

SENATE BILL 389
IMPLEMENTATION UPDATE

Program	Description	Implementation Timeline		Current Status
Joint Committee on Education ("JCE")	The JCE's scope is expanded to include several components associated with higher education.	Immediate	MDHE will begin reporting to JCE on higher education issues	There are no current requests for information from the JCE.
		August 28, 2010	MDHE report on the impact of tuition stabilization to the JCE	
Missouri Teaching Fellows Program	Creates the Missouri Teaching Fellows Program, which will offer loan forgiveness and stipends to individuals who teach in unaccredited school districts. The program will be administered by the MDHE.	2007-08	First participants must be recruited	Senior staff is reviewing how to fulfill this obligation to publicize and recruit students into the program for fiscal year 2008 without the assignment of additional FTE or funding sources. The FY 2009 budget request includes funds to address this new position and additional outreach activities. Some limited publicity has been provided by the legislative sponsor of this measure and the MDHE has posted a program description and an information request form on its website. LINK: <i>Information about program:</i> http://www.dhe.mo.gov/moteachingfellows.shtml
		2013-2014	First loan forgiveness payments/stipends must be paid	
		September 1, 2014	Program sunsets (unless reauthorized)	
Transfer and articulation	Public institutions must work with the MDHE to establish agreed-upon competencies for all entry-level collegiate courses in key disciplines. The CBHE must establish policies to ensure transferability of core course credits.	2008-09 academic year	Competencies and guidelines must be implemented	Draft entry- and exit-level competencies from the discipline workgroups have completed public comment and review by the Steering Committee and are undergoing final revisions. Work has begun to develop cross-disciplinary competencies as well as a unifying structure for the competencies. The Steering Committee will develop a status report for review at the June 2008 board meeting. LINK: <i>Curriculum Alignment Initiative website:</i> http://www.dhe.mo.gov/casinitiative.shtml
Fines for non-compliance with CBHE rules and policies	Public institutions that willfully disregard CBHE policy can be fined up to 1% of their state appropriation.	August 28, 2007	Statute becomes effective	The policy on fining institutions that willfully disregard CBHE policy was approved at the February 2008 board meeting. That policy is now in effect. LINKS <i>Policy on Fines:</i> http://www.dhe.mo.gov/files/finesforwillfuldisregard.doc <i>All CBHE Public Policies:</i> http://www.dhe.mo.gov/files/cbhepublicpolicies_0208.doc
Out-of-state public institution standards	Out-of-state public institutions must be held to the same standards as Missouri institutions	July 1, 2008	Rules must be promulgated	Out-of-state public institutions will be exempt from proprietary school certification effective on July 1, 2008. Out-of- state publics will not be required to seek

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	for program approval, data collection, cooperation, and resolution of disputes.			<p>recertification for the 2008-09 certification year and their certificates of approval will be allowed to lapse on June 30, 2008. Notification of out-of-state public institutions currently approved as proprietary schools is complete. In addition, a proposed rule on this subject has been filed with the Secretary of State.</p> <p>LINKS <i>CBHE-approved rule:</i> http://www.dhe.mo.gov/files/outofstate_publicinst.doc <i>Missouri Register rule filing:</i> http://www.sos.mo.gov/adrules/moreg/current/2008/v33n2/v33n2b.pdf</p>
"No better than free"	No student shall receive need-based assistance that exceeds the student's cost of attendance. This does not include loans or merit-based aid.	August 28, 2007	Statute becomes effective	<p>Staff has provided ongoing guidance and technical assistance to institutional staff concerning the impact of this provision on Access Missouri awards. This has been accomplished through responses to individual inquiries, periodic electronic and regular mail contact, fall workshops, and presentations at financial assistance meetings.</p> <p>LINK: <i>Missouri Register rule filing:</i> http://www.sos.mo.gov/adrules/moreg/previous/2007/v32n23/v32n23a.pdf</p>
Binding dispute resolution	In order to receive state funds, public institutions must agree to submit to binding dispute resolution to address grievances about jurisdictional boundaries or the use or expenditure of state resources. The Commissioner of Higher Education will preside over the dispute resolution.	August 28, 2007	Statute becomes effective	<p>The board adopted a policy on this subject at its December 2007 meeting. That policy is now in effect.</p> <p>LINK: <i>Policy:</i> http://www.dhe.mo.gov/files/disputeresolution.doc</p>
Higher Education Academic Scholarship Program ("Bright Flight")	The existing Bright Flight scholarship is revised to include students whose ACT/SAT scores are in the top 3% to 5% of all Missouri test-takers. Scholarships awards are increased to \$3,000 for those in the top 3% and established at \$1,000 for the 3% to 5% range.	January 1, 2010	FAMOUS system changes must be completed	<p>Public materials (website and publications, etc.) have been revised to notify students of changes associated with the Bright Flight program. Although the process of developing a model for estimating the fiscal impact of this change has begun, the recent changes in score distributions and increases in the number of students taking the test has made this process particularly challenging. Analysis of whether an appropriation request will be needed to make the necessary changes to the FAMOUS system is under review. Work on rule changes and additional appropriation for program distribution has not yet begun.</p> <p>LINK: <i>Information about Bright Flight program:</i> http://www.dhe.mo.gov/brightflight.shtml</p>
		June/July 2009	Appropriation request for FY 2011 must be developed to include updated scholarship amounts	
		July 2010	Rule changes must be complete	
		August 2010	New scholarship award amounts become effective	
Lewis & Clark Discovery Initiative	Creates a fund into which MOHELA distributions will be deposited. LCDI may only	August 28, 2007	Statute becomes effective	MOHELA has made scheduled transfers totaling \$240 million. Institutions may request reimbursement for expenses incurred on approved projects on a monthly

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("LCDI")	be used for capital projects at public institutions or to support the Missouri Technology Corporation. Institutions that knowingly employ professors or instructors found guilty of certain crimes are ineligible to receive money through the LCDI.			<p>basis.</p> <p>According to the cash flow management schedule developed by the MDHE and the division of budget and planning, all projects under \$5 million may receive up to 100% reimbursement for FY 2008. For all other projects, reimbursements may total up to 80% of total appropriations between FY 2008 and FY 2009 combined, with an additional 10% available in FY 2011. Reimbursement payments totaling \$61.8 million have been made as of March 15.</p>
Higher Education Student Funding Act (also known as tuition stabilization)	Establishes limits on tuition increases based on each public institution's tuition in relation to the statewide average and CPI. Institutions exceeding the limits can be fined up to 5% of their state appropriation unless a waiver is sought and approved by the Commissioner of Higher Education. Community colleges are not subject to these limits unless their average tuition for out-of-district students exceeds the state average.	2008-09 academic year and each academic year in the future	CBHE must review data submitted by institutions about tuition changes and make determinations about any waivers sought	<p>The Higher Education Funding (HEF) Task Force's discussions have included the identification of goals for the amount of resources needed to deliver high quality education to students. This segment of a new funding policy will have direct implications for granting waivers to tuition limitations.</p> <p>In addition, the board approved a policy to implement the "tuition stabilization" portion of the law during a December 2007 meeting. That policy is now in effect.</p> <p>MDHE staff notified institutions that the percent change in the CPI during 2007 was 4.1%. The days on which institutions may notify the Commissioner what their tuition for the 2008-09 academic year is are February 1, March 1, May 1, and July 1. As of March 15, no institution has exceeded its statutory limit on tuition and fee increases.</p> <p>LINK: Policy: http://www.dhe.mo.gov/files/studentfundingact.doc</p>
Consumer information	The CBHE must promulgate rules and regulations to ensure that public institutions post on their websites academic credentials of all faculty (adjunct, part-time, and full-time); course schedules; faculty assignments; and, where feasible, instructor ratings by students; as well as which instructors are teaching assistants.	August 28, 2007	Statute becomes effective	<p>The board approved the filing of an administrative rule to implement these provisions of the new law at its October 11, 2007, meeting. The rule has been filed.</p> <p>The rule requires that institutions post general course information by August 1, 2008, and that institutions post faculty evaluations to inform students registering for fall 2009 classes.</p> <p>LINKS: CBHE-approved rule: http://www.dhe.mo.gov/files/consumerinformation.doc Missouri Register rule filing: http://www.sos.mo.gov/adrules/moreg/previous/2007/v32n23/v32n23a.pdf</p>
Performance measures	Institutions and the MDHE must develop institutional and statewide performance measures. The MDHE must report on progress developing statewide measures to	July 1, 2008	Performance measures must be established	The HEF Task Force will make recommendations on performance funding, which will have direct implications for performance measures. This task force has retained the services of nationally recognized higher education finance expert Brenda Albright. All sectors (Linn State, public two-year, and public four-year)

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	the Joint Committee on Education at least twice a year. The MDHE must develop a procedure for reporting the effects of performance measures to the Joint Committee on Education in an appropriate timeframe for consideration in the appropriation process.			<p>have submitted initial draft recommendations of the types of elements to be included as performance measures. Detailed work on the development of performance measures and potentially, related performance funding, has begun. The CBHE will receive a detailed update at its April 2008 meeting.</p> <p>LINK: HEF website: http://www.dhe.mo.gov/hef.shtml</p>
Access Missouri Financial Assistance Program	Establishes Access Missouri as the state's single need-based financial assistance program, to be administered by CBHE. Award ranges vary by institutional sector and expected family contribution ("EFC"). No student who is found or pleads guilty to certain criminal offenses while receiving financial aid is eligible for renewed assistance. In the event of budget shortfalls, the maximum award will be reduced across sectors; for surplus, the maximum EFC allowed will be raised. Assistance provided to all applicants from any other student aid program, public or private, must be reported to the CBHE by the institution and the recipient.	September 2007	Program must be administered and students will receive Access Missouri financial assistance	<p>Distribution of funds under the new Access Missouri program began on September 4, 2007. MDHE information materials about student financial assistance have been revised to include information about Access Missouri. The emergency administrative rule pertaining to Access Missouri is now in effect. A final rule has been filed using the standard promulgation process. Staff have begun the process to develop benchmark and performance measures intended to inform the periodic adjustment of award amounts and sunset processes.</p> <p>LINK: <i>Missouri Register rule filing.</i> http://sos.mo.gov/adrules/moreg/previous/2007/v32n22/v32n22a.pdf</p>
		August 2009 and every 3 years thereafter. Program will sunset at the end of FY 2013, unless reauthorized.	Award amounts may be adjusted to reflect inflation indicated by the CPI	

Date of most recent revision: 3.19.08