



Tab 1

Proposed Emergency Amendment to the A+ Scholarship Program Administrative Rule

Coordinating Board for Higher Education
February 15, 2022

INTRODUCTION

The Department of Higher Education and Workforce Development has received a number of inquiries and concerns about the ability of some students in the 2022 senior class to meet all of the existing A+ eligibility criteria because of the COVID-19 pandemic's lingering impact. This agenda item provides background information about and a proposed response to the issues being raised.

BACKGROUND

When the scholarship component of the A+ program was transferred to the then Department of Higher Education by Executive Order 10-16, Governor Nixon's office assembled a work group to review the program and make recommendations for its improvement. One of the primary issues considered by that work group was the postsecondary preparedness of A+ eligible high school graduates as evidenced by the number of those recipients who required remedial coursework. At that time, a direct resolution was not feasible because there was no consensus on the definition of remedial coursework and, as a result, there was considerable variation across institutions about what courses were identified as remedial. Work group members referenced recent research highlighting a positive correlation between the mastery of high school mathematics concepts and success in postsecondary education. After much discussion and consideration of options, the group recommended the addition of an eligibility requirement based on scoring proficient or advanced on the Algebra I end of course exam (EOC). In adopting that recommendation, the Coordinating Board expanded the requirement to include scoring proficient or advanced on any higher level mathematics end of course exam (Geometry or Algebra II) and other non-EOC options. This new requirement first became effective for the 2015 high school seniors.

CURRENT STATUS

The department has adjusted some student eligibility requirements for the A+ program for both the 2020 and 2021 high school seniors in response to the disruption caused by the COVID-19 pandemic. Although there were multiple accommodations, the waiver of the EOC provision has received the most attention. The decision to implement the waiver was primarily based on the Department of Elementary and Secondary Education's decision not to require end-of-course exams in 2020. Although DHEWD could have required students to use an alternative approach (ACT math sub-scores in combination with high school grade point average), there has been substantial disruption to ACT testing as well.

Those eligibility adjustments were authorized under the emergency declaration issued by Governor Parson in March 2020. With the expiration of that declaration on December 31, 2021, the authority to waive those regulatory requirements no longer exists.

Proposed Action

Because there are multiple cohorts of students that either were not required to take an EOC test or experienced issues with sitting for the tests, DHEWD staff believe it is appropriate to continue to provide this accommodation for the 2022 high school seniors. In the absence of the emergency declaration, the only mechanism available to accomplish this is an amendment of the administrative rule that governs the operation of the A+ Scholarship program. Because timing is crucial for these students, staff are requesting approval from the Coordinating Board to file an emergency rule amendment that will temporarily remove the end-of-course requirement for students graduating in 2022. Attached to this agenda item is the proposed amendment to that rule. If the emergency rule is approved by the Joint Committee on Administrative Rules and the Secretary of State, the emergency rule will become effective 10 days after it is filed and will remain in effect for 180 days.

The department reached out to multiple constituencies to gather feedback on the proposed change described above. The Missouri Community College Association has expressed support for the elimination of this requirement. In reaching out to individuals involved in A+ at both the secondary and postsecondary levels, all of the responses have been supportive of the temporary waiver for the 2022 high school seniors.

NEXT STEPS

While the emergency rule addresses the immediate issue for the 2022 seniors, there are longer term questions that need to be addressed. Both the 2023 and 2024 high school seniors are the students that were most impacted by the EOC disruption. For example, those were the students for whom the EOC testing requirement was completely waived. Given the temporary nature of the emergency amendment, there are two possible options for dealing with the need to waive the requirement for several additional years.

If the intent is to limit the waiver to these two additional cohorts of students, the department will need to pursue a permanent exclusion for all high school seniors through the 2023-2024 academic year. This is necessary because filing multiple emergency rules on the same subject is not permitted by the Secretary of State in order to ensure the process is not used inappropriately to avoid the requirements of the regular rulemaking process.

Alternatively, the requirement could be permanently eliminated. Since one of the driving factors in the establishment of this requirement was remedial coursework, it is important to understand that much has changed in the area of remedial education since 2010. While remediation rates for A+ eligible students dropped between 16 and 17 percent between 2014 and 2017, the rate for non-A+ students actually declined by between 17 and 19 percent over that same period. Consequently, it is difficult to attribute the A+ reduction in remediation to the implementation of the EOC requirement.

In addition, this requirement has been a barrier to A+ eligibility for many students including those entering skill based training for which the EOC requirement likely has limited applicability and those that struggle with testing anxiety. Removing this requirement would give those students better access to the program and to their postsecondary education plans.

Staff will continue to collect feedback on these permanent options and will bring a proposal to the Coordinating Board for a rule change at a future CBHE meeting.

RECOMMENDATION

Staff recommend that the Coordinating Board direct the Commissioner of Higher Education to take all steps necessary to file the attached proposed emergency amendment to the A+ Scholarship Program administrative rule with the Secretary of State at the earliest possible date.

ATTACHMENT

- Proposed Emergency Amendment to the A+ Scholarship Program Administrative Rule

Tab 1 Attachment

**Proposed Emergency Amendment to the A+ Scholarship Program
Administrative Rule**

New text is indicated by **bold/underline**.

3) Eligibility Policy

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

1. Attend an A+ designated high school or high schools for at least two (2) years prior to graduation and graduate from an A+ designated high school. Enrollment during the two (2) years in which the student was in attendance at one (1) or more A+ designated high schools must total a minimum of eighty percent (80%) of the instructional days required by the high school from which the student graduates. Interruptions in enrollment cumulatively totaling no more than twenty percent (20%) of instructional days in the two (2) years in which the student was in attendance at one (1) or more A+ designated high schools may occur consecutively or intermittently;

2. Make a good faith effort to first secure all available federal sources of funding that could be applied to the A+ Scholarship reimbursement;

3. Be a U.S. citizen or permanent resident;

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

5. 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;

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

7. Have performed fifty (50) hours of unpaid tutoring or mentoring, of which up to twenty-five percent (25%) may include job shadowing, prior to high school graduation, except—

A. When there are circumstances beyond a student's control, the high school may extend the time period for completing this requirement on a case-by-case basis, not to exceed six (6) months beyond high school graduation;

8. Beginning with the high school senior class of 2015 **but with the exception of the high school senior class of 2022**, meet one (1) of the following indicators of college preparedness, unless the A+ school district has met all of the Department of Elementary and Secondary Education's (DESE) 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. Meet other criteria established by the CBHE. The CBHE will develop these criteria in consultation with participating A+ institutions and A+ designated high schools and may revise these criteria annually;

9. Have maintained a record of good citizenship and avoidance of the unlawful use of drugs and/or alcohol while in grades nine through twelve (9–12). Student participation in the Constitution Project of

Missouri may be included in a student's record of good citizenship in accordance with the A+ designated high school's policy;

10. Be admitted as a regular student, enroll in an eligible program, 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 the student's 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;

11. Not be enrolled or intend to use the award to enroll in a course of study leading to a degree in theology or divinity;

12. Not have a criminal record preventing receipt of federal Title IV student financial aid;

13. Meet the institution's definition of 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, with the exception of cumulative grade point average (CGPA). The student must achieve a minimum CGPA of two (2.0) on a four-point (4.0) scale, or the equivalent on another scale, at the end of the fall semester for semester-based programs, or at the end of the initial payment period for non-semester based programs. The calculation of CGPA shall be based on the participating institution's policies as applied to other students in similar circumstances; and

14. For students that receive a positive net disbursement in a given term, maintain eligibility by meeting the following course completion standards. A course is considered complete if the student earns a standard grade for the course, including a failing grade but excluding a grade at withdrawal prior to completion:

A. Complete a minimum of twelve (12) semester credit hours in the fall or spring semester, six (6) credit hours in the summer term, or the equivalent, for students enrolled full-time in an eligible credit hour program. Students unable to satisfy the statutory minimum requirements for full-time status under the federal Title IV student financial aid programs as a result of a disability as defined by Title II of the Americans with Disabilities Act must complete a minimum of six (6) credit hours, or the equivalent, in any term;

B. Complete a minimum of ninety percent (90%) of the clock hours required for the federal payment period, for students enrolled full-time in an eligible clock hour program; or

C. Complete all of the hours in which the student is enrolled in a given term, for students enrolled less than full-time in accordance with subparagraphs (3)(A)10.A.–C. of this rule.