



Tab 13

Final Report on 2018 Legislative Session and Plan for Implementation of New Laws

Coordinating Board for Higher Education
September 12, 2018

BACKGROUND

The Second Regular Session of the 99th General Assembly began on January 3, 2018, and concluded on May 18, 2018. For bills that were truly agreed to and finally passed, the governor had until July 14, 2018, to sign or veto bills. Veto session begins on September 12, 2018. Unless otherwise noted within the bill, the effective date of the new laws was August 28, 2018.

CURRENT STATUS

The attachment entitled "Summary of the 2018 Legislative Session" outlines the bills that were passed by the legislature and signed by the governor. Of note, Governor Parson vetoed Senate Bill 894, which contained the computer science provisions previously reported on. The legislature will have the opportunity to override any of the governor's vetoes during veto session, which begins on September 12, 2018.

Relating to the new laws that took effect on August 28, 2018, MDHE staff have made significant progress implementing the various provisions. Specifically, the department has:

- Modified department information and its website to account for revisions to the A+ scholarship and Access Missouri financial aid programs, as well as the Public Safety Office and Employee's Child Survivor Grant program;
- Executed appropriate agreements with Western Governors University (WGU) and modified systems to ensure WGU has the necessary access to certify their students who qualify for the Access Missouri program;
- Used e-distribution notices and social media posts to highlight the revisions to the financial aid programs to raise awareness about the changes; and
- Drafted rule revisions for these programs that will be presented to the board at this meeting.

The attachment entitled "Plan for Implementation of New Laws" contains additional details about implementation of the new 2018 higher education-related laws.

NEXT STEPS

In the coming months, MDHE will continue to work on implementing the new laws. Specifically, the department plans to:

- Accept nominations for a representative of a public four-year institution of higher education to serve on the Career Readiness Course Task Force and appoint the representative by October 31, 2018 (House Bill 1606/§ 167.910,1(20) RSMo);
- Work with the Department of Economic Development to build reports necessary to satisfy the requirement that institutions publish career and salary information relating to each credential offered by a public institution of higher education and seek feedback from institutions about said reports (House Bill 1606/§ 173.1004.2, RSMo);
- Promulgate rule revisions as necessary for financial aid programs and finalize the revisions to the degree authorization approval rule (House Bill 1465/§ 173.005.2, RSMo; Senate Bill 807 & 577/§

173.005.2, RSMo, § 160.545.8, RSMo, § 173.1102, RSMo, § 173.260, RSMo; House Bill 1744/§ 160.545.8, RSMo, § 173.1102, RSMo; Senate Bill 603/§ 173.1102, RSMo; and Senate Bill 870/§ 173.260, RSMo);

- Work in consultation with the CBHE and public institutions of higher education to create a revised CBHE policy relating to the new Higher Education Student Funding Act tuition parameters and promulgate a rule based upon the revised policy (Senate Bill 807 & 577/§ 173.1003, RSMo).

RECOMMENDATION

This is an information item only.

ATTACHMENTS

- A. Summary of the 2018 Legislative Session
- B. Legislative Implementation Matrix

2018 SUMMARY OF THE LEGISLATIVE SESSION

Missouri Department of Higher Education



The Second Regular Session of the 99th General Assembly began on January 3, 2018, and concluded on May 18, 2018.



Veto session begins on September 12, 2018.



Number of bills filed: 2,328



Number of bills that were truly agreed to and finally passed: 142

The following bills affecting higher education were signed and will become law effective Aug. 28, 2018, unless otherwise noted:

HB 1465 (Rep. Steve Cookson, R-Poplar Bluff)

- The CBHE's authority to approve, disapprove, or provisionally approve new degree programs is outlined.
- Public community colleges and technical colleges can offer baccalaureate degrees for certain fields.
- The University of Missouri is the state's only public research university and exclusive grantor of research doctorates, doctor of philosophy degrees, and first-professional degrees in areas such as dentistry, law, medicine, optometry, pharmacy, and veterinary medicine.
- No state college or university can seek the land grant designation held by Lincoln University and the University of Missouri.
- Degrees in chiropractic, osteopathic medicine, podiatry, and engineering should be offered in collaboration with the University of Missouri, unless it declines to collaborate, in which case the public institution can seek approval from the CBHE to offer the program independently.

SB 882 (Sen. Denny Hoskins, R-Warrensburg)

- The Missouri Higher Education Savings Program is changed to the Missouri Education Savings Program to allow for funds in a 529 account to be used at elementary and secondary education institutions. 529 account funds can be transferred tax-exempt to a Missouri ABLE account.

HB 1879 (Rep. Lyndall Fraker, R-Marshfield)

- Public institutions of higher education are exempt from being required to follow the state purchasing laws outlined in Chapter 34 RSMo.

SB 990 (Sen. Dan Hegeman, R-Cosby)

- Community colleges can initiate attachment to a local school district, provided that a majority of its board of trustees approves such a plan and the community college district pays for the election. The plan must be introduced to voters of the school district and approved by a majority vote.

HB 2034 (Rep. Paul Curtman, R-Washington)

- Public institutions of higher education can engage in the study of the growth, cultivation, or marketing of industrial and agricultural hemp in collaboration with the Department of Agriculture so long as the proper registration and/or permit is obtained. Institutions of higher education are limited to areas of land up to 20 acres.

HB 1517 (Rep. Gail McCann Beatty, D-Kansas City)

- The legal counsel and designated keeper of accounts of public institutions that award baccalaureate degrees must submit a report to the general assembly outlining specified details of all settlements and judgments paid in the previous month from the state legal expense fund beginning September 30, 2018.

HB 1606 (Rep. Elaine Gannon, R-De Soto)

- The CBHE and the Department of Economic Development must provide specific career and salary information for each credential offered by a public institution of higher education. This information shall appear on the public institution's website and in the course catalog alongside its credential offerings, if the institution currently publishes a course catalog, on or before October 1, 2019.

SB 807 & 577 (Sen. Jay Wasson, R-Springfield)

- Various provisions relating to degree offerings at public institutions of higher education are modified and the CBHE's authority to approve, disapprove, or provisionally approve new degree programs is outlined. See HB 1465 for specific details.
- Public institutions of higher education are exempt from being required to follow the state purchasing laws outlined in Chapter 34 RSMo.
- A student's attendance does not have to occur in the three years immediately prior to graduation in order to be eligible for the A+ Schools Program.
- Community colleges are allowed to initiate the attachment to a local school district, provided that a majority of its board of trustees approves the plan and the community college district pays for the election. The plan will be introduced to voters of the school district and must be approved by a majority vote.
- Students attending virtual institutions meeting specified criteria are eligible to receive funds from the Access Missouri Financial Assistance Program.
- Public institutions of higher education must publish an annual report relating to mental health services provided on campus beginning with the 2020-2021 school year.
- The College Credit Disclosure Act is established, which requires higher education institutions that grant college level credit, but are not accredited by a federally recognized regional accreditor, to disclose such fact to students during the admission process. Institutions affiliated with a religious organization are exempt if a federally recognized faith-related accreditor accredits such institution.
- Students attending public institutions of higher education must score at least 70 percent on the Missouri Higher Education Civics Achievement Examination (50-100 questions similar to the United States citizenship exam) in order to graduate beginning July 2019.
- Public institutions of higher education may increase tuition by inflation plus an amount (no more than 5 percent) that would produce an increase in net tuition revenue no greater than the amount by which state operating support was reduced in the previous fiscal year.
- The list of professions of those whose children and spouses are eligible to receive a public safety officer or employee survivor grant from the CBHE is expanded to include air ambulance pilots, air ambulance registered professional nurses, air ambulance registered respiratory therapists, employees of the Office of the State Fire Marshal, and specified medical technicians.



HB 1268 (Rep. Donna Lichtenegger, R-Jackson)

- The Missouri Dental Board can issue a dental faculty permit to an individual who is employed by an accredited dental school, college, or program in Missouri. The holder of such permit is authorized to practice dentistry only within accredited dental school programs and only while engaged in teaching didactic courses, preclinical laboratories, and supervising student-delivered patient care.

HB 1744 (Rep. Jim Hansen, R-Frankford)

- A student's attendance does not have to occur in the three years immediately prior to graduation in order to be eligible for the A+ Schools Program beginning June 1, 2018.
- Community colleges are allowed to initiate the attachment to a local school district, provided that a majority of its board of trustees approves the plan and the community college district pays for the election. The plan must be introduced to voters of the school district and approved by a majority vote.
- Public institutions of higher education are prohibited from requiring students to purchase meal plans or dine at on-campus facilities when a student has presented medical documentation of a food allergy or sensitivity, or a medical dietary issue.
- Students attending virtual institutions meeting specified criteria are eligible to receive funds from the Access Missouri Financial Assistance Program.
- Missouri 529 account holders are allowed to retain tax exempt status when transferring funds from a 529 account to a Missouri ABLE account.

SB 603 (Sen. Bob Onder, R-Lake Saint Louis)

- Students attending virtual institutions meeting specified criteria can be eligible to receive Access Missouri funds.

SB 870 (Sen. Dan Hegeman, R-Cosby)

- The list of professions of those whose children and spouses are eligible to receive a public safety officer or employee survivor grant from the CBHE is expanded to include air ambulance pilots, air ambulance registered professional nurses, air ambulance registered respiratory therapists, employees of the Office of the State Fire Marshal, and specified medical technicians.

The following bill was vetoed:

SB 894 (Sen. Doug Libla, R-Poplar Bluff)

- The "STEM Career Awareness Program" is created to increase awareness among students in grades 6-8.
- Students can replace a math, science, or practical arts course with a computer science course provided that the student has taken all classes with a required end-of-course exam. DESE must cooperate with the CBHE to develop and implement computer science academic performance standards. Parents of students who take computer science in lieu of Algebra II must sign a waiver stating they understand the decision could have an adverse effect on college admission decisions.
- Taxpayers can apply for up to \$10,000 of their state tax liability transferred to the STEM fund so long as the taxpayer provides education benefits or internships to students majoring in a STEM field, or hires Missouri STEM graduates.

Tab 13 Attachment B
Legislative Implementation Matrix

PLAN FOR IMPLEMENTATION OF NEW LAWS
2018 NEW HIGHER EDUCATION-RELATED LAWS
ITEMS REQUIRING ACTION BY THE MDHE/CBHE

Bill	Subject	Description	Implementation			Next Steps
			Effective Date/Deadline	New Duties	Area Responsible	
Bills Passed in 2018						
HB 1465; SB 807 & 577	Degree authorization	Modifies various provisions relating to degree offerings at public institutions of higher education; outlines the CBHE's authority to approve, disapprove, or provisionally approve new degree programs.	August 28, 2018	Ensure that MDHE and CBHE procedures and practices relating to program approvals are consistent with new state law.	Academic Affairs	MDHE has undergone the rule revision process for the degree program approval administrative rule and expects the revised rule to take effect within the next few months. When new programs are proposed by institutions, MDHE will follow the new parameters outlined in statute.
HB 1606	Career and salary information	Requires the CBHE and DED to provide specific career and salary information for each credential offering offered by a public institution of higher education; the information must appear on the public institution's website and in the course catalog alongside its credential offerings, if the institution publishes a course catalog.	On or before October 1, 2019	Ensure that reporting is provided to the institutions that fulfills the requirements of the statute regarding graduate outcomes, or work with institutions to ensure that they are able to provide alternate data from other sources.	Data	By November 1, 2018, MDHE will work with DED to determine whether MoSCORES can be used to build reports with the needed information, or whether MDHE/DED staff will need to provide the data. By March 1, 2019, MDHE will provide draft reports to the institutions for the current year (2018-2019) for their review. MDHE staff will solicit additional feedback from institutions and provide reports to the institutions for the 2019-2020 academic year by September 15, 2019.
HB 1606	Career Readiness Course Task Force	Requires the Commissioner of Higher Education to appoint a representative of a public four-year institution of higher education to the Career Readiness Course Task Force, which is tasked with exploring the possibility of a course covering various topics to students in eighth or ninth grade	Before October 31, 2018	Ensure that Commissioner Mulligan appoints a representative.	Commissioner's Office	Commissioner Mulligan will announce that she is accepting nominations for the representative at the September 2018 CBHE meeting. After the call for nominations at the CBHE meeting, Commissioner Mulligan will send a follow-up email to the four-year presidents announcing that she is accepting nominations until September 30, 2018. A committee composed of staff from DHE, DWD, and DESE will select the representative from the list of nominations that Commissioner Mulligan receives.

Bill	Subject	Description	Implementation			Next Steps
			Effective Date/Deadline	New Duties	Area Responsible	
HB 1744; SB 807 & 577; SB 603	Access Missouri program	Modifies the Access Missouri financial assistance program by allowing students attending virtual institutions to be eligible for awards.	August 28, 2018	Ensure that MDHE procedures and practices relating to issuing Access Missouri awards are consistent with new state law.	Financial Aid	<p>The only virtual institution that currently meets the criteria outlined is Western Governors University (WGU). MDHE has executed the necessary agreements with WGU and has updated systems to ensure WGU has the appropriate access to certify their students who qualify. Furthermore, MDHE has updated the list of participating schools to include WGU and has updated the department's website accordingly.</p> <p>MDHE will propose rule revisions at the September 2018 CBHE meeting. MDHE will continue to work with WGU to ensure a smooth transition.</p> <p>*Note: students were eligible to receive funds beginning Fall 2018.</p>
HB 1744; SB 807 & 577	A+ scholarship program	Modifies the A+ scholarship program student eligibility by removing the requirement that a student's attendance occur in the three years immediately prior to graduation.	June 1, 2018 (due to emergency clause on HB 1744)	Ensure that MDHE procedures and practices relating to issuing A+ Scholarship awards are consistent with new state law.	Financial Aid	<p>MDHE has updated its website to account for the revised eligibility criteria. MDHE does not have any way of directly identifying students who these revisions impact; however, MDHE sent an e-distribution notice to those who elect to receive A+ Scholarship updates notifying them of the changes. MDHE posted on its social medial accounts about the revised criteria.</p> <p>MDHE will propose rule revisions at the September 2018 CBHE meeting. MDHE will continue to highlight the eligibility change when we do trainings/workshops on the A+ Scholarship Program to high school counselors and to financial aid personnel to ensure that impacted parties are aware of the revised eligibility criteria.</p> <p>*Note: students were eligible to receive funds beginning Fall 2018.</p>
SB 807 & 577	HESFA	Modifies the Higher Education Student Funding Act by allowing public institution of higher education to increase tuition by an amount (no greater than 5%) that would produce an increase in net tuition revenue no greater than the amount by which state	August 28, 2018	Ensure that MDHE and CBHE procedures and practices relating to tuition setting are consistent with the revised parameters.	Fiscal Affairs; Data; Commissioner	<p>MDHE will create a Chief Financial Officers Advisory Group, who will provide a recommendation to the CBHE regarding calculations for the allowable tuition increases under the new Higher Education Student Funding Act (HESFA) parameters. MDHE staff will present the recommendations at the September 2018 board meeting. If the CBHE agrees with the calculations, MDHE staff will work on a new draft CBHE HESFA policy. The</p>

Bill	Subject	Description	Implementation			Next Steps
			Effective Date/Deadline	New Duties	Area Responsible	
		operating support was reduced in the previous fiscal year.				draft policy will be presented to the Commissioner's Advisory Group on October 17, 2018. Once vetted through that group, MDHE will have the CBHE approve the new policy and will seek administrative rulemaking authority to promulgate the policy into a rule.
SB 870; SB 807 & 577	Public Safety Officer Survivor Grant	Expands the list of professions whose children and spouses are eligible to receive a public safety officer or employee survivor grant from the CBHE.	August 28, 2018	Ensure that MDHE procedures and practices relating to issuing the grant awards are consistent with new state law.	Financial Aid	MDHE has revised the application and sent to OA Forms Management for their approval. MDHE has updates its website to include the expanded list of professions that qualify and has sent an e-distribution notice to those who have signed up for the state financial aid list informing them of the added professions. MDHE posted on its social medial accounts about the added professions. MDHE will propose rule revisions at the September 2018 CBHE meeting.

2018 NEW HIGHER EDUCATION-RELATED LAWS
ITEMS NOT REQUIRING ACTION BY THE MDHE/CBHE

Bill	Subject	Description	Effective Date/Deadline	Notes
SB 882	Missouri Higher Education Savings Program	Changes the Missouri Higher Education Savings Program to the Missouri Education Savings Program to allow for funds in a 529 account to be used at elementary and secondary education institutions; allows funds in a 529 account to be transferred tax-exempt to a Missouri ABLE account.	August 28, 2018	This does not require action by MDHE.
SB 990; SB 807 & 577; HB 1744	Attachment of school districts	Allows community colleges to initiate attachment to a local school district.	August 28, 2018	This does not require action by MDHE.
HB 1268	Dental faculty permits	Allows the Missouri Dental Board to issue a dental faculty permit to individuals who are employed by an accredited dental school, college, or program in Missouri.	August 28, 2018	This does not require action by MDHE.
HB 1517	Legal expense fund	Requires the legal counsel and the designated keeper of accounts of public institutions that award baccalaureate degrees to submit a report to the general assembly outlining specified details of all settlements and judgments paid each month from the state legal expense fund.	By September 30, 2018	This does not require action by MDHE.
HB 1744	Missouri Higher Education Savings Program	Allows funds in a 529 account to be transferred tax-exempt to a Missouri ABLE account.	August 28, 2018	This does not require action by MDHE.
HB 1744	Meal plans	Prohibits public institutions from requiring students to purchase meal plans or dine at on-campus facilities when a student has presented medical documentation of a food allergy or sensitivity, or a medical dietary issue.	August 28, 2018	This does not require action by MDHE.
HB 1879; SB 807 & 577	Purchasing laws	Exempts public institutions of higher education from being required to follow the state purchasing laws outlined in Chapter 34 RSMo.	August 28, 2018	This does not require action by MDHE.
SB 807 & 577	College Credit Disclosure Act	Establishes the College Credit Disclosure Act, which requires non-accredited higher education institutions that grant college level credit to disclose their lack of federally recognized regional accreditation to students during the admission process.	August 28, 2018	This does not require action by MDHE.
SB 807 & 577	Mental health report	Requires public institutions of higher education to publish an annual report relating to mental health services provided on campus.	Beginning with the 2020-2021 school year	This does not require action by MDHE.
SB 807 & 577	Civics exam	Requires students attending public institutions of higher education to score at least 70% on the Missouri Higher Education Civics Examination in order to graduate.	July 2019	This does not require action by MDHE, although it will likely have an impact on CORE 42. MDHE has discussed this new requirement with the Council of Chief Academic

				Officers and has offered to help facilitate institutional discussion about implementation.
HB 2034	Industrial and agricultural hemp	Allows public institutions of higher education to engage in the growth, cultivation, and marketing of industrial and agricultural hemp in collaboration with the Department of Agriculture.	August 28, 2018	This does not require action by MDHE.