, research, clinical scholarship, and professional service. This school is accredited by the Higher Learning Commission of the North Central Association, and the DNP program is accredited by the Commission on Collegiate Nursing Education (CCNE), a recognized programmatic accrediting agency.

Midwest School of Health Careers
St. Louis, Missouri

This private, for-profit school proposes to offer non-degree programs for certified nurse assistants and certified medication technicians. The mission of the school is to provide skills training to help students develop marketable skills. This school is not accredited.

Applications Pending Approval (Authorization Only to Recruit Students)

Apollos University
Huntington Beach, California

This for-profit school proposes to recruit Missouri students for its online graduate degree programs in business and organizational management. The school will open an office in Missouri that will provide administrative support for enrolled students. The mission of the school is to provide education for non-traditional students seeking to increase their career advancement opportunities and enhance leadership skills. This school is accredited by the Distance Education and Training Council (DETC).

Exemptions Granted

Acts Ministry University
Ozark, Missouri

This not-for-profit institution, operated by Acts Ministry, Inc., was exempted as “a not for profit school owned, controlled and operated by a bona fide religious or denominational organization which offers no programs or degrees and grants no degrees or certificates other than those specifically designated as theological, bible, divinity or other religious designation.” This school is not accredited.

Applications Withdrawn

Fisher/Unitech 3DU
St. Peters, Missouri

Fisher Unitech, headquartered in Troy, Michigan, withdrew its application for certification to operate a proposed site in St. Peters, Missouri. The school has undergone revisions to its business plans and will submit a new application for certification.

IQ Career Systems
St. Charles, Missouri

IQ Career Systems withdrew its application for certification to operate. The school has revised its name to “IQ Learning Systems” and will submit an application for exemption from certification as an employer-sponsored training provider.

Kansas Siddhi Yoga Teacher Training
Kansas City, Missouri

Kansas Siddhi Yoga Teacher Training withdrew its application for certification to operate and will no longer offer teacher training.

Kennelwood School for Dog Trainers
St. Louis, Missouri

Kennelwood School for Dog Trainers withdrew its application for certification to operate due to revisions to its business plan.

Mental Health America of the Heartland
Kansas City, Missouri

Mental Health America of the Heartland withdrew its application for certification to operate due to personnel turnover and revisions to its business plan. The school intends to submit a new application for certification.

New Reflections
Kansas City, Missouri

New Reflections withdrew its application for certification to operate due to revisions in its program offerings, personnel, and overall business plan. The school intends to submit a new application for certification.

Sacred Body School for Clinical Massage
Ozark, Missouri

Sacred Body School for Clinical Massage withdrew its application for certification due to revisions in its business plan.

Applications Denied

Academy of Health Careers
St. Charles, Missouri

Academy of Health Careers submitted an initial application for certification on June 30, 2009 and proposed to offer training in medical assisting and massage therapy. The school

was denied certification on December 24, 2012 due to failure to comply with certification standards and failure to respond to requests for supplementary information in a timely manner.

Jackson County School of Dental Assisting
Raytown, Missouri

Jackson County School of Dental Assisting submitted an initial application for certification on October 19, 2009 and proposed to offer dental assistant training. The school was denied certification on January 4, 2013 due to failure to comply with certification standards and failure to respond to requests for supplementary information in a timely manner.

Joseph Business School
Kansas City, Missouri

Joseph Business School submitted an initial application for certification on August 2, 2011 and proposed to offer business and entrepreneurship training. The school was denied certification on January 4, 2013 due to failure to comply with certification standards and failure to respond to requests for supplementary information in a timely manner.

MyComputerCareer.com
St. Louis, Missouri

MyComputerCareer.com submitted an initial application for certification on February 17, 2010 and proposed to offer computer training. The school was denied certification on December 7, 2012 due to failure to comply with certification standards and failure to respond to requests for supplementary information in a timely manner.

New Heights College
St. Louis, Missouri

New Heights College submitted an initial application for certification on December 2, 2010 and proposed to offer allied health training. The school was denied certification on December 7, 2012 due to failure to comply with certification standards and failure to respond to requests for supplementary information in a timely manner.

Operating Engineers Local 148 Training & Education Center
St. Louis, Missouri

Operating Engineers Local 148 Training & Education Center submitted an initial application for certification on October 28, 2010 and proposed to offer stationary engineer training programs for the City of St. Louis. The school was denied certification on December 7, 2012 due to failure to comply with certification standards and failure to respond to requests for supplementary information in a timely manner.

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Private Daily Nursing
Kansas City, Missouri

Private Daily Nursing submitted an initial application for certification on September 2, 2008 and proposed to offer nurse assistant training. The school was denied certification on January 4, 2013 due to failure to comply with certification standards and failure to respond to requests for supplementary information in a timely manner.

TYUS Learning Center
St. Louis, Missouri

TYUS Learning Center submitted an initial application for certification on August 24, 2010 and proposed to offer nurse assistant training. The school was denied certification on December 7, 2012 due to failure to comply with certification standards and failure to respond to requests for supplementary information in a timely manner.

Westport Dental Careers
Kansas City, Missouri

Westport Dental Careers submitted an initial application for certification on January 13, 2011 and proposed to offer dental assistant training. The school was denied certification on December 7, 2012 due to failure to comply with certification standards and failure to respond to requests for supplementary information in a timely manner.

School Closures

None

AGENDA ITEM SUMMARY

AGENDA ITEM

Missouri College Application Week
Coordinating Board for Higher Education
February 7, 2013

DESCRIPTION

This agenda item introduces the concept of a Missouri College Application Week and requests approval to proceed with a pilot in the fall of 2013.

Background

Increasing college attainment is a common goal of politicians, policy makers, philanthropic organizations and educators across the United States. Consequently, states are employing a wide variety of tactics to help students access and complete a postsecondary education. One such effort being undertaken by a growing number of states is the implementation of a statewide college application campaign that focuses on helping low-income, first-generation and other underrepresented students apply to college. The goal of such campaigns is to provide high school seniors the opportunity and assistance they need to overcome barriers to college attendance. While special focus is placed on first-generation college students and those who might not otherwise consider postsecondary education, activities are made available to all interested students.

The American College Application Campaign is modeled after an approach developed in North Carolina and currently supported by the American Council on Education. Twenty-four states currently offer such programs, with new states joining each year. Each state organizes and implements its own programs, with various public and private entities assisting in organizing the effort. ACAC provides technical assistance, training and other support to states and territories. State college application campaigns typically designate a "College Application Week" in late fall and often design programs that are similar in concept to the College Goal Sunday program (marketed as FAFSA Frenzy in Missouri) that helps students apply for federal financial aid.

Missouri Pilot Program

As the MDHE considered the feasibility of implementing such a program in Missouri, formal and informal contacts were made with various education groups in the state as well as the Department of Elementary and Secondary Education to seek input and suggestions. Responses were universally positive and expressed support for the value of such an effort in assisting to meet our goals for educational attainment of Missouri citizens.

Given the current time and resource limitations, however, the MDHE does not believe it is feasible to initiate a full scale application week program during the first year of the project. Consequently, we propose to launch the project through a pilot effort in a small number of Missouri high schools in fall 2013. This approach will allow the MDHE to better manage the implementation process and ensure there are sufficient resources committed and available to the

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project to help ensure a successful initial year. In subsequent years, based on the experience gained through and dissemination of information about the pilot project, the MDHE plans to provide support and guidance for the expansion of the program into additional high schools each year. Based on the experience of other states, we anticipate a high level of interest among secondary and postsecondary institutions.

High school seniors at participating schools would complete Missouri college applications during the school day with assistance from school personnel and volunteers. For the pilot, the MDHE would work with high schools with which it has an existing college access relationship. This approach maximizes exposure to the college attendance message and complements marketing efforts across the entire state.

STATUTORY REFERENCE

N/A

RECOMMENDED ACTION

It is recommended that the Coordinating Board direct the Commissioner of Higher Education to take all actions necessary to affiliate Missouri with the American College Application Campaign and to implement a pilot college application week during fall 2013.

ATTACHMENT

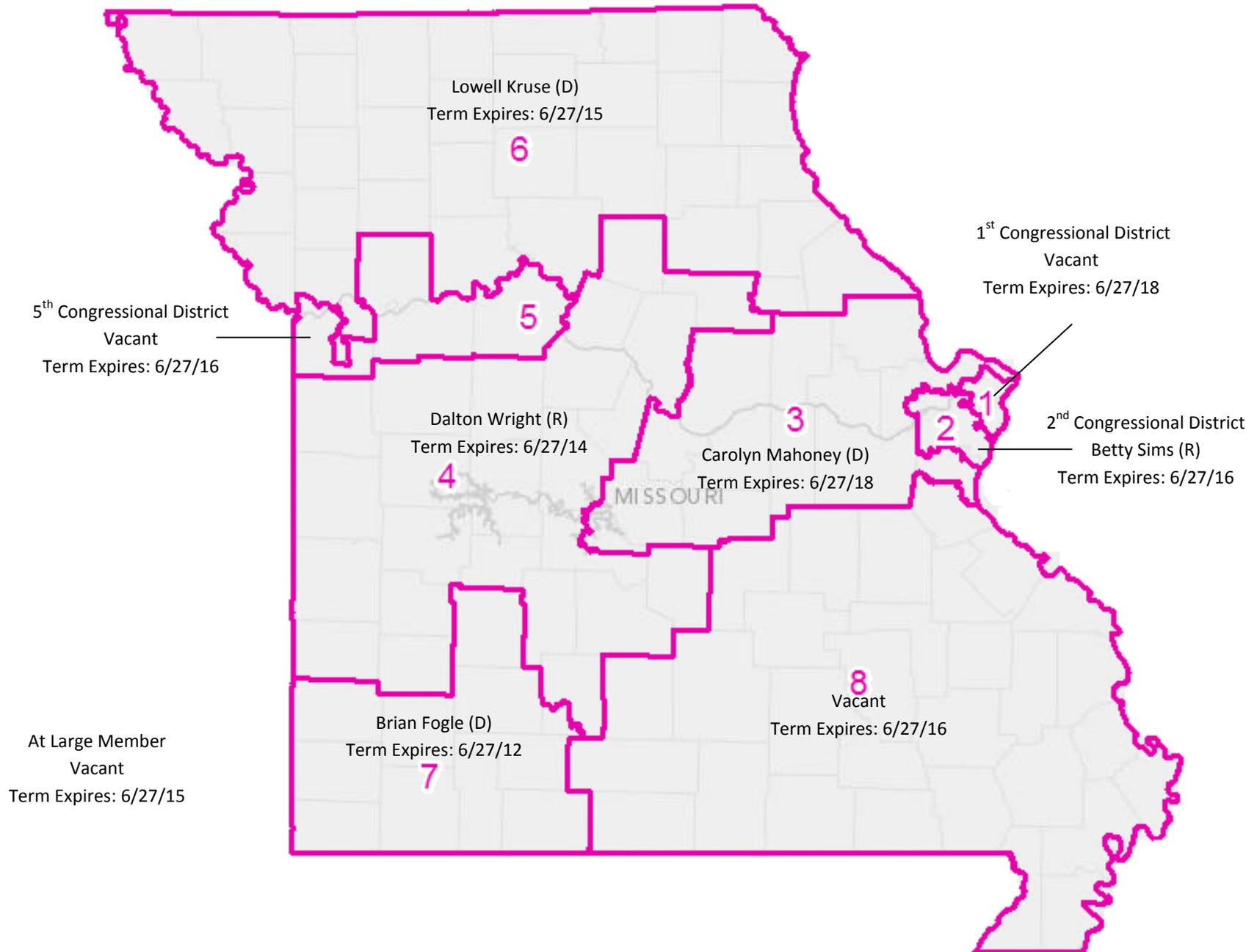
N/A

Coordinating Board for Higher Education Members by Congressional District

Missouri's Congressional Districts

District	Description or boundary	Population
1	St. Louis County (part of) and St. Louis City	748,616
2	Counties of Jefferson (part of), St. Charles (part of), St. Louis County (part of)	748,616
3	Counties of Jefferson (part of), Franklin, Gasconade, Maries, Osage, Cole, Callaway, Montgomery, Warren, Lincoln (part of), St. Charles County (part of), Miller, Camden (part of)	748,615
4	Counties of Audrain (part of), Randolph, Boone, Howard, Moniteau, Cooper, Morgan, Camden (part of), Hickory, Benton, Pettis, Johnson, Henry, St. Clair, Cedar, Dade, Barton, Vernon, Bates, Cass, Dallas, Laclede, Pulaski, Webster (part of)	748,616
5	Counties of Jackson (part of), Ray, Lafayette, Saline, Clay (part of)	748,616
6	Counties of Lincoln (part of), Audrain (part of), Ralls, Marion, Shelby, Lewis, Monroe, Knox, Clark, Scotland, Schuyler, Adair, Macon, Chariton, Linn, Sullivan, Putnam, Mercer, Grundy, Livingston, Carroll, Caldwell, Daviess, Harrison, Worth, Gentry, DeKalb, Clinton, Clay (part of), Jackson (part of), Platte, Buchanan, Andrew, Nodaway, Holt, Atchison	748,616
7	Counties of Jasper, Newton, McDonald, Lawrence, Barry, Stone, Taney, Christian, Greene, Polk, Webster (part of)	748,616
8	Counties of Ozark, Douglas, Wright, Texas, Howell, Oregon, Shannon, Dent, Phelps, Crawford, Washington, Jefferson (part of), Iron, Reynolds, Carter, Ripley, Butler, Wayne, Madison, St. Francois, Ste. Genevieve, Perry, Bollinger, Cape Girardeau, Scott, Stoddard, Mississippi, New Madrid, Pemiscot, Dunklin	748,616

Coordinating Board for Higher Education Members by Congressional District



STATUTORILY REQUIRED FUNCTIONS OF THE CBHE/MDHE

(as of May 31, 2011)

Fiscal

- Establish guidelines for appropriation requests by public 4-year institutions (§ 173.005.2(3))
- Approve a community college funding model developed in cooperation with the community colleges (§ 163.191.1)
- Submit an aggregated community college budget request (§ 163.191.1)
- Request appropriations based on number of students receiving Pell grants (§ 173.053)¹
- Oversee implementation of the Higher Education Student Funding Act (“Tuition Stabilization”), 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 public 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 university appropriation recommendations where prior need has been established in areas designated by the CBHE (§ 173.030(4))
- Request appropriations to match USAID funds for purposes of facilitating international student exchanges (§ 173.730)

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 in terms of labor force requirements (§ 173.020(2))
- Develop arrangements for more effective and more 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))
- Develop in cooperation with DESE a comprehensive assessment of postsecondary vocational technical education in the state (§ 178.637.2)²
- 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(8))
- Establish state and institution-specific performance measures by July 1, 2008 (§ 173.1006.1)
- Conduct institutional mission reviews every 5 years (§ 173.030(7))
- Review and approve applications from institutions for statewide missions (§ 173.030(8))
- Issue annual report to Governor and General Assembly (§ 173.040)
- Report to Joint Committee on Education (§ 173.1006.2)

¹ Requirement established in 1988 and required determining in that year the number of students then receiving maximum Pell grants and using that figure in subsequent year appropriation requests. Apparently, this has never been done.

² This was a one-time requirement to be completed by August 1996 in connection with the establishment of Linn State Technical College. There is no statutory requirement to keep the assessment updated.

Academic Programs

- Review public and independent academic programs and approve public programs (includes out-of-state coming to Missouri) (§§ 173.005.2(1) & (11))
- 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 (§ 163.191.4)
- Establish competencies for entry-level courses associated with an institution's general education core curriculum (§ 173.005.2(7))
- Determine extent to which courses of instruction in the Constitution of the U.S. and of MO and in American history should be required beyond high school and in colleges and universities (§ 170.011.1)
- Establish guidelines that facilitate transfer of students between institutions (§ 173.005.2(7))
- Administer the Studies in Energy Conservation Fund in collaboration with 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)
- Cooperate with the Department of Corrections to develop a plan of instruction for the education of offenders (§ 217.355)

Institutional Relationships

- Coordinate reciprocal agreements between or among institutions at the request of one or more of the parties (§ 173.030(5))
- Encourage cooperative agreements between public 4-year institutions that do not offer graduate degrees and those that do offer them for purposes of offering graduate degree programs on the campuses of the public 4-year institutions that do not otherwise offer graduate degrees (§173.005.2(2))
- Approve new state supported senior colleges or residence centers (§ 173.005.2(4))
- Establish admission guidelines consistent with institutional missions (§ 173.005.2(5))
- Establish guidelines to help institutions for institutional decisions relating to residence status of students (§ 173.005.2(6))
- Conduct binding dispute resolutions with regard to disputes among public institutions that involve jurisdictional boundaries or the use or expenditure of any state resources (§ 173.125)
- Impose fines on institutions that willfully disregard state policy (§ 173.005.2(10))
- 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 to govern all public institutions of higher education that do not have their own after January 1, 1992 (§ 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 state board of education (DESE) on the performance of graduates of public high schools in the state during the student's initial year in the public colleges and universities of the state (§ 173.750.1)
- Promulgate instructions and recommendations for implementing eye safety in college and university laboratories (§ 173.009)
- Exercise oversight of Linn State Technical College (§ 178.638)
- Establish standards for the organization of community colleges (§ 178.770)
- Approve establishment of community college subdistricts and redistricting (§ 178.820)
- Supervise the two-year community colleges (§ 178.780) to include:
 - Establishing their role in the state
 - Setting up the form of surveys to be used for local jurisdictions to use in 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
 - Making 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

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 Aid³

- 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 categories of employees permanently disabled or their spouses or children or survivors in the event of the employee’s death (§ 173.260.2 & .4)
- Administer the Marguerite Ross Barnett Competitiveness Scholarship Program for part-time students who work (need based) (§ 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 Missouri Prospective Teacher Loan Fund (§§ 168.580.4, .585 & .590)*
- Administer the Minority Teaching Scholarship Program (§ 161.415)
- Administer the Minority and Underrepresented Environmental Literacy Program (§ 173.240)
- *Administer the Missouri Educational Employees’ Memorial Scholarship Program for children of educational employees who died while employed by a MO school district (need based)*

³ Entries in italics historically have not had funds appropriated to them by the General Assembly and so require no ongoing activity by the department.

based; funded by voluntary donations from paychecks of employees of public school districts) (§ 173.267.4)

- *Administer the Higher Education Artistic Scholarship Program (§ 173.724.3)*
- *Administer the Higher Education Graduate Study Scholarship Program, for areas of study designated by the CBHE as it determines reflect manpower needs for the state (§ 173.727.3)*
- Administer the Advantage Missouri Trust Fund, which provides loans and a loan forgiveness program for students in approved educational programs who become employed in occupational areas of high demand in the state; responsibilities include annually designating occupational areas of high demand and the degree programs or certifications that lead to employment in those areas (§§ 173.775.2 & 173.781)
- Make provisions for institutions to award tuition and fee waiver 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)
- *Administer the Undergraduate Scholarship Program (for math and selected sciences and teacher education in math, science and foreign languages) (§ 173.198.1)*
- *Administer the Graduate Fellowship Program (for math, selected sciences and foreign languages) (§ 173.199.1)*
- Administer the Veteran's Survivor Grant (§ 173.234.1)
- Administer the Vietnam Veteran's Survivor Grant (§ 173.236.1)
- 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)

State Guaranty Agency under the Federal Family Education Loan Program⁴

- 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 1087-2), 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
 - Providing information to students and families on college planning, career preparation, and paying for college
 - Administering claims
 - Provide marketing and customer assistance
 - Compliance
- Provide information on types of financial assistance available to pursue a postsecondary education (§ 167.278)

⁴ As a result of provisions in the recently enacted Healthcare and Education Affordability Reconciliation Act, no new FFELP loans will be 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.

- 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 MO certificate or degree granting schools (§ 173.604.1)
- License and oversee some not-for-profit MO certificate or degree granting schools (§§ 173.604.1 & 173.616.1)
- License and oversee out-of-state higher education institutions offering instruction in MO (public out-of-state are exempt but go through program approval similar to in-state publics) (§§ 173.602 & 173.005.2(11)(b))
- License and oversee certain types of student recruitment by non-MO institutions (§ 173.602)
- Require annual recertification (§ 173.606.1)

Assignments in Statute to Serve on other State Boards

- MOHELA (both the commissioner and a CBHE member) (§ 173.360)
- Missouri Higher Education Savings Program (MOST) (§ 166.415.1)
- Missouri Workforce Investment Board (§ 620.511.3)
- Holocaust Commission (§ 161.700.3(1))
- Commission on Autism Spectrum Disorders (§ 633.200.3(6))
- Interagency Advisory Committee on Energy Cost Reduction & Savings (§ 8.843)
- Minority Environmental Literacy Advisory Committee (§ 173.240.7)
- Missouri Area Health Education Centers Council (§ 191.980)

Grants for Institutions/Faculty

- Administer the Nurse Education Incentive Program (§ 335.203)
- Administer the Improving Teacher Quality Grant Program (§§ 168.585(1), 173.050(2), Pub. Law 107-110, Title II of the Elementary and Secondary Education Act: The No Child Left Behind Act of 2001)
-