

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 152, Page 35, Section 166.456, Line 4, by inserting after all of said section and line
3 the following:
4

5 "166.461. 1. This section shall be known and may be cited as the "Show Me Child
6 Development Account Act".

7 2. As used in this section, the following terms mean:

8 (1) "Eligible educational institution", an institution:

9 (a) Of postsecondary education as defined in 20 U.S.C. Section 1002, as amended; or

10 (b) That offers a program of instruction:

11 a. Resulting in the award of a certificate, undergraduate degree, or other industry-recognized
12 credential; and

13 b. That has been designated by the coordinating board for higher education as preparing
14 students to enter an area of occupational shortage as determined by the coordinating board;

15 (2) "Parent", the parent, legal guardian, custodian, or other person having care and custody
16 over a qualified child;

17 (3) "Program", the Missouri children's development account program created in this section;

18 (4) "Program fund", the Missouri children's development account program fund created in
19 this section;

20 (5) "Qualified child":

21 (a) An individual born on or after January 1, 2022, and who is a resident of this state at the
22 time of birth and at the time that the scholarship grant is applied for or received; or

23 (b) An adoptee with a valid decree of adoption who was born on or after January 1, 2022,
24 whose adopting parent was a resident of this state at the time the decree of adoption was entered and
25 who is a resident at the time that the scholarship grant is applied for or received;

26 (6) "Qualified higher education expenses", the costs of tuition and fees and other expenses
27 for attendance at an eligible educational institution or a rollover to a qualified Missouri achieving a
28 better life experience program;

29 (7) "Scholarship grant", an amount not to exceed one hundred dollars provided to the parent
30 of a qualified child for qualified higher education expenses under this section that is deposited in a
31 savings account as provided in subsection 7 of this section.

32 3. There is hereby created the "Missouri Children's Development Account Program". The
33 program shall be administered by the state treasurer as provided in this section.

34 4. Upon receiving a certification of live birth in this state as provided in chapter 193, the
35 department of health and senior services shall notify the state treasurer and transmit any data related
36 to the child that the treasurer deems necessary for the administration of this section to determine

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whether the child is a qualified child. Such information shall include, but not be limited to, the child's:

- (1) Full name;
- (2) Date of birth;
- (3) Parent's full name; and
- (4) Parent's address.

5. (1) Upon receiving notification of a live birth and determining whether the child is a qualified child under this section, the state treasurer shall notify the parent of each qualified child about the program. The notification shall include an explanation of the program and the opportunity for the parent to exclude the qualified child from the program. Any qualified child who is not excluded by the parent shall be deemed to be enrolled in the program.

(2) For any information obtained from the department of health and senior services under this section, the state treasurer shall be subject to the same disclosure restrictions and confidentiality requirements that apply to the department. Any information obtained directly by the treasurer under this section shall be confidential, shall not be deemed a public record, and shall not be subject to the provisions of chapter 610.

6. (1) There is hereby created in the state treasury the "Missouri Children's Development Account Program Fund", which shall receive deposits, make disbursements, and be administered in compliance with the provisions of this section.

(2) Subject to appropriation and the availability of moneys in the program fund, moneys in the program fund shall be used to provide scholarship grants and to pay for personal service, equipment, and other expenses of the treasurer related to the administration of this section. Nothing in this section shall be construed to prevent the general assembly from making appropriations to the program fund from other permissible sources.

(3) Notwithstanding any other provisions of law to the contrary, moneys shall be deposited in the program fund and administered in accordance with the following provisions:

(a) On a daily basis, the state treasurer shall apportion any interest or other increment derived from the investment of funds in an amount proportionate to the average daily balance of funds in the state treasury. The treasurer shall use a method in accordance with generally accepted accounting principles in apportioning and distributing that interest or increment. After satisfying the requirements of section 30.605 and prior to distributing that interest or increment, the treasurer shall deduct the costs incurred by the treasurer in administering this section in proportion to the average daily balance of the amounts deposited to each fund in the state treasury. The treasurer shall then deposit the identified portion of the daily interest receipts in the program fund. All other remaining interest received on the investment of state funds shall be allocated and deposited to funds in the state treasury as required by law;

(b) The total costs for scholarship grants, personal service, equipment, and other expenses of the treasurer related to this section, exclusive of any personal service, equipment, and other expenses attributable to positions wholly dedicated to the functions described in chapter 447, and any banking fees and other banking-related costs, shall not exceed thirty-five basis points, or thirty-five-hundredths of one percent, of the total of the average daily fund balance of funds in the state treasury.

(4) Notwithstanding the provisions of section 33.080 to the contrary, moneys in the program fund shall not lapse to the general revenue fund at the end of the biennium.

(5) The provisions of this section shall not apply to the state road fund created in section 226.220, the motor fuel tax fund created in section 142.345, the state highways and transportation department fund created in section 226.200, the state transportation fund created in section 226.225, or the state road bond fund created in Article IV, Section 30(b) of the Constitution of Missouri.

7. (1) The state treasurer shall establish a separate savings account under sections 166.400

to 166.456, or through another means determined by the state treasurer, for each qualified child and shall deposit scholarship grants in such separate savings accounts or in a master account to be allocated to such separate accounts.

(2) Any separate savings account established under this subsection shall be exempt for purposes of determining eligibility for public assistance, provided that the federal rules for such programs permit such an exemption.

(3) Any amount in any separate savings account established under this subsection that is unused for qualified higher education expenses and remains in such savings account when the qualified child becomes thirty years of age shall revert to the program fund.

(4) The state treasurer may receive contributions from any person or legal entity to the account on behalf of and make grants to eligible children to pay for qualified higher education expenses.

8. The state treasurer may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be invalid and void.";

Further amend said bill, Page 64, Section 173.035, Line 26, by inserting after all of said section and line the following:

"173.831. 1. As used in this section, the following terms mean:

(1) "Academic skill intake assessment", a criterion-referenced assessment of numeracy and literacy skills with high reliability and validity as determined by third-party research;

(2) "Accredited", holding an active accreditation from one of the seven United States regional accreditors including, but not limited to, the Middle States Commission on Higher Education, the New England Association of Schools and Colleges, the Higher Learning Commission, the Northwest Commission on Colleges and Universities, the Southern Association of Colleges and Schools, the Western Association of Schools and Colleges, and the Accrediting Commission for Community and Junior Colleges, as well as any successor entities or consolidations of the above including, but not limited to, AdvancEd or Cognia;

(3) "Adult dropout recovery services", includes, but is not limited to, sourcing, recruitment, and engagement of eligible students, learning plan development, active teaching, and proactive coaching and mentoring, resulting in an accredited high school diploma;

(4) "Approved program provider", a public, not-for-profit, or other entity that meets the requirements of subdivision (2) of subsection 3 of this section or any consortium of such entities;

(5) "Average cost per graduate", the amount of the total program funding reimbursed to a provider divided by the total graduates for a cohort year;

(6) "Career pathways coursework", one or more courses that align with the skill needs of industries in the economy of the state or region that help an individual enter or advance within a specific occupation or occupational cluster;

(7) "Career placement services", services designed to assist students in obtaining employment such as career interest self-assessments and job search skills such as resume development and mock interviews;

(8) "Coaching", proactive communication between the approved program provider and the student related to the student's pace and progress through the student's learning plan;

- 1 (9) "Department", the department of elementary and secondary education;
- 2 (10) "Employability skills certification", a certificate earned by demonstrating professional
- 3 nontechnical skills through assessment, portfolio, or observation;
- 4 (11) "Graduate", a student who has successfully completed all of the state and approved
- 5 program provider requirements in order to obtain a high school diploma;
- 6 (12) "Graduation rate", the total number of graduates for the fiscal year divided by all
- 7 students for the fiscal year for whom the approved program provider has received funding,
- 8 calculated one fiscal year in arrears;
- 9 (13) "Graduation requirements", course and credit requirements for the approved program
- 10 provider's accredited high school diploma;
- 11 (14) "High school diploma", a diploma issued by an accredited institution;
- 12 (15) "Industry-recognized credential", an education-related credential or work-related
- 13 credential that verifies an individual's qualification or competence issued by a third party with the
- 14 relevant authority to issue such credentials;
- 15 (16) "Learning plan", a documented plan for courses or credits needed for each individual in
- 16 order to complete program and approved program provider graduation requirements;
- 17 (17) "Mentoring", a direct relationship between a coach and a student to facilitate the
- 18 completion of the student's learning plan designed to prepare the student to succeed in the program
- 19 and the student's future endeavors;
- 20 (18) "Milestones", objective measures of progress for which payment is made to an
- 21 approved program provider under this section such as earned units of high school credit, attainment
- 22 of an employability skills certificate, attainment of an industry-recognized credential, attainment of
- 23 a technical skills assessment, and attainment of an accredited high school diploma;
- 24 (19) "Program", the workforce diploma program established in this section;
- 25 (20) "Request for qualifications", a request for interested potential program providers to
- 26 submit evidence that they meet the qualifications established in subsection 3 of this section;
- 27 (21) "Student", a participant in the program established in this section who is twenty-one
- 28 years of age or older, who is a resident of Missouri, and who has not yet earned a high school
- 29 diploma;
- 30 (22) "Technical Skills Assessment", a criterion-referenced assessment of an individual's
- 31 skills required for an entry-level career or additional training in a technical field.
- 32 (23) "Transcript evaluation", a documented summary of credits earned in previous public or
- 33 private accredited high schools compared with the program and approved program provider
- 34 graduation requirements;
- 35 (24) "Unit of high school credit", credit awarded based on a student's demonstration that the
- 36 student has successfully met the content expectations for the credit area as defined by subject area
- 37 standards, expectations, or guidelines.
- 38 2. There is hereby established the "Workforce Diploma Program" within the department of
- 39 elementary and secondary education to assist students with obtaining a high school diploma and
- 40 developing employability and career technical skills. The program may be delivered in campus-
- 41 based, blended, or online modalities.
- 42 3. (1) Before September 1, 2022, and annually thereafter, the department shall issue a
- 43 request for qualifications for interested program providers to become approved program providers
- 44 and participate in the program.
- 45 (2) Each approved program provider shall meet all of the following qualifications:
- 46 (a) Be an accredited high school diploma-granting entity;
- 47 (b) Have a minimum of two years of experience providing adult dropout recovery services;
- 48 (c) Provide academic skill intake assessments and transcript evaluations to each student.
- 49 Such academic skill intake assessments may be administered in person or online;

1 (d) Develop a learning plan for each student that integrates graduation requirements and
 2 career goals;

3 (e) Provide a course catalog that includes all courses necessary to meet graduation
 4 requirements;

5 (f) Offer remediation opportunities in literacy and numeracy, as applicable;

6 (g) Offer employability skills certification or technical skills assessments, as applicable;

7 (h) Offer career pathways course work, as applicable;

8 (i) Offer preparation for industry-recognized credentials as applicable; and

9 (j) Offer career placement services, as applicable.

10 (3) Upon confirmation by the department that an interested program provider meets all of
 11 the qualifications listed in subdivision (2) of this subsection, an interested program provider shall
 12 become an approved program provider.

13 4. (1) The department shall announce the approved program providers before October
 14 sixteenth annually, with authorization for the approved program providers to begin enrolling
 15 students before November fifteenth annually.

16 (2) Approved program providers shall maintain approval without reapplying annually if the
 17 approved program provider has not been removed from the approved program provider list under
 18 this section.

19 5. All approved providers shall comply with requirements as provided by the department to
 20 ensure:

21 (1) An accurate accounting of a student's accumulated credits toward a high school diploma;

22 (2) An accurate accounting of credits necessary to complete a high school diploma; and

23 (3) The provision of course work aligned to the academic performance standards of the
 24 state.

25 6. (1) Except as provided in subdivision (2) of this subsection, the department shall pay
 26 approved program providers for the following milestones provided by the approved program
 27 provider:

28 (a) Two hundred fifty dollars for the completion of each half unit of high school credit;

29 (b) Two hundred fifty dollars for attaining an employability skills certification;

30 (c) Two hundred fifty dollars for attaining an industry-recognized credential or technical
 31 skills assessment requiring no more than fifty hours of training;

32 (d) Five hundred dollars for attaining an industry-recognized credential requiring at least
 33 fifty-one but no more than one hundred hours of training;

34 (e) Seven hundred fifty dollars for attaining an industry-recognized credential requiring
 35 more than one hundred hours of training; and

36 (f) One thousand dollars for attaining an accredited high school diploma.

37 (2) No approved program provider shall receive funding for a student under this section if
 38 the approved program provider receives federal or state funding or private tuition for that student.
 39 No approved program provider shall charge student fees of any kind including, but not limited to,
 40 textbook fees, tuition fees, lab fees, or participation fees unless the student chooses to obtain
 41 additional education offered by the program provider that is not included in the state-funded
 42 program.

43 (3) Payments made under this subsection shall be subject to an appropriation made to the
 44 department for such purposes.

45 7. (1) Approved program providers shall submit monthly invoices to the department before
 46 the eleventh calendar day of each month for milestones met in the previous calendar month.

47 (2) The department shall pay approved program providers in the order in which invoices are
 48 submitted until all available funds are exhausted.

49 (3) The department shall provide a written update to approved program providers by the last

1 calendar day of each month. The update shall include the aggregate total dollars that have been paid
 2 to approved program providers to date and the estimated number of enrollments still available for
 3 the program year.

4 8. Before July sixteenth of each year, each provider shall report the following metrics to the
 5 department:

6 (1) The total number of students who have been funded through the program;

7 (2) The total number of credits earned;

8 (3) The total number of employability skills certifications issued;

9 (4) The total number of industry-recognized credentials or technical skills assessments
 10 earned for each tier of funding; and

11 (5) The total number of graduates.

12 9. (1) Before September sixteenth of each year, an approved eligible program provider shall
 13 conduct and submit to the department the aggregate results of a survey of individuals who graduated
 14 from the program of the approved eligible program provider under this section. The survey shall be
 15 conducted in the year after the year in which the individuals graduate and the next four consecutive
 16 years.

17 (2) The survey shall include at least the following data collection elements for each year the
 18 survey is conducted:

19 (a) The individual's employment status, including whether the individual is employed full-
 20 time or part-time;

21 (b) The individual's hourly wages;

22 (c) The individual's access to employer-sponsored healthcare; and

23 (d) The individual's postsecondary enrollment status, including whether the individual has
 24 completed a postsecondary certificate or degree program.

25 10. (1) Upon the end of the second fiscal year of the program, the department shall review
 26 data from each approved program provider to ensure that each is achieving minimum program
 27 performance standards including, but not limited to:

28 (a) A minimum of a fifty percent graduation rate;

29 (b) An average cost per graduate of seven thousand dollars or less.

30 (2) Any approved program provider that fails to meet the minimum program performance
 31 standards described in subdivision (1) of this subsection shall be placed on probationary status for
 32 the remainder of the fiscal year by the department.

33 (3) Any approved program provider that fails to meet the minimum program performance
 34 standards described in subdivision (1) of this subsection for two consecutive years shall be removed
 35 from the approved provider list by the department.

36 11. (1) No approved program provider shall discriminate against a student on the basis of
 37 race, color, religion, national origin, ancestry, sex, sexuality, gender, or age.

38 (2) If an approved program provider determines that a student would be better served by
 39 participating in a different program, the approved provider may refer the student to the state's adult
 40 basic education services.

41 12. (1) There is hereby created in the state treasury the "Workforce Diploma Program
 42 Fund", which shall consist of any grants, gifts, donations, bequests, or moneys appropriated under
 43 this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170
 44 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and,
 45 upon appropriation, moneys in the fund shall be used solely as provided in this section.

46 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining
 47 in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

48 (3) The state treasurer shall invest moneys in the fund in the same manner as other funds are
 49 invested. Any interest and moneys earned on such investments shall be credited to the fund.

1 13. The director of the department may promulgate all necessary rules and regulations for
2 the administration of this section. Any rule or portion of a rule, as that term is defined in section
3 536.010, that is created under the authority delegated in this section shall become effective only if it
4 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
5 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the
6 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
7 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any
8 rule proposed or adopted after August 28, 2021, shall be invalid and void."; and
9

10 Further amend said bill by amending the title, enacting clause, and intersectional references
11 accordingly.