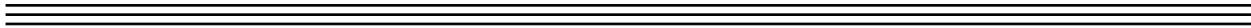




Rules of
Department of Higher Education
Division 10—Commissioner of Higher Education
Chapter 2—Student Financial Assistance Program

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**Title 6—DEPARTMENT OF
HIGHER EDUCATION
Division 10—Commissioner
of Higher Education
Chapter 2—Student Financial
Assistance Program**

**6 CSR 10-2.010 Institutional Eligibility for
Student Participation**
(Rescinded June 30, 2009)

AUTHORITY: section 173.210, RSMo 1994. Original rule filed June 9, 1978, effective Dec. 16, 1978. Amended: Filed Dec. 15, 1988, effective April 1, 1989. Rescinded: Filed Dec. 15, 2008, effective June 30, 2009.

**6 CSR 10-2.020 Student Eligibility and
Application Procedures**
(Rescinded June 30, 2009)

AUTHORITY: section 173.210, RSMo 2000. Original rule filed Aug. 7, 1978, effective March 17, 1979. Emergency amendment filed Sept. 13, 1979, effective Sept. 23, 1979, expired Jan. 11, 1980. Amended: Filed Sept. 13, 1979, effective March 13, 1980. Amended: Filed Dec. 16, 1988, effective April 1, 1989. Amended: Filed Jan. 10, 1990, effective April 16, 1990. Amended: Filed Jan. 12, 2007, effective July 30, 2007. Rescinded: Filed Dec. 15, 2008, effective June 30, 2009.

Missourians for Separation of Church and State v. Robertson, 592 SW2d 825 (Mo. App. 1979). A taxpayer may sue in his/her county of residence on a declaratory judgement action to have an administrative rule declared invalid on first amendment grounds.

**6 CSR 10-2.030 Eligibility to Participate in
the Missouri Student Loan Program**

PURPOSE: This rule is contained in the Common Manual, Unified Student Loan Policy, which is produced collectively by the Missouri Student Loan Program and all other guaranty agencies that administer the guaranteed student loan program. It establishes the policies for implementation and operation of the loan program for borrowers, schools, lenders, and third-party servicers.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of

State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

(1) The *Common Manual, Unified Student Loan Policy* establishes the guidelines and specifies the federal policies by which the Missouri Student Loan Program administers the guaranteed student loan program, including Stafford Loans, Parent Loans for Undergraduate Students (PLUS), Consolidated Loans, and Supplemental Loans for Students (SLS). These national policies standardize administrative processes and enhance default prevention procedures.

(2) The manual includes policies to be followed by schools, lenders and third-party servicers that participate in the guaranteed student loan program.

(A) The manual contains general program information relevant to student loan borrowers, such as available loan types, eligibility criteria, borrowing limits, repayment options, interest rates, disbursement methods, and default activities.

(B) For schools, the manual outlines all applicable federal policies, including topics such as institutional eligibility criteria, recordkeeping and verification requirements, compliance reviews, entrance and exit counseling requirements, loan certification, disbursement and delivery methods, cohort default rates, and limitation, suspension and termination.

(C) For lenders, the manual also outlines all applicable federal policies, including topics such as eligibility criteria, audits, disbursement and delivery methods, loan servicing, due diligence requirements, claim filing, compliance reviews, and limitation, suspension, and termination.

(D) The manual also contains applicable policies that third-party servicers must adhere to in administering the guaranteed student loan program on behalf of schools and lenders.

(3) The manual includes the standard forms necessary to the administration of the guaranteed student loan program.

(4) This rule incorporates by reference the full text of the material titled *Common Manual, Unified Student Loan Policy* in order to ensure consistent administrative processes

for all guaranteed student loan programs and enhance default prevention procedures.

AUTHORITY: sections 173.095, 173.100, 173.105, 173.110, 173.115 and 173.120–173.186, RSMo 2000. Original rule filed June 8, 1979, effective Nov. 11, 1979. Rescinded and readopted: Filed Oct. 11, 1983, effective Jan. 13, 1984. Amended: Filed Oct. 1, 1985, effective Jan. 12, 1986. Amended: Filed July 1, 1988, effective Oct. 1, 1988. Amended: Filed Dec. 13, 1991, effective April 9, 1992. Rescinded and readopted: Filed Nov. 26, 1996, effective June 30, 1997. Amended: Filed Oct. 27, 2000, effective April 30, 2001. Amended: Filed Nov. 1, 2001, effective April 30, 2002.*

**Original authority: 173.095, RSMo 1967, amended 1978; 173.100, RSMo 1967, amended 1978, 1981, 1988, 1994; 173.105, RSMo 1978, amended 1981, 1993, 1994; 173.110, RSMo 1967, amended 1978, 1981, 1994; 173.115, RSMo 1988; 173.120, RSMo 1967, amended 1978, 1982; 173.130, RSMo 1967, amended 1978; 173.141, RSMo 1981; 173.150, RSMo 1967, amended 1978, 1994; 173.160, RSMo 1967, amended 1978, 1981, 1994; 173.170, RSMo 1967, amended 1978, 1981, 1994; 173.180, RSMo 1967, amended 1978; and 173.186, RSMo 1986.*

6 CSR 10-2.040 Eligibility and Responsibilities of Educational Institutions to Participate in the Missouri Guaranteed Student Loan Program

(Rescinded January 13, 1984)

AUTHORITY: sections 173.105 and 173.160, RSMo 1978. Original rule filed June 8, 1979, effective Nov. 11, 1979. Rescinded: Filed Oct. 11, 1983, effective Jan. 13, 1984.

6 CSR 10-2.041 Limitation, Suspension and Termination of Educational Institution Eligibility in the Missouri Guaranteed Student Loan Program

(Rescinded January 13, 1984)

AUTHORITY: sections 173.105 and 173.160, RSMo 1978. Original rule filed June 8, 1979, effective Nov. 11, 1979. Rescinded: Filed Oct. 11, 1983, effective Jan. 13, 1984.

6 CSR 10-2.050 Eligibility and Responsibilities of Lenders to Participate in the Missouri Guaranteed Student Loan Program

(Rescinded January 13, 1984)



AUTHORITY: sections 173.105 and 173.160, RSMo 1978. Original rule filed June 8, 1979, effective Nov. 11, 1979. Rescinded: Filed Oct. 11, 1983, effective Jan. 13, 1984.

6 CSR 10-2.051 Limitation, Suspension and Termination of Lender Participation in the Missouri Guaranteed Student Loan Program

(Rescinded January 13, 1984)

AUTHORITY: sections 173.105 and 173.160, RSMo 1978. Original rule filed June 8, 1979, effective Nov. 11, 1979. Rescinded: Filed Oct. 11, 1983, effective Jan. 13, 1984.

6 CSR 10-2.060 Loan Origination and Servicing in Missouri Guaranteed Student Loan Program

(Rescinded January 13, 1984)

AUTHORITY: sections 173.105 and 173.160, RSMo 1978. Original rule filed June 8, 1979, effective Nov. 11, 1979. Rescinded: Filed Oct. 11, 1983, effective Jan. 13, 1984.

6 CSR 10-2.070 Missouri Prospective Teacher Loan Program

PURPOSE: The Missouri Prospective Teacher Loan Program permits the Coordinating Board for Higher Education to provide loans to Missouri residents who are enrolled full-time as upperclassmen at participating Missouri public or private institutions and who are enrolled in an approved teacher education program leading to qualifications necessary to obtain a teaching certificate. The program also allows the Coordinating Board for Higher Education to defer or forgive principal and interest payments for those who teach in areas of critical need as determined by the State Board of Education.

(1) Definitions.

(A) Academic year or the period of the loan shall mean August 1 of any year through July 31 of the following year.

(B) Applicant is anyone who applies to the coordinating board for a loan under the MPTLP and, unless the context clearly requires otherwise, includes renewal applicants.

(C) Approved standard student teaching block is a period of supervised teaching experience provided by the participating institution for the student applicant to teach and complete a required number of credit hours to earn a teaching certificate in his/her teacher education program.

(D) Approved teacher education program shall mean a formal course of instruction leading to qualifications necessary to obtain a teaching certificate in Missouri and which has been approved by the State Board of Education.

(E) Areas of critical need shall be areas defined by the State Board of Education which may be either geographic or teacher certification areas in Missouri.

(F) Award is the granting of a loan under the MPTLP by the coordinating board to an applicant.

(G) Borrower is an applicant who has received loan monies under the MPTLP.

(H) Coordinating board or board is the Coordinating Board for Higher Education (CBHE) created by section 173.005, RSMo.

(I) Fiscal year shall mean July 1 of any year through June 30 of the following year.

(J) Full-time student shall be defined as an undergraduate student enrolled in college courses with credit hours equivalent to full-time status as defined by the participating institution or enrolled and participating in an approved standard student teaching block as defined by the participating institution.

(K) Fund shall mean the Missouri prospective teacher fund established by section 168.580, RSMo.

(L) Grace period shall mean the six (6)-month period between graduation, withdrawal, transfer to a nonparticipating institution or reduction to less than half-time enrollment and the date repayment begins.

(M) Missouri Prospective Teacher Loan Program or MPTLP shall mean the teacher loan program provisions included in sections 168.550–168.595, RSMo.

(N) Need shall mean the difference between the financial resources available to an applicant as determined by the coordinating board, and the applicant's cost of education (tuition, fees, room, board, books, supplies, transportation and other reasonable expenses) while attending a participating institution.

(O) Nonparticipating institution is an institution which falls outside the definition of a participating institution.

(P) Participating institution shall be a public or private Missouri institution offering an approved teacher education program and which has signed an agreement with the coordinating board to participate in the MPTLP.

(Q) Renewal applicant is a borrower who received funds under the MPTLP the prior academic year and who makes an accurate application for another loan under the MPTLP and who continues to meet the eligibility criteria.

(R) Resident of the state of Missouri is any person who meets the residency rule set forth by the coordinating board, 6 CSR 10-3.010.

(S) Satisfactory academic progress is an estimate made and certified by the participating institution, according to the institution's policies, regarding the student's rate of completion of study objective (degree or certificate).

(T) State Board of Education or state board is the State Board of Education as established in section 161.022, RSMo and includes the Department of Elementary and Secondary Education established in section 161.012, RSMo.

(U) Teaching certificate shall mean a certificate of license for any person to teach in the public schools of Missouri as granted by the State Board of Education under the rules prescribed by the state board.

(2) Student Borrower Qualifications and Responsibilities. To be eligible for an award under the MPTLP, an applicant must meet the following conditions:

(A) Be a citizen or a permanent resident of the United States;

(B) Be a resident of Missouri;

(C) Be enrolled as a full-time undergraduate student in an approved teacher education program at a participating institution for the period of the loan or be enrolled and participating in an approved standard student teaching block as defined by the participating institution for the period of the loan;

(D) Have completed the equivalent number of college credit hours to be classified in junior status or above as determined by the participating institution but not have earned and completed one hundred fifty (150) semester credit hours nor have earned a previous baccalaureate degree;

(E) Be evaluated on an entry level test and obtain a satisfactory rating prior to admission to an approved teacher education program in accordance with section 168.400.2, RSMo;

(F) Demonstrate need for the loan amount requested as recommended by the participating institution in the institution's section of the MPTLP application;

(G) Intend to obtain a teaching certificate under the rules prescribed by the State Board of Education;

(H) Maintain a cumulative grade point average in college credit of no less than 3.0 on a 4.0 scale or the equivalent determined by the coordinating board;

(I) Be in good standing and maintain satisfactory academic progress in his/her course of study, according to standards determined by the participating institution;



(J) Not be in default on other previous educational loans and not owe a refund or a repayment on other Title IV financial assistance programs included in the Higher Education Act of 1965;

(K) Complete the student borrower's section of the MPTLP application, MO 555-0041 (1-86), including the borrower's Social Security number subject to the provisions of section 7 of P. L. 93-579; and

(L) Execute and deliver to the coordinating board a signed promissory note in accordance with these rules. The signed promissory note constitutes the loan contract required under section 168.570, RSMo and must be received by the coordinating board before the applicant's award can be sent to the participating institution.

(3) Responsibilities of Participating Institutions.

(A) Participating institutions shall meet the following requirements:

1. Be a public or private institution located in Missouri;

2. Be accredited by either the North Central Association of Colleges and Secondary Schools, by other accrediting bodies recognized by the United States Department of Education or be approved by the State Board of Education pursuant to section 161.097, RSMo;

3. Admit only those students having a certificate of graduation from a school providing secondary education or the recognized equivalent of that certificate;

4. Offer an approved teacher education program for enrolled students to obtain a teaching certificate as defined by the state board;

5. Establish fair and equitable refund policies covering tuition, fees, and where paid to the school, room and board charges;

6. Sign the Agreement for Educational Institution Participation in the MPTLP as provided by the coordinating board;

7. Retain, pursuant to the provisions under this rule, MPTLP records for five (5) years and systematically organize records to be made readily available for review upon request by the coordinating board; and

8. Complete the institution's section of the MPTLP application, MO 555-0041 (1-86), to verify the student's eligibility for the MPTLP and send to the coordinating board by June 1 of the current processing year.

(B) When the participating institution receives the MPTLP funds for the awards made by the coordinating board, the participating institution must comply with the following:

1. Determine if the applicant is enrolled full-time making satisfactory academic progress in his/her course of study, according to standards determined by the participating institution;

2. Do not obtain an applicant's authorization as an instrument of endorsement for the disbursement of funds on the applicant's behalf;

3. Deliver the MPTLP funds to the applicant in the amount awarded to that applicant by the coordinating board and obtain the applicant's endorsement, retaining the portion of the award which the applicant owes for the cost of education (tuition, fees, room, board, books, supplies, transportation and other reasonable expenses) to that particular participating institution and promptly give the applicant any remaining funds;

4. Inform the coordinating board of changes in the applicant's enrollment status, graduation date(s) and last known address by promptly completing and returning enrollment verification reports to the coordinating board. Enrollment verification reports are to be submitted two (2) times during the academic year: one (1) in October and one (1) in March;

5. Notify the coordinating board directly about the applicant's status change within sixty (60) days of the participating institution becoming aware of the change if the institution does not expect to submit the next enrollment verification report within the next sixty (60) days;

6. Must notify if the applicant to whom an award has been made has not enrolled full-time, or has indicated that s/he does not plan to enroll full-time, the coordinating board and return the applicant's check within thirty (30) days of learning these facts;

7. Shall be responsible for the repayment of any loan funds sent to it by the coordinating board in the following instances:

A. The participating institution delivers funds to an applicant not eligible under the MPTLP if the award was based on erroneous, improper or misleading information provided by the participating institution to the coordinating board; or

B. The participating institution delivers the MPTLP funds to a person other than one to whom the coordinating board has directed the funds be delivered; and

8. Determine and calculate the amount of refunds to the coordinating board based on the refund formula of the participating institution.

(4) Application and Evaluation.

(A) The coordinating board annually shall prescribe the form of and the time and

method for filing applications under the MPTLP.

(B) An application for assistance under the MPTLP shall be made annually by the applicant upon the form prescribed by the coordinating board.

(C) The application shall be divided into three (3) separate sections. The application will be completed in the following order according to the section name:

1. Student Applicant;

2. Student Financial Aid Office of the participating institution; and

3. Coordinating Board for Higher Education.

(D) Applicants will be evaluated by the coordinating board according to the eligibility criteria under the provisions of this rule and the information submitted by the participating institution on the completed application and on any other information received by and deemed reliable by the coordinating board.

(E) The completed MPTLP application must be received by the coordinating board on or before June 1 of the current processing year in order to be considered on time and to have priority consideration.

(5) MPTLP Award Limits and Criteria.

(A) For the Fiscal Years 1987, 1988 and 1989, the maximum loan amount for each applicant per academic year shall be one thousand dollars (\$1,000), not to exceed five hundred dollars (\$500) per school term.

(B) The fourth and each subsequent year in which loans are made under the MPTLP, the coordinating board shall determine the maximum amount for loans to eligible applicants in each academic year.

(C) The minimum award amount for each applicant per academic year shall be five hundred dollars (\$500), not to exceed two hundred fifty dollars (\$250) per school term.

(D) The loan amount recommended by the participating institution shall not exceed the cost of education (tuition, fees, room, board, books, supplies, transportation and other reasonable expenses) less any financial aid and other resources available to the applicant or the annual loan limits.

(E) Funds under the MPTLP shall be awarded to applicants who otherwise qualify under this rule in the following order until all the funds have been expended. Class levels shall be defined by the participating institutions.

1. Renewal applicants who are obtaining a teaching certificate in an area of critical need.



2. Nonrenewal applicants classified as seniors who are obtaining a teaching certificate in an area of critical need.

3. Nonrenewal applicants classified as juniors who are obtaining a teaching certificate in an area of critical need.

4. Renewal applicants who are obtaining a teaching certificate in an area of noncritical need.

5. Nonrenewal applicants classified as seniors who are obtaining a teaching certificate in an area of noncritical need.

6. Nonrenewal applicants classified as juniors who are obtaining a teaching certificate in an area of noncritical need.

(F) If the amount of MPTLP funds available to award for loans is insufficient to award the loan amount recommended by the participating institution, for each and all of those applicants who qualify for MPTLP funds from all the participating institutions, the qualified applicants with the highest cumulative grade point average shall have priority in receiving awards within the priority groups described in subsection (5)(E).

(G) An applicant shall have advanced to the next class level in order to be eligible for a subsequent loan under the MPTLP and the applicant shall receive only one (1) award under the MPTLP for each eligible class level of enrollment at the participating institution.

(H) The annual award amount will be disbursed equally according to the number of semesters at the participating institution and awarded for each semester of enrollment.

(I) An award(s) will not be made for the periods of enrollment during the summer term(s).

(J) An applicant or borrower may change his/her participating institution choice prior to registration and may transfer between participating institutions during the academic year. The deadline for these actions is August 1 for the fall semester and January 1 for the winter or spring semester. Failure to notify the coordinating board of these actions may result in loss of the award.

(K) Award notifications and promissory notes forms will be sent to applicants by the coordinating board once the awards have been determined. Notifications of awards also will be sent to the student financial aid office at the participating institution where the applicant plans to or has enrolled.

(L) The applicant's award will be sent to the participating institution to be endorsed by the applicant in accordance with the requirements of subsection (3)(B) of this rule.

(M) Should a borrower withdraw prior to the end of the participating institution's refund period for the period of the loan, then a refund shall be calculated and made to the

coordinating board by the participating institution within forty (40) days from the day on which the borrower withdraws. The amount of the refund will be calculated by the participating institution based on the refund formula of that institution. The coordinating board may refuse to award loans to applicants who attend participating institutions which fail to make timely refunds to the coordinating board.

(N) Interest shall be calculated on the total amount borrowed at the time repayment is required to begin. The interest rate shall be calculated at ten percent (10%) simple interest with daily accrual on the total unpaid principal balance.

(O) If after making all the awards to those applicants whom the coordinating board finds qualified under these rules, there remains money in the fund, the coordinating board shall not be required to award those unexpended funds.

(6) Grace Period.

(A) A borrower shall be allowed a one (1)-time six (6)-month grace period following graduation, withdrawal, transfer to a nonparticipating institution, or reduction to less than half-time status at the participating institution before repayment must begin.

(B) The grace period begins when a borrower graduates, transfers to a nonparticipating institution or reduces his/her academic load to less than half-time enrollment as determined by the participating institution.

(C) The grace period terminates on the first day of the seventh month after the borrower graduates, withdraws, transfers to a nonparticipating institution or ceases half-time enrollment. No extensions of the grace period shall be allowed.

(D) The grace period, for all borrowers who enter into a contract with a Missouri public elementary or secondary school in an area of critical need, shall be the length of time between graduation from an approved teacher education program and the effective date of the contract in the area of critical need or six (6) months, whichever is less. For borrowers not teaching in an area of critical need or not entering teaching, the grace period for the MPTLP shall be six (6) months following graduation from an approved teacher education program.

(E) Nonattendance or enrollment in any school or participating institution for less than half-time status during the summer months does not affect the grace period.

(F) The borrower can waive any or of his/her grace period and begin repayment early. The borrower must so inform MPTLP

in writing. Once the borrower has waived the grace period, it cannot be reinstated.

(7) Repayment.

(A) Repayment shall begin at the end of the allowed grace period.

(B) The coordinating board will mail the repayment schedule to the borrower during the grace period of the MPTLP.

(C) The first payment must be made by the borrower no later than the last day of the seventh month after the borrower graduates, withdraws, transfers to an ineligible nonparticipating institution or ceases half-time enrollment.

(D) The minimum payment amount shall be thirty dollars (\$30) each month until the loan is paid in full or cancelled. The loan payment amount will vary depending on the total amount borrowed, plus accrued interest. Under no circumstances shall the minimum annual repayment be less than three hundred sixty dollars (\$360).

(E) The borrower shall repay the total amount borrowed (principal and interest) within five (5) years of the first payment date. The periods of repayment, cancellation, or both, shall not extend beyond five (5) years from the first payment date.

(F) If the borrower makes payments during the grace period, the payment shall be deducted from the principal amount owed by the borrower.

(G) Payments made by the borrower after the allowed grace period has expired shall be applied first to the accrued interest with the balance of the payment, if any, being applied to principal.

(H) The borrower may repay the whole or any part of the total award with accrued interest at any time without penalty.

(8) Delinquency and Default.

(A) A borrower shall be delinquent when one (1) scheduled payment is missed.

(B) A borrower shall be in default when three (3) consecutive scheduled payments are missed; after that, payment of principal and interest is due in full immediately.

(C) A borrower shall be notified by certified mail by the coordinating board of his/her default status within ten (10) days of when the loan is considered in default. The borrower will have thirty (30) days from the date of the certified letter to make satisfactory payment arrangements.

(D) If satisfactory payment arrangements have not been made within thirty (30) days from the date the default notice is mailed, then the borrower's default status will be reported to a national credit bureau.



(E) Borrower's responsibility includes maintaining a current address with the coordinating board. A notice of default returned to the coordinating board as undeliverable will be considered as no response and the borrower's default status will be reported to a national credit bureau within thirty (30) days from the mailing date of the default notice.

(9) Cancellation.

(A) A borrower may cancel twenty percent (20%) of the remaining balance including principal and interest owed for each academic year the borrower is employed in a Missouri public elementary or secondary school in the state and is teaching in a teacher certification area or a geographic area of critical need.

(B) The teacher certification area of critical need for a borrower shall be determined at the time the borrower initially receives and accepts funds under the MPTLP.

(C) The geographic area of critical need for a borrower shall be determined at the time the borrower signs a contract to teach in a Missouri public elementary or secondary school.

(D) A borrower requesting cancellation must enter into a contract with an elementary or secondary school recognized as a public school by the state board and the school official shall verify on the MPTLP Employment Status Form the borrower's employment each academic year of teaching.

(E) A borrower requesting cancellation as an elementary teacher must have a major area of emphasis in the teacher certification area of critical need and the school official must verify the borrower is teaching in the major area on the MPTLP Employment Status Form for the borrower to qualify for cancellation requirements in accordance with subsection (9)(A) of this rule.

(F) No payment is due from a borrower as long as s/he is regularly employed by a public elementary or secondary school in Missouri and is teaching in an area of critical need.

(G) Repayment of the loan and interest shall begin immediately if the borrower ceases employment with a public elementary or secondary school in Missouri or discontinues teaching in the area of critical need before or at the end of the academic year in which the borrower has begun teaching.

(H) After five (5) years of employment and teaching by the borrower in an area of critical need, the total amount borrowed, principal and interest, or the remaining balance may be fully cancelled.

(10) Deferment of Repayment.

(A) A borrower may qualify for an in-school deferment and defer payments of principal and interest if the borrower returns to pursue a full-time course of study at the graduate level as defined by the educational institution.

1. A borrower enrolled as a full-time graduate student and requesting deferment of repayment must enroll in an educational institution regionally accredited.

2. A Request for Deferment of Repayment Form must be completed by the borrower and a school official and the educational institution must verify the student's enrollment status in order to qualify for the in-school deferment.

3. The beginning date for the requested deferment is the date the borrower begins attending as a full-time graduate student. The deferment can continue for any length of time, as long as the borrower remains enrolled at an educational institution on a basis that meets the previously stated eligibility requirements.

4. A Request for Deferment of Repayment Form must be completed for each academic year the borrower is enrolled as a full-time graduate student and requests a deferment of principal and interest.

(B) A borrower may request a temporary total disability deferment for up to three (3) years if the borrower, by reason of injury or illness, cannot be expected to be able to attend a participating institution or to be gainfully employed during a reasonable period of recovery from such injury or illness not to exceed twelve (12) months.

1. A Request for Deferment of Repayment Form must be completed by the borrower and submitted to the MPTLP along with a physician's statement certifying the nature of the disability and the expected duration of the temporary total disability.

2. The borrower's grace period must be used before the temporary total disability deferment can be granted. The beginning date of this deferment is the date on the Request for Deferment of Repayment Form indicating when the disability began or the day after the end of the grace period, whichever is later.

(C) No other deferments shall be granted under the MPTLP.

(11) Forbearance.

(A) The Missouri Prospective Teacher Loan Program will consider the use of forbearance in cases where, because of temporary hardship, the borrower is willing but unable to pay in accordance with the repayment schedule. Forbearance shall not be used when a borrower is unwilling to make repay-

ments. Forbearance is often granted in situations where the borrower is, for a period of time, unable but willing to meet his/her obligation, for example, hospitalization, prolonged illness or disability.

(B) Forbearance for a borrower may consist of a reduction in the amount of scheduled payments for a specific period of time or the suspension of payments for a specific period.

(C) The MPTLP shall determine the status of forbearance and if interest payments may be postponed during forbearance for each borrower.

(12) Death, Disability and Bankruptcy.

(A) In the event a borrower becomes totally and permanently disabled, the requirements of the borrower to make any further payment of principal and interest will be cancelled immediately upon approval of the disability. Disability exists when the borrower, by reason of injury or illness, cannot be gainfully employed for a period of not less than twelve (12) months from the injury or illness. S/he must have a severe impairment which makes him/her unable to do his/her previous work or any other substantial gainful activity which exists in the national economy. The appropriate documents necessary for filing a disability claim may be obtained from the MPTLP upon request.

(B) In the event, either voluntary or involuntary, a borrower becomes subject to a proceeding under the bankruptcy laws of the United States of America, s/he immediately shall report this proceeding to the coordinating board and provide a copy of the petition.

(13) Due Diligence. The coordinating board will monitor all student loans in deferment, cancellation, repayment or default status. The coordinating board may pursue all available legal remedies to ensure full repayment of loans.

AUTHORITY: sections 168.550–168.595, RSMo 1995. Original rule filed Jan. 11, 1986, effective June 12, 1986.*

**Original authority 1985.*

6 CSR 10-2.080 Higher Education Academic Scholarship Program

PURPOSE: The Higher Education Academic Scholarship Program permits the Coordinating Board for Higher Education to provide academic scholarships for eligible Missouri residents to attend an approved Missouri college or university of their choice pursuant to the provisions included in section 173.250, RSMo. This rule sets forth qualifications



required of student applicants for the scholarships, criteria to be used in selecting scholarship recipients and qualifications which approved colleges or universities must meet.

(1) Definitions.

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

(B) ACT means the American College Testing Program.

(C) Applicant is anyone who applies to the MDHE for a scholarship under the academic scholarship program and who qualifies under section 173.1104, RSMo, excluding undergraduate status.

(D) Approved institution means any institution located in the state of Missouri that meets the requirements set forth in section 173.1102(2) or (3), RSMo, and that has been approved under 6 CSR 10-2.140.

(E) Approved student deferment period or deferment is a period of time up to the maximum time allowed in section 173.250, RSMo, during which an eligible initial or renewal recipient may cease enrollment without losing scholarship eligibility. The deferment shall begin on July 1 of the academic year for which the student's deferment was approved or July 1 following the most recent academic year that the student received scholarship assistance.

(F) Certificate of high school equivalence shall be a certificate that is awarded to an applicant who has successfully completed and passed the General Educational Development (GED) examination as established by the Commission on Educational Credit and Credentials of the American Council on Education (ACE).

(G) Completed secondary coursework or completion of secondary coursework shall be graduation from high school, completion of a formal home school program consistent with Missouri statutory requirements, or receipt of a certificate of high school equivalence.

(H) Consortium agreement means a written agreement between two (2) or more approved institutions that allows students to take courses at a school other than the home school and have those courses count toward the degree or certificate at the home school that complies with the United States Department of Education requirements for federal student financial assistance.

(I) Continually enrolled shall be enrollment as a full-time student who receives scholarship assistance at an approved institution for at least one (1) semester, trimester, or quarter, not including summer terms, in the academic year for which the scholarship award was offered.

(J) CBHE means the Coordinating Board for Higher Education created by section 173.005, RSMo.

(K) Expenses shall be any education-related expenses including, but not limited to, tuition, fees, and room and board.

(L) Full-time student shall be defined by the approved institution as a postsecondary student who is enrolled in and is carrying a sufficient number of credit hours or its equivalent (minimum twelve (12) credit hours) at the approved private or public Missouri institution to secure the degree or certificate toward which the student is working in accordance with paragraph (2)(A)5. of this rule. 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 disability, is unable to satisfy the statutory minimum requirements for full-time status under Title IV student aid programs shall be considered by the approved institution to be a full-time student and shall be considered to be making satisfactory academic progress, as defined in subsection (1)(X) of this rule, while carrying a minimum of six (6) credit hours or their equivalent at the approved institution.

(M) Higher Education Academic Scholarship Program or academic scholarship program shall mean the academic scholarship program provisions created by section 173.250, RSMo.

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

(O) Initial recipient shall be any applicant who meets the eligibility requirements and is awarded an academic scholarship under the academic scholarship program in the academic year immediately following completion of secondary coursework.

(P) Medical need shall be a verified illness, disability, pregnancy, or other medical condition that prevents an eligible applicant from enrolling as a renewal recipient or which requires a recipient to cease all attendance at an approved institution in the academic year for which the scholarship award was originally offered.

(Q) MDHE shall be the Missouri Department of Higher Education created by section 173.005, RSMo.

(R) Missouri test takers shall be all Missouri high school students taking the ACT examination or the SAT during the student's senior year in high school.

(S) Nonprofit organization shall be any organization which is organized under the laws of its home state as a not-for-profit corporation or organization, such as a charitable, scientific, or literary organization.

(T) Qualifying score shall be a composite score on the ACT examination or the SAT achieved in an eligible student's high school sophomore, junior, or senior year that is in the top three percent (3%) of all Missouri test takers for fiscal years prior to 2011, and five percent (5%) of Missouri test takers for fiscal year 2011 and each fiscal year thereafter.

(U) Renewal recipient shall be any applicant who received an academic scholarship as an initial recipient under the academic scholarship program and meets the eligibility requirements under the provisions of this rule and requirements as defined by the approved institution and is awarded a renewable academic scholarship under the academic scholarship program.

(V) Resident of Missouri is any person who meets the requirements for resident status for Missouri set forth by the CBHE in 6 CSR 10-3.010.

(W) SAT means the Scholastic Aptitude Test of the College Board.

(X) 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 approved institution's policies as applied to other students at the approved institution receiving assistance under Title IV financial aid programs included in the Higher Education Act of 1965. The calculation of CGPA shall be based on the approved institution's policies as applied to other students in similar circumstances.

(Y) Scholarship assistance or award shall be an amount of money paid by Missouri to a qualified applicant pursuant to the provisions of this rule.

(Z) Service-related expenses shall be any allowable expenses related to room, board, travel, and personal costs of the applicant necessary to satisfactorily provide and complete a service to a nonprofit organization, or a state or federal government agency.

(AA) Student exchange program shall be any recognized international or national secondary-level exchange program recognized by the student's high school that is available to qualified students to continue their educational studies.

(BB) Sufficient documentation shall be documents including, but not limited to, letters of participation, application materials,



copies of orders or release papers, or a statement of medical need provided by the student exchange program, the nonprofit organization, a state or federal government agency, any branch of the armed forces, or a practicing medical physician that verifies a student's status to the satisfaction of the MDHE.

(2) Basic Eligibility Policy.

(A) To be eligible for initial or renewed scholarship assistance under the academic scholarship program, an applicant must meet the following conditions:

1. Be a citizen or permanent resident of the United States;
2. Be a resident of Missouri;
3. Be enrolled or accepted for enrollment as a full-time postsecondary student at an approved institution for the period of the scholarship and be in compliance with section 173.1104, RSMo, excluding the requirement of undergraduate status;

4. 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

5. Be allotted scholarship assistance for one (1) academic year, but an applicant shall be eligible for renewed assistance until he has obtained a baccalaureate degree; provided, the scholarship assistance shall not exceed a total of ten (10) semesters or fifteen (15) quarters or their equivalents.

(B) To be eligible for initial scholarship assistance, an applicant must also:

1. Have completed secondary coursework and have achieved a qualifying score;

2. Be offered and receive a scholarship award as a first-time, full-time, first-year postsecondary student the academic year immediately following completion of secondary coursework; and

3. Complete and submit all requested eligibility information to the MDHE according to the provisions of this rule.

(C) To be eligible for renewed scholarship assistance, an applicant must also:

1. Be continually enrolled in an approved institution full-time, excluding periods of enrollment during summer terms, as a second-, third-, fourth- or fifth-year student, or other student meeting the eligibility requirements of this rule;

2. Have continually received an academic scholarship subject to the availability of state-appropriated funds; and

3. Maintain satisfactory academic progress in his course of study.

(D) To be approved for a deferment, initial and renewal recipients who cease all enrollment due to participation in a student exchange program, provision of a service to a nonprofit organization, a state or federal gov-

ernment agency, or service on active duty in any branch of the armed forces of the United States or because of medical need must meet the eligibility requirements for scholarship assistance in accordance with the provisions of this rule, with the exception of continuous enrollment. Prior to the student's change in status, the student must—

1. Contact the CBHE in writing to request a student deferment of eligibility; and

2. Complete and submit the deferment of eligibility form that is provided by the MDHE, along with sufficient documentation indicating the renewal recipient ceased all attendance or the initial recipient was unable to enroll and receive scholarship assistance at an approved institution in the academic year for which the scholarship was originally offered.

(E) To satisfactorily complete the approved student deferment period, applicants and recipients must meet the following requirements in the academic year immediately following the student deferment period:

1. Notify the MDHE by submitting sufficient documentation verifying the approved student deferment period was satisfactorily completed within the original dates, not to exceed the maximum time frame allowed in section 173.250, RSMo;

2. Complete and submit all requested eligibility information to the MDHE according to the provisions of this rule;

3. Have met all other requirements established for eligibility to receive an initial or renewal scholarship;

4. Enroll as a full-time student at an approved institution; and

5. Submit sufficient documentation verifying to the MDHE that the student was not compensated for other than service-related expenses for a service that was provided to a nonprofit organization.

(3) Responsibilities of Approved Institutions. Institutions participating in the Higher Education Academic Scholarship Program must meet the requirements set forth in 6 CSR 10-2.140, Institutional Eligibility for Student Participation.

(4) Application and Evaluation Policy.

(A) The CBHE shall prescribe the form of and the time and method of filing applications under the academic scholarship program.

(B) An application for scholarship assistance under the academic scholarship program shall be made in the form and method prescribed by the CBHE.

(C) The CBHE will determine if an applicant has achieved a qualifying score and is eligible for an award as an initial recipient by

evaluating the official ACT or SAT test scores from national test dates in comparison to the Missouri high school senior score report provided by ACT or the College Board. Verification of the initial recipient's test scores from national test dates must be provided by ACT or the College Board, or by an official at the high school from which the initial recipient graduated or a financial aid officer at the approved institution in which the initial recipient is enrolled or plans to enroll based on documentation from ACT or the College Board. Failure to provide official test score verification will result in the application being incomplete.

(D) If an eligible applicant has been offered or has received a scholarship award under the provisions of this rule and if the applicant's qualifying composite test score has officially been cancelled and is determined to be invalid by ACT or the College Board then the applicant will be declared ineligible for further award by the MDHE for the scholarship program.

(E) All applicants and renewal students will be evaluated by the MDHE according to the eligibility criteria under the provisions of this rule, the information submitted by the approved institution, and on any other information received by and deemed reliable by the MDHE.

(F) The deadline for having completed eligibility information on file will be published annually by the MDHE for each academic year. Completed eligibility information must be on file with the MDHE on or before the published deadline to be considered on time and for the applicant to have priority consideration. Incomplete records received by the MDHE will not be processed.

(G) Eligibility information completed after the annual deadline published by the MDHE will be awarded provided program funds are available, based on a review by the MDHE.

(5) Award Policy.

(A) The maximum academic scholarship program award amount for each applicant per academic year shall be the amount(s) referenced in section 173.250, RSMo.

(B) Awards at approved institutions utilizing trimester academic programs shall be evenly distributed over the three (3) terms.

(C) Financial need shall not be used by the MDHE in determining eligibility for awards under the academic scholarship program for an applicant.

(D) If sufficient program funds are unavailable to award to all recipients, the award amounts will be reduced equally for all recipients until all funds have been expended.



(E) The award amount for any given academic year will be disbursed to the approved institution equally according to the number of semesters at the approved institution and awarded for each semester of enrollment.

(F) Awards will not be made for periods of enrollment during summer terms.

(G) Awards will be issued only after certification of full-time attendance of the student by the institution. For a student enrolled as part of a consortium agreement, the student must be considered to be enrolled full-time at the home institution to be certified.

(H) An applicant may change his approved institution choice by the established deadline and may transfer between approved institutions during the academic year. Failure to notify the MDHE of such action may result in loss of the award.

(I) Award notifications will be sent to initial applicants and renewal students by the MDHE once the awards have been determined. Notification of initial and renewal awards also will be sent to the student financial aid office at the approved institution where the applicant plans to enroll or has enrolled.

(J) The applicant's award will be sent to the approved institution to be endorsed by the applicant. The institution shall retain the portion of the award that the student owes for expenses and promptly give the applicant any remaining funds.

(6) Information Sharing Policy. All information on an individual's academic scholarship program 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 the state or federal governments as provided for in the Privacy Act of 1974, 5 U.S.C. sections 552, 552a.

AUTHORITY: section 173.250, RSMo Supp. 2008. Original rule filed Nov. 14, 1986, effective Feb. 28, 1987. Amended: Filed Feb. 3, 1988, effective April 28, 1988. Amended: Filed Dec. 5, 1988, effective March 1, 1989. Amended: Filed Aug. 15, 1989, effective Nov. 15, 1989. Amended: Filed Oct. 14, 1992, effective May 6, 1993. Amended: Filed Sept. 29, 1994, effective March 30, 1995. Amended: Filed Jan. 12, 2007, effective July 30, 2007. Amended: Filed Dec. 15, 2008, effective June 30, 2009.*

**Original authority: 173.250, RSMo 1986, amended 1988, 1990, 1991, 2007.*

6 CSR 10-2.090 Guarantors of Student Loans to Missourians

PURPOSE: This rule establishes the guidelines pertaining to the activities of independent and private guarantors of student loans with respect to Missouri residents attending Missouri schools pursuant to the provisions included in section 173.186, RSMo. This rule sets forth the responsibilities of the guarantors and the procedures for the identification and notification of affected parties.

Editor's Note: The secretary of state has determined that the publication of this rule in its entirety would be unduly cumbersome or expensive. The entire text of the material referenced has been filed with the secretary of state. This material may be found at the Office of the Secretary of State or at the headquarters of the agency and is available to any interested person at a cost established by state law.

(1) Definitions.

(A) Coordinating board or board is the Coordinating Board for Higher Education (CBHE) created by section 173.005, RSMo.

(B) Correspondence school is any school or program in which a significant percentage of the instruction is through the study of materials in the home rather than through resident instruction at the school.

(C) Eligible institution is any school which meets the eligibility requirements set forth by the coordinating board in 6 CSR 10-2.030 (*Missouri Guaranteed Student Loan Program Manual*, Chapter 3, Section 3.1).

(D) Independent or private guarantors of student loans denotes private nonprofit agencies that administer a student loan insurance program.

(E) Missouri resident is any person who meets the residency rule set forth by the coordinating board in 6 CSR 10-3.010.

(F) Participate means a postsecondary educational institution has submitted a signed School Eligibility Agreement, been approved by the Missouri Guaranteed Student Loan Program and has delivered one (1) or more Missouri guaranteed student loans to one (1) or more students in the current or previous state fiscal years.

(G) Postsecondary educational institution is any school which comes within the terms institution of higher education or vocational school as those terms are used in Title IV, Part B, of the Higher Education Act of 1965, 20 U.S.C. SS 1080–1087-2.

(H) Student loans are those loans made under the provisions of Title IV, Part B, of the

Higher Education Act of 1965, 20 U.S.C. SS 1071–1098-2.

(I) Total amount of student loans is the sum arrived at by adding the dollar amount of each loan as it exists before that amount is reduced by any fees, payment to postsecondary educational institutions or lenders or other amounts.

(2) Responsibilities of Independent or Private Guarantors of Student Loans.

(A) An annual report will be required from each independent or private guarantor of student loans who guarantees a student loan made to a Missouri resident to attend a postsecondary educational institution located in Missouri and who makes this guarantee on any loan on or after July 1, 1986.

(B) The annual report shall be filed with the coordinating board by August 15 of each year beginning August 15, 1987.

(C) The annual report shall be submitted on a form provided by the coordinating board and will contain at least the following information for the guaranteed student loans guaranteed within the period of July 1 through June 30, inclusive, immediately preceding the August 15 filing deadline:

1. The complete name of the independent or private guarantor of student loans who is filing the report;

2. The signature, at the end of the report, of the officer or employee of the guaranty agency who was responsible for the filing of the report;

3. The date on which the report was signed;

4. The total dollar amount of the student loans guaranteed by the guaranty agency for each postsecondary educational institution in Missouri attended by the students for whom the loans were guaranteed, broken down for each month of the reporting period according to the month in which the loan was guaranteed. These amounts should be reported regardless of whether any loans were cancelled in part or in full;

5. The name and address of each postsecondary educational institution attended by the students who were beneficiaries of the guaranteed loans; and

6. The total dollar amount for the entire twelve (12)-month reporting period of the guaranteed student loans broken down according to each postsecondary educational institution attended by the students for whom the loans were guaranteed.

(3) Identification and Notification of Parties Affected by This Rule.

(A) Affected guaranty agencies will be identified from information compiled by the



United States Department of Education. Affected lenders and postsecondary educational institutions will be identified from information compiled by the United States Department of Education and by the coordinating board.

(B) The coordinating board will send written notification to these entities by first class mail initially in August 1986 and in even-numbered years after. The notification will contain the requirements of the statutes. The form for the annual report and instructions for completion will be mailed to the affected guaranty agencies annually, beginning in June 1987.

*AUTHORITY: section 173.186, RSMo 1994. * Original rule filed Oct. 15, 1986, effective March 12, 1987.*

**Original authority: 173.186, RSMo 1986.*

6 CSR 10-2.100 Public Service Officer or Employee's Child Survivor Grant Program

PURPOSE: The public service officer or employee's child survivor grant program, established by section 173.260, RSMo, authorizes the Coordinating Board for Higher Education to provide educational benefits for eligible Missouri residents who are public safety officers permanently and totally disabled in the line of duty or eligible children or spouses of certain public safety officers and certain public employees killed or permanently and totally disabled in the line of duty to attend an approved Missouri college or university. This rule sets forth qualifications required of student applicants for grant assistance and qualifications which approved colleges or universities must meet.

(1) Definitions.

(A) Academic year or the period of the grant is the period from August 1 of any year through July 31 of the following year.

(B) Applicant shall mean an eligible child, spouse or public safety officer, as defined in this rule, who applies to the coordinating board for a survivor grant.

(C) Coordinating board or board is the Coordinating Board for Higher Education created by section 173.005, RSMo.

(D) Eligible child is the natural, adopted or stepchild of a public safety officer or employee who is less than twenty-four (24) years of age and who is a dependent of a public safety officer or employee or was a dependent at the time of death or permanent and total disability of a public safety officer or employee.

(E) Employee shall be any full-time employee of the Department of Transporta-

tion engaged in the construction or maintenance of the state's highways, roads and bridges who is killed or permanently and totally disabled in the line of duty.

(F) Full-time student shall be an undergraduate student who is enrolled in and is carrying a sufficient number of credit hours or their equivalent (minimum twelve (12) credit hours) at an approved private or public Missouri institution to secure a degree or certificate.

(G) Grant assistance or award shall be an amount of money paid to a qualified applicant pursuant to the provisions of this rule.

(H) Institution of postsecondary education or approved institution shall be any private or public institution located in Missouri that meets the requirements set forth in section 173.205(2) or (3), RSMo.

(I) Line of duty shall mean any action of a public safety officer, whose primary function is crime control or reduction, enforcement of the criminal law, or suppression of fires, who is authorized or obligated by law, rule, regulation or condition of employment or service to perform.

(J) Permanent and total disability shall mean a disability which renders a person unable to engage in any gainful work.

(K) Public safety officer shall be any firefighter, police officer, capitol police officer, parole officer, probation officer, state correctional employee, water safety officer, park ranger, conservation officer or highway patrolman employed by the state of Missouri or a political subdivision thereof who is killed or permanently and totally disabled in the line of duty.

(L) Satisfactory academic progress shall be determined by the approved institution's policies as applied to other students at the approved institution receiving assistance under Title IV financial aid programs included in the Higher Education Act of 1965.

(M) Similar program funds shall be need-based funds an applicant receives under any federal or state grant aid programs.

(N) Spouse shall mean the husband, wife, widow or widower of a public safety officer or employee at the time of death or permanent and total disability of such public safety officer or employee.

(O) Standard admissions policies shall be policies approved and published by the approved institution to admit students having a certificate of graduation or the equivalent of this certificate and to allow the early admission of superior high school students.

(P) Survivor grant or grant shall mean the public safety officer or employee survivor grant as established by section 173.260, RSMo.

(Q) Tuition or incidental fee shall be the amount charged for nondesignated and unrestricted fees by an institution of postsecondary education for an applicant to attend full-time at that institution as a resident of the state of Missouri.

(2) Applicant Qualifications and Responsibilities.

(A) To be eligible for grant assistance under the survivor grant program, an applicant must meet the following conditions:

1. Be a citizen or permanent resident of the United States;

2. Be a resident of Missouri;

3. Be an eligible child or spouse of a public safety officer or employee who was killed or permanently and totally disabled in the line of duty; or be a public safety officer who was permanently and totally disabled in the line of duty;

4. Be enrolled or accepted for enrollment as a full-time undergraduate student in a course of study leading to a certificate or an associate or baccalaureate degree at an approved institution for the period of the grant;

5. Maintain satisfactory academic progress in his/her course of study, according to standards determined by the approved institution; and

6. Complete an application for grant assistance according to the provisions of this rule.

(B) No award shall be made under section 173.260, RSMo to any applicant who is enrolled or who intends to use the award to enroll in a course of study leading to a degree in theology or divinity.

(C) Grant assistance shall be allotted for one (1) academic year, but an applicant shall be eligible for renewed assistance until s/he has obtained a baccalaureate degree or, only in the case of an applicant who is an eligible child, has reached age twenty-four (24) years, whichever occurs first, except that the applicant may receive such grant assistance through the completion of the semester or similar grading period in which the eligible child reaches his/her twenty-fourth year.

(3) Responsibilities of Institutions of Postsecondary Education.

(A) Approved institutions shall meet the following requirements:

1. Comply with the provisions of section 173.205(2) or (3), RSMo;

2. Admit students based on the approved institution's standard admissions policies;

3. Establish fair and equitable refund policies covering tuition, fees, and where paid to the school, room and board charges.



The institution's refund policy shall be the same policy which is utilized by the institution for refunding funds under federal Title IV financial aid programs included in the Higher Education Act of 1965;

4. Sign the agreement for institution of postsecondary education participation in the survivor grant program as provided by the coordinating board; and

5. Complete the institution's section of the survivor grant program application to verify the applicant's eligibility for the grant program and send to the coordinating board for approval for the current academic year.

(B) When the approved institution receives the survivor grant program funds for the awards made by the coordinating board, the approved institution shall—

1. Determine if the applicant is enrolled full-time and making satisfactory academic progress in his/her course of study according to standards determined by the approved institution;

2. Deliver the grant program funds to the applicant in the amount awarded to that applicant by the coordinating board, or the approved institution must obtain the applicant's endorsement to retain the portion of the award which the applicant owes for tuition or incidental fees for the current academic year to that particular approved institution;

3. Notify the coordinating board if, prior to disbursement, the applicant to whom an award has been made has not enrolled full-time, or has indicated that s/he does not plan to enroll full-time, and return the applicant's check within thirty (30) days of learning these facts;

4. Be responsible for the repayment of survivor grant funds to the coordinating board if the grant funds were delivered erroneously to the applicant; and

5. Determine and calculate the amount of refunds to the coordinating board based on the refund formula of the approved institution for applicants who withdraw during the institution's refund period.

(C) Repayment under paragraph (3)(B)4. of this rule shall be necessary when the—

1. Approved institution delivers funds to an applicant not eligible under the survivor grant program;

2. Award was based on erroneous, improper or misleading information provided by the approved institution to the coordinating board; or

3. Approved institution delivers the grant funds to a person other than the one to whom the coordinating board has directed the funds be delivered.

(4) Application and Evaluation.

(A) The coordinating board annually shall prescribe the form of, and the time and method of filing, applications under the survivor grant program.

(B) An application for grant assistance under the survivor grant program shall be made annually by the applicant on the form prescribed by the coordinating board.

(C) Completed applications must be received by the coordinating board to be approved for grant awards.

(5) Survivor Grant Program Award Limits and Criteria.

(A) The maximum survivor grant program award amount for each applicant per academic year shall be the least of the actual tuition and incidental fees charged at an approved institution (maximum twelve (12) credit hours) where the applicant is enrolled or accepted for full-time enrollment; or the amount of tuition and incidental fees charged a Missouri undergraduate resident enrolled full-time (maximum twelve (12) credit hours) in the same class level (freshman, sophomore, junior, senior) and in the same academic major of the applicant at the University of Missouri.

(B) The applicant's survivor grant, when combined with similar program funds for which the applicant is eligible for and receives, shall not exceed the total cost of tuition and incidental fees charged by the approved institution for full-time enrollment.

(C) An applicant receiving an award under the survivor grant program shall have made satisfactory academic progress as defined by the approved institution in order to be eligible for a subsequent award under the survivor grant program.

(D) The award amount for any given academic year will be disbursed to the approved institution, equally, according to the number of semesters at that particular approved institution and awarded for each semester of enrollment.

(E) Awards will not be made for periods of enrollment during the summer term(s).

(F) An applicant may change his/her approved institution choice prior to the beginning of the first day of classes and may transfer between approved institutions during the academic year. The deadline for those actions is August 1 for the fall semester and January 1 for the winter or spring semester. Failure to notify the coordinating board by these dates of the change may result in loss of the award.

(G) Award notifications will be sent to applicants by the coordinating board once applications have been approved and the awards have been determined. Notification of awards also will be sent to the student finan-

cial aid office at the approved institution in which the applicant plans to or has enrolled.

(H) The applicant's award will be sent to the approved institution to be endorsed by the applicant in accordance with the requirements of subsection (3)(B) of this rule.

(I) Should an applicant withdraw prior to the end of the approved institution's refund period for the period of the award, then a refund shall be calculated and made to the coordinating board by the approved institution within forty (40) days from the day on which the applicant withdraws. The amount of the refund will be calculated by the approved institution based on the refund formula of that institution in accordance with paragraph (3)(A)3. of this rule.

AUTHORITY: section 173.260, RSMo Supp. 1998. Original rule filed April 29, 1988, effective July 28, 1988. Amended: Filed May 27, 1999, effective Jan. 30, 2000.*

**Original authority: 173.260, RSMo 1987, amended 1998.*

6 CSR 10-2.110 Wage Garnishment for Repayment of Defaulted Guaranteed Student Loans

PURPOSE: This rule sets forth policies and procedures of the Coordinating Board for Higher Education regarding the garnishment of borrowers' earnings to repay defaulted Missouri guaranteed student loans as authorized by section 173.115, RSMo.

(1) Definitions.

(A) Board—the Missouri Coordinating Board for Higher Education as established by the Omnibus State Reorganization Act, Law, 1974 p. 530.

(B) Borrower—any person who has become legally obligated to repay a loan made under the guaranteed student loan programs established under provisions of Title IV, Part B, of the Higher Education Act of 1965 or that person's guardian, trustee, estate or other person legally responsible for defending against or satisfying a borrower's obligations under the guaranteed student loan program.

(C) Department—the Missouri Department of Higher Education as established by the Omnibus State Reorganization Act, Law, 1974 p. 530.

(D) Earnings—compensation paid or payable for personal services, whether denominated wages, salary, commission, bonus or otherwise.

(E) Eligible lender—any bank, savings and loan association, credit union, insurance



company, pension fund, eligible educational institution lender or the federal Student Loan Marketing Association or other secondary market operation that has executed a lender participation agreement with the department.

(F) Employer—any person, partnership, association, corporation, institution, governmental body, unit or agency, school district or municipal corporation or any other entity employing one (1) or more persons for a salary, wage, commission or other compensation, or any self-employed borrower.

(2) Statement of Claim.

(A) After the department has paid a loss on a defaulted loan, it shall enter a statement of claim in which it determines and sets forth the existence, nature and amount of the money due it by the defaulting borrower and a proposed payment schedule. The department shall inform the borrower that the department intends to initiate proceedings to collect the debt through deductions from earnings. The department also shall provide a copy of section 173.115, RSMo or an explanation of the borrower's rights under that section, and a form by which the borrower may request a hearing on the statement of claim.

(B) The statement of claim shall set forth at least the following for each loan on which a borrower has defaulted:

1. The name, last known address and Social Security number of the borrower;
2. The name and address of the eligible lender by which the loan was made;
3. The date on which the promissory note was signed by the borrower;
4. The amount of each disbursement made;
5. A statement that the loan was guaranteed by the department pursuant to sections 173.100–173.186, RSMo;
6. A statement of facts on which is based the department's determination that the loan is in default;
7. The date on which the loss was paid under the certificate of guarantee and the amount paid;
8. A statement of the total amount of the claim constituting the debt of the borrower to the department as of the date of the statement of claim with an itemization including, but not limited to, the following amounts:
 - A. The outstanding balance on the principal amount of the loan;
 - B. Any capitalized interest;
 - C. The interest paid to the lender/noteholder by the department not subsequently paid by the borrower;
 - D. Unpaid interest which has accrued since the claim was paid to the lender/noteholder;

- E. Any collection charges;
- F. Any other fees or charges owed by the borrower; and

G. A statement indicating that the interest on the amount represented by the principal of the loan and on any capitalized interest will continue to accrue at a particular rate and in a particular manner until the money owed to the department is paid;

9. A statement that the department will issue an order pursuant to this section to require the borrower's employer to withhold from his/her pay the amounts required to satisfy the borrower's debt to the department unless, within fifteen (15) days from the borrower's receipt of the notice or thirty (30) days from the sending of the notice if the borrower does not accept service or cannot be found at his/her last known address, the borrower files a written request with the department for a hearing on a form prescribed by the board;

10. A proposed agreement to establish a schedule for the repayment of the debt and a statement that the borrower has the opportunity to enter into a written agreement with the department under terms agreeable to the department to establish a schedule for the repayment of the debt;

11. The date of the statement of claim; and

12. The signature of the commissioner of higher education or of an employee of the department designated by the commissioner.

(3) Inspection of Records. The department shall provide the borrower with an opportunity to inspect and copy records related to the defaulted loans.

(4) Appeal Process.

(A) Upon the borrower's filing of a request for a hearing in compliance with the rules of the board, the department shall provide the borrower with the opportunity to have a hearing before an impartial hearing officer appointed by the department but who is not under the control or supervision of the board or department. The procedures for the hearing shall be the same as those for contested cases under Chapter 536, RSMo. Upon the consent of the parties, the hearing may be conducted by telephone. Upon the proper and timely filing of the request for hearing, the department shall stay the commencement of collection proceedings for the debt described in the statement of claim until the department issues an order provided for in section 173.115.6., 7. or 8., RSMo.

(B) A request for a hearing must be submitted in writing on a form prescribed by the board and must be received by the board

within fifteen (15) days of the borrower's receipt of the statement of claim or thirty (30) days from the sending of the notice if the borrower does not accept service or cannot be found at his/her last known address. The written request for a hearing must state any defense or reason why the debt is not past due or legally enforceable, why any amount set forth in the statement of claim is incorrect or why the terms of the repayment schedule set forth in the statement of claim should be changed. The request must include a statement of facts to support the borrower's assertions.

(C) At the earliest practicable date but not later than sixty (60) days after the filing of the request for the hearing, the hearing officer shall file with the department his/her written decision which states specifically his/her findings in regard to those matters set forth in the department's statement of claim. The hearing officer also shall determine and include in his/her decision the terms of the repayment schedule which shall be the same as that set forth by the department in its statement of claim unless s/he finds no good cause to enter that schedule. Upon receipt of the hearing officer's decision, the department shall issue an order to pay debt which adopts the findings in the decision as to the existence, nature and amount of the debt and as to the repayment schedule.

(D) When a borrower who makes timely request for a hearing fails to appear at the time and place set for the hearing and upon a showing that the department complied with section 173.115.8., RSMo concerning the service of the notice on the borrower, the hearing officer, at the earliest practicable date but not later than sixty (60) days after the filing of the request for the hearing, shall enter his/her findings and decision in accordance with the provisions of the department's statement of claim and proposed repayment schedule unless s/he determines that no good cause exists. Upon receipt of the hearing officer's decision, the department shall issue an order to pay debt which contains as its provisions the content of the statement of claim, including the proposed repayment schedule.

(E) When a borrower properly requests a hearing under the board's rules and when the hearing officer does not issue a decision within sixty (60) days of the department's having received the request for the hearing, the department shall issue an order withdrawing the statement of claim and serve it upon the borrower with a copy of section 173.115, RSMo. After that order is entered, the department shall not use the provisions of that section in regard to the loans set forth in the statement of claim, but may use any other



remedy provided by law to recover the monies owed the department.

(F) When the delay of the hearing officer's decision beyond the sixty (60)-day period is brought about by the acts or omissions of the borrower and without the consent of the department, the hearing officer, at any time within thirty (30) days after the expiration of that period, may enter a decision setting forth how the borrower brought about the delay and setting forth his/her findings and decision in accordance with the provisions of the department's statement of claim and proposed repayment schedule unless s/he determines that no good cause exists. The department may proceed as in subsection (5)(A) of this rule upon receipt of the hearing officer's decision.

(5) Order to Pay Debt.

(A) When a borrower does not make a proper timely request for a hearing, the department may issue and serve on the borrower an order to pay debt which contains as its provisions the content of the statement of claim, including the proposed repayment schedule.

(B) Any order to pay debt and any amended order shall be served on the borrower along with a copy of the hearing officer's decision, if one was issued, and along with a statement informing the borrower of his/her right to seek judicial review. This latter statement may consist of a copy of section 173.100, RSMo, a copy of section 173.115, RSMo and a copy of sections 536.100–536.140, RSMo.

(6) Order to Withhold Earnings.

(A) Upon issuing an order to pay debt, but not less than thirty (30) days after the statement of claim was served on the borrower, the department may issue an order to withhold earnings which directs any employer of the borrower to withhold and pay over to the department money due or to become due the borrower.

(B) The order to withhold earnings shall state—

1. The name of the borrower;
2. The borrower's Social Security number;
3. The amount of the debt as determined by the order to pay debt issued by the department; and
4. Instructions regarding transmitting the payments to the department.

(C) A copy of section 173.115, RSMo shall be appended to the order.

(D) The order to withhold earnings shall be served on the employer and shall be binding on the employer two (2) weeks after the

employer's receipt of the order for earnings or other income payable to the borrower on or after the receipt date.

(7) Withholding Policy.

(A) The employer shall withhold from the earnings the amount specified in the order, except that the total amount withheld shall not exceed ten percent (10%) of the borrower's earnings after deduction from those earnings of any amount required by law to be withheld. When the borrower voluntarily makes a written request that money due or to become due him/her be withheld or applied to the debt or that more than the ten percent (10%) maximum be withheld from his/her earnings, the employer shall comply with that request as if so ordered by the department.

(B) The employer shall transmit the payments as directed in the order within ten (10) calendar days of the date the earnings or other income are payable to the borrower. With each payment, the employer shall submit a statement on a form prepared by the department setting forth information about the amount of earnings and deductions used to compute the amount withheld.

(C) The order to withhold wages is a continuing order and remains in effect and is binding on the employer until further notice from the department. The department shall notify an employer upon whom the order has been directed whenever the debt has been paid-in-full, as determined by the order to pay debt, and whenever, for any other reason, the amount required to be withheld and paid over to the department under the order as to future pay periods is to be reduced or redirected.

(D) An employer who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the department in an amount equal to the amount which became due the department during the relevant period and which, under the order, should have been withheld and paid over.

(E) An employer shall not discharge, refuse to hire or otherwise discipline an employee as a result of an order to withhold and pay over certain money authorized by this section.

(F) When a borrower for whom an order to withhold earnings has been issued terminates his/her employment, the employer, within ten (10) days of the termination, shall notify the department of the termination, shall provide to the department the last known address of the borrower, if known to the employer, and shall provide to the department the name and address of the borrower's new employer, if known. When the department determines the identity of the borrower's new employer, the

department may issue an order to withhold to the new employer and serve it upon him/her.

(8) Service Policy.

(A) Service on the borrower or on the employer will be made pursuant to section 173.115.14., RSMo.

(B) In computing any period of time prescribed or allowed by these rules, by order issued under them, or by any applicable statute, the day of the act, event or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor legal holiday.

*AUTHORITY: section 173.115, RSMo 1994. * Original rule filed July 18, 1989, effective Oct. 15, 1989.*

**Original authority: 173.115, RSMo 1988.*

6 CSR 10-2.120 Competitiveness Scholarship Program

PURPOSE: The competitiveness scholarship program permits the Coordinating Board for Higher Education to provide scholarships for eligible part-time Missouri residents to attend an approved Missouri college or university pursuant to the provisions included in 173.262, RSMo. This rule sets forth qualifications required of student applicants for the scholarships, criteria to be used in selecting scholarship recipients and qualifications which approved colleges or universities must meet.

(1) Definitions.

(A) Academic year or period of the scholarship is the period from August 1 of any year through July 31 of the following year.

(B) Applicant is anyone who applies to the coordinating board for a scholarship under the competitiveness scholarship program.

(C) Approved institution shall be any private or public institution located in Missouri that meets the requirements set forth in section 173.205(2) or (3), RSMo.

(D) Competitiveness scholarship assistance or award shall be an amount of money paid by Missouri to a qualified applicant pursuant to the provisions of this rule.

(E) Competitiveness scholarship program or scholarship program shall mean the scholarship program established by section 173.262, RSMo.



(F) Coordinating board or board is the Coordinating Board for Higher Education created by section 173.005, RSMo.

(G) Financial need shall be the difference between the total financial resources available to an applicant and the applicant's total cost of attendance, including tuition, fees, room and board, books and supplies, personal expenses and transportation while attending part-time at an approved institution.

(H) Financial resources shall be the amount of financial assistance (scholarship, grant, work, loan) awarded to the applicant by the approved institution and the amount of the applicant's expected family contribution as determined by any multiple data entry (MDE) processor approved by the United States Department of Education.

(I) Initial recipient shall be any applicant who meets the eligibility requirements and is awarded and received a competitiveness scholarship for the first time.

(J) Part-time student shall be any undergraduate student who is enrolled less than full-time but at least half-time in a degree program as defined by the approved private or public Missouri institution.

(K) Renewal recipient shall be any applicant who received a competitiveness scholarship as an initial recipient under the competitiveness scholarship program and meets the eligibility requirements under the provisions of this rule and requirements as defined by the approved institution, and is awarded and received a renewable competitiveness scholarship under the competitiveness scholarship program as a second-year, third-year or fourth-year undergraduate student at an approved institution in Missouri.

(L) Resident of Missouri is any person who meets the requirements for resident status for Missouri as set forth by the coordinating board in 6 CSR 10-3.010 the residency rule for higher education.

(M) Satisfactory academic degree progress or 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 approved institution's policies as applied to other students at the approved institution receiving assistance under Title IV financial aid programs included in the Higher Education Act of 1965. Calculation of CGPA shall be based on the approved institution's policies as applied to other students in similar circumstances.

(N) Standard admissions policies shall be policies approved and published by the approved institution to admit part-time stu-

dents and students having a certificate of graduation from high school or the equivalent of that certificate.

(O) Undergraduate student shall be any student who has not obtained a first baccalaureate degree.

(2) Student Applicant Qualifications and Responsibilities.

(A) To be eligible for initial or renewed scholarship under the competitiveness scholarship program, an applicant must—

1. Be a citizen or permanent resident of the United States;
2. Be a resident of Missouri;
3. Be enrolled or accepted for enrollment as a part-time undergraduate student at an approved institution for the period of the scholarship;
4. Maintain satisfactory academic progress in a course of study, according to standards determined by the approved institution;
5. Complete an application for scholarship assistance according to the provisions of this rule;
6. Demonstrate financial need;
7. Be eighteen (18) years of age or older at the time the application is submitted to the coordinating board;
8. Be employed and compensated for twenty (20) hours or more per week; and
9. Not be employed under the federal Title IV College Work-Study Program.

(B) No award shall be made under section 173.262, RSMo to any applicant who is enrolled or who intends to use the award to enroll in a course of study leading to a degree in theology or divinity.

(C) Scholarship assistance shall be allotted for one (1) academic year, but an applicant shall be eligible for renewed assistance until s/he has obtained a baccalaureate degree or completed one hundred fifty (150) semester credit hours.

(3) Responsibilities of Approved Institutions.

(A) Approved institutions shall—

1. Comply with the provisions included in section 172.205(2) or (3) RSMo;
2. Admit students based on the approved institution's standard admissions policies;
3. Submit a copy of the institution's policy on satisfactory academic degree progress to the coordinating board;
4. Establish fair and equitable refund policies covering tuition, fees and, where paid to the school, room and board charges. That refund policy shall be the same policy which is utilized by the approved institution for refunding all federal Title IV financial aid

programs included in the Higher Education Act of 1965;

5. Sign the agreement for educational institution participation in the competitiveness scholarship program as provided by the coordinating board;

6. Systematically organize all student records (student financial aid, registrar, business office) pertaining to student recipients under the scholarship program to be made readily available for review upon request by the coordinating board;

7. Complete the institution's section of the competitiveness scholarship program application to verify the student's eligibility for the scholarship program and submit it to the coordinating board by the annual deadline published by the coordinating board for the current academic year; and

8. Determine if the student applicant has demonstrated financial need.

(B) When the approved institution receives the competitiveness scholarship program funds for the awards made by the coordinating board, the approved institution must—

1. Determine if the applicant is enrolled part-time and is making satisfactory academic progress in a course of study according to standards determined by the approved institution;
2. Determine if the applicant is employed twenty (20) hours or more per week at the time the award is delivered to the applicant;
3. Deliver the scholarship program funds to the applicant in the amount awarded to that applicant by the coordinating board and obtain the applicant's endorsement, retaining the portion of the award which the applicant owes for undergraduate tuition or incidental fees for the current academic year to that particular approved institution;

4. Notify the coordinating board and return the applicant's check within thirty (30) days of learning, prior to disbursement, that the applicant to whom an award has been made has not enrolled part-time, has indicated that s/he does not plan to enroll part-time or does not meet the other student eligibility requirements;

5. Be responsible for the repayment of any competitiveness scholarship funds sent to the approved institution by the coordinating board if the scholarship funds were delivered erroneously; and

6. Determine and calculate the amount of refunds to the coordinating board based on the refund formula of the approved institution for applicants who withdraw during the institution's refund period. The coordinating board may refuse to award scholarships to applicants who attend approved institutions



which fail to make timely refunds to the coordinating board.

(C) Repayment under paragraph (3)(B)5. of this rule shall be necessary when the—

1. Approved institution delivers funds to an applicant not eligible under the competitiveness scholarship program;

2. Award was based on erroneous, improper or misleading information provided by the approved institution to the coordinating board; or

3. Approved institution delivers the scholarship funds to a person other than the one to whom the coordinating board has directed the funds be delivered.

(4) Application and Evaluation.

(A) The coordinating board annually shall prescribe the form of, and the time and method of filing applications for participation in the competitiveness scholarship program.

(B) An application for scholarship assistance under the competitiveness scholarship program shall be made annually by the applicant upon the form prescribed by the coordinating board.

(C) Completed applications must be received by the coordinating board to be approved for scholarship awards.

(D) The deadline for receiving completed competitiveness scholarship applications will be published annually by the coordinating board for each academic year. Completed applications must be received by the coordinating board on or before the published deadline to be considered on time and to have priority consideration. Incomplete applications received by the coordinating board will not be processed.

(E) Completed competitiveness scholarship applications received after the annual deadline published by the coordinating board will be awarded provided program funds are available, based on a review by the coordinating board.

(5) Competitiveness Scholarship Program Award Limits and Criteria.

(A) Within the limits of the funds appropriated and made available, the maximum competitiveness scholarship program award amount for each applicant per academic year shall be the least of the actual undergraduate tuition charged at an approved institution where the applicant is enrolled or accepted for part-time enrollment or the amount of tuition charged a Missouri undergraduate resident enrolled part-time in the same class level (freshman, sophomore, junior, senior) and in the same academic major of the applicant at the University of Missouri-Columbia.

(B) For part-time students enrolled in courses totaling six (6), seven (7) or eight (8) semester credit hours, or the equivalent, the award amount shall be calculated based on six (6) semester credit hours. For part-time students enrolled in courses totaling nine (9), ten (10), or eleven (11) semester credit hours, or the equivalent, the award amount shall be calculated based on nine (9) semester credit hours.

(C) Financial need shall be used by the approved institution in determining applicant eligibility for awards under the competitiveness scholarship program.

(D) The first year of the competitiveness scholarship program funds shall be awarded only to applicants as initial recipients.

(E) Applicants who qualify as initial recipients under the provisions of this rule in the second and each subsequent year of the program will be awarded based on the availability of program funds.

(F) If sufficient program funds are unavailable to award to initial recipients, the awards will be made based on the earliest date the completed applications are received by the coordinating board until all funds have been expended.

(G) During the second and each subsequent year in which awards are made under the competitiveness scholarship program, the renewal recipients shall have priority in the awarding of program funds. If sufficient program funds are unavailable to award all eligible renewal recipients, priority for program funds shall be awarded based on the earliest date the completed application is received by the coordinating board in the following order: fifth-year, fourth-year, third-year and second-year students as defined by the approved institution.

(H) An applicant receiving an award under the competitiveness scholarship program shall have made satisfactory academic progress as defined by the approved institution and meet all other eligibility criteria according to the provisions of this rule to be eligible for a subsequent award under the competitiveness scholarship program.

(I) The award amount for any given academic year will be disbursed to the approved institution, equally, according to the number of semesters at the approved institution and awarded for each semester of part-time enrollment.

(J) Awards will not be made for periods of enrollment during the summer term(s).

(K) An applicant's approved institution choice may be changed prior to the beginning of the first day of classes and may transfer between approved institutions during the academic year. The deadline for these actions is

August 1 for the fall semester and January 1 for the winter or spring semester. Failure to notify the coordinating board by the prescribed dates of this action may result in loss of the award.

(L) Award notifications will be sent to applicants by the coordinating board after the awards have been determined. Notification of awards also will be sent to the student financial aid office at the approved institution where the applicant plans to or has enrolled.

(M) The applicant's award will be sent to the approved institution to be endorsed by the applicant in accordance with the requirements of subsection (3)(B) of this rule.

(N) Should an applicant withdraw prior to the end of the approved institution's refund period during the period of the scholarship, then a refund shall be calculated and made to the coordinating board by the approved institution within forty (40) days from the day on which the applicant withdraws. The amount of the refund will be calculated by the approved institution based on the refund formula of that institution.

AUTHORITY: section 173.262, RSMo 2000. Original rule filed May 24, 1990, effective Nov. 30, 1990. Amended: Filed Jan. 12, 2007, effective July 30, 2007.*

**Original authority: 173.262, RSMo 1988, amended 1992.*

6 CSR 10-2.130 Vietnam Veteran's Survivors Grant Program

PURPOSE: The Vietnam Veteran's Survivors Grant Program, established by section 173.235, RSMo, authorizes the Coordinating Board for Higher Education to provide tuition grants for eligible undergraduate students, who are survivors of Vietnam veterans, and whose death was contributed to or was caused by exposure to toxic chemicals during the Vietnam conflict, to attend an approved Missouri postsecondary institution. This administrative rule sets forth eligibility requirements of survivors for tuition grant assistance and the responsibilities that approved postsecondary institution must meet for the administration of the program.

(1) Definitions.

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

(B) Coordinating board or board is the Coordinating Board for Higher Education created by section 173.005, RSMo.



(C) Eligible survivor shall be any child or spouse of a Vietnam veteran as defined in section 173.235.1(4), RSMo.

(D) Full-time student shall be defined by the approved institution as an undergraduate student who is enrolled in and is carrying sufficient number of credit hours or their equivalent (minimum twelve (12) credit hours) at an approved private or public Missouri institution to secure a degree or certificate.

(E) Grant assistance or award shall be an amount of money paid by Missouri to an eligible survivor pursuant to the provisions of this rule.

(F) Initial recipient shall be any survivor who applies for a tuition grant and meets the eligibility requirements in accordance with the provisions of this rule and is awarded and receives a tuition grant under the grant program as a first-time recipient.

(G) Institution of postsecondary education or approved institution shall be any private or public institution located in Missouri that meets the requirements set forth in subdivision 173.205(2) or (3), RSMo.

(H) Renewal recipient shall be any survivor who applies for a tuition grant, received a tuition grant as an initial recipient and meets the eligibility requirements in accordance with the provisions of this rule and the requirements as defined by the approved institution and is awarded a renewable tuition grant under the grant program.

(I) Resident of Missouri is any veteran who meets the requirements for resident status for Missouri set forth by the coordinating board in 6 CSR 10-3.010.

(J) Satisfactory academic degree progress or satisfactory academic progress shall be determined by the approved institution's policies as applied to other students at the approved institution receiving assistance under Title IV financial aid programs included in the Higher Education Act of 1965.

(K) Similar funds shall be any other state or federal student financial aid funds that are specifically designated for survivors of veterans.

(L) Standard admissions policies shall be policies approved and published by the approved institution to admit special students and students having a certificate of graduation.

(M) Toxic chemicals shall be any chemical determined by the veteran's administration medical authority to have contributed to or was the cause of death of a Vietnam veteran.

(N) Tuition or incidental fee shall be the amount charged by an institution of postsecondary education for attendance at the institution by a student as a resident of this state.

(O) Tuition grant or grant shall mean the Vietnam Veteran's Survivors Grant Program as established by section 173.235, RSMo.

(P) Vietnam veteran shall be any person who meets the requirements as established by section 173.235.1(6)(a)–(c), RSMo.

(2) Eligible Survivor Qualifications and Responsibilities.

(A) To be eligible for grant assistance under the tuition grant program, an eligible survivor must meet the following conditions:

1. Be a citizen or permanent resident of the United States;

2. Be a child or spouse of a Vietnam veteran whose death was contributed to or caused by exposure to toxic chemicals during the Vietnam conflict;

3. Be enrolled or accepted for enrollment as a full-time undergraduate student in a course of study leading to a certificate, or an associate or baccalaureate degree at an approved institution for the period of the grant;

4. Maintain satisfactory academic progress in his/her course of study, according to standards determined by the approved institution;

5. Provide a qualified medical certification by a Veteran's Administration medical authority to verify that the exposure to toxic chemicals contributed to or was the cause of death of the veteran; and

6. Complete an application for tuition grant assistance on forms provided and prescribed by the coordinating board.

(B) Grant assistance shall be allotted for one (1) academic year, but an applicant shall be eligible for renewed assistance until s/he has obtained a baccalaureate degree or completed one hundred fifty (150) semester credit hours, provided the grant assistance shall not exceed a total of ten (10) semesters or their equivalents.

(3) Responsibilities of Institutions of Postsecondary Education.

(A) Approved institutions shall meet the following requirements:

1. Admit students based on the approved institution's standard admissions policies;

2. Establish fair and equitable refund policies covering tuition, fees or other charges. That refund policy shall be the same policy which is utilized by the approved institution for refunding all federal Title IV financial aid programs included in the Higher Education Act of 1965; and

3. Complete the institution's section of the tuition grant program application to verify the applicant's eligibility for the grant pro-

gram and send it to the coordinating board for approval for the current academic year.

(B) When the approved institution receives the tuition grant program funds for the grants made by the coordinating board, the approved institution shall—

1. Determine if the student is enrolled full-time and making satisfactory academic progress in his/her course of study according to standards determined by the approved institution;

2. Deliver the tuition grant program funds to the eligible survivor in the amount awarded to that survivor by the coordinating board, or the approved institution must obtain the survivor's endorsement to retain the portion of the grant which the survivor owes for tuition or incidental fees for the current academic year to that particular approved institution;

3. Notify the coordinating board and return the student's check within thirty (30) days of learning that prior to disbursement, the student to whom an award has been made has not enrolled full-time, has indicated that s/he does not plan to enroll full-time, or does not meet the other student eligibility requirements;

4. Be responsible for the repayment of tuition grant funds to the coordinating board if the grant funds were delivered erroneously to the student; and

5. Determine and calculate the amount of refunds to the coordinating board based on the refund formula of the approved institution for students who withdraw during the institution's refund period. The coordinating board may refuse to award grants to applicants who attend approved institutions which fail to make timely refunds to the coordinating board.

(C) Repayment by the institution under paragraph (3)(B)4. of this rule shall be necessary when—

1. The approved institution delivers funds to a student not eligible under the tuition grant program;

2. The award was based on erroneous, improper or misleading information provided by the approved institution to the coordinating board; or

3. The approved institution delivers the grant funds to a person other than the one to whom the coordinating board has directed the funds be delivered.

(4) Application and Evaluation.

(A) An application for grant assistance under the tuition grant program shall be made annually by the eligible survivor on the form prescribed by the coordinating board.

(B) Completed tuition grant applications must be received by the coordinating board



on or before the application deadline that is established annually in the application materials by the coordinating board to be considered for tuition grants.

(C) Completed tuition grant applications received after the annual deadline established by the coordinating board will be awarded provided program funds are available, based on a review by the coordinating board.

(5) Tuition Grant Program Award Limits and Criteria.

(A) The maximum tuition grant amount for each survivor per academic year shall be the least of the actual tuition charged at an approved institution where the eligible survivor is enrolled or accepted for full-time enrollment; or the average amount of tuition charged a Missouri undergraduate resident enrolled full-time in the same class level (freshman, sophomore, junior, senior) and in the same academic major of the eligible survivor at the institutions identified in section 174.020, RSMo.

(B) The total eligible survivor's tuition grant and similar program funds the survivor is eligible for and receives shall not exceed the total cost of tuition charged by the approved institution for full-time enrollment.

(C) An eligible survivor receiving a grant under the tuition grant program shall have made satisfactory academic progress as defined by the approved institution in order to be eligible for a subsequent award under the tuition grant program.

(D) The grant amount for any given academic year will be disbursed to the approved institution equally according to the number of semesters at that particular approved institution and awarded for each semester of enrollment.

(E) Tuition grants will not be awarded for periods of enrollment during the summer term(s).

(F) Within the amounts appropriated for tuition grant awards, the coordinating board shall award up to twelve (12) grants annually to eligible survivors to attend an approved institution.

(G) Eligible renewal recipients shall have priority in the awarding of tuition grants. If sufficient grant funds are unavailable to award all eligible renewal recipients, grant funds shall be awarded in the following order: fifth-, fourth-, third- and second-year students as defined by the approved institution.

(H) Eligible survivors who qualify as initial recipients under the provisions of this rule each year of the grant program shall be awarded based on the availability of grant funds.

(I) If sufficient tuition grant funds are unavailable to award to initial recipients, tuition grants will be awarded based on the earliest date the completed grant applications are received by the coordinating board until all grant funds have been expended.

(J) Eligible survivors who apply for a tuition grant but are not awarded a grant due to insufficient grant funds shall be put on an eligibility waiting list. The eligibility status of these eligible survivors will be extended to the following academic year and will be considered for a tuition grant in accordance with the criteria in subsections (5)(F)–(I) of this rule.

(K) A survivor who changes his/her approved institution choice prior to the beginning of the first day of classes or who transfers from one (1) approved institution to another must notify the board. Failure to notify the coordinating board may result in loss of the award.

(L) Award notifications will be sent to the eligible survivors by the coordinating board once the applications have been approved and the grants have been determined. Notification of grants will also be sent to the student financial aid office at the approved institution where the student plans to or has enrolled.

(M) The survivor's grant will be sent to the approved institution to be endorsed by the student in accordance with the requirements of subsection (3)(B) of this rule.

(N) Within forty (40) days from the date on which the survivor withdraws, the approved institution shall calculate and make a refund to the coordinating board based on the refund formula established by that institution in accordance with paragraph (3)(A)2. of this rule.

(O) Any eligible survivor is subject to the age limitation found in section 173.235.10., RSMo.

AUTHORITY: section 173.235, RSMo 1994. Original rule filed April 5, 1993, effective Sept. 9, 1993.

**Original authority: 173.235, RSMo 1991.*

6 CSR 10-2.140 Institutional Eligibility for Student Participation

PURPOSE: This rule sets forth policies and procedures of the Coordinating Board for Higher Education regarding the certification of public and private institutions of higher education so their full-time students may qualify for participation in any state student assistance programs.

(1) Definitions.

(A) Approved institution means any institution located in the state of Missouri that meets the requirements set forth in section 173.1102(2) or (3), RSMo; that has been approved under 6 CSR 10-2.140; and that has been approved to participate in the federal student financial assistance programs created in Title IV of the Higher Education Act of 1965, as amended.

(B) Approved private institution means an educational institution as defined in section 173.1102(2), RSMo.

(C) Approved public institution means an educational institution as defined in section 173.1102(3), RSMo.

(D) CBHE means the Coordinating Board for Higher Education created by section 173.005, RSMo.

(E) Department means the Department of Higher Education created by section 173.005, RSMo.

(F) Expenses shall mean any charges the student owes to the institution that can be paid with state student assistance program funds as defined by each state student assistance program.

(G) His, him, or he shall apply equally to the female as well as the male sex.

(H) Standard admission policies shall mean policies approved and published by the approved institution to admit students to the institution.

(I) State student assistance program shall be any financial aid program created by Missouri statute that charges the CBHE with program administration and that establishes institutional eligibility through criteria consistent with section 173.1102, RSMo, as determined by the CBHE.

(2) Policy. In establishing this rule of institutional eligibility, the CBHE is guided principally by the *Constitution of Missouri*; the provisions of section 173.1102, RSMo; and the decisions of the Missouri Supreme Court construing the laws of the state.

(3) Institutional Eligibility.

(A) Only institutions certified by the CBHE as approved public or private institutions may participate in any state student assistance program.

(B) Public and private institutions are eligible to participate in state student assistance programs only if they permit faculty members to select textbooks without influence or pressure from any source in order to be approved institutions. This requirement is in addition to requirements set forth in sections 173.1102(2) and (3), RSMo, and elsewhere in this rule. Selection of textbooks within individual departments or schools by faculty



curriculum committees shall not be considered inconsistent with this requirement.

(C) To be an approved private institution, an institution must be a nonprofit educational institution operating privately under the control of an independent board and not directly controlled or administered by any public agency or political subdivision. This requirement is in addition to requirements set forth in section 173.1102(2), RSMo, and elsewhere in this rule. For the purposes of this rule, an independent board is one that meets the following minimum criteria:

1. The governing instrument of the institution gives the governing board final decision making authority for the institution;

2. The governing board is composed of a number of members as fixed or provided for in the governing instrument of the institution, who serve for terms of definite duration;

3. Each member of the governing board is free to exercise judgment independently in the interest of the institution without being controlled by any person or authority; and

4. The members of the governing board may not be removed by any authority during their respective terms, except for cause. For purposes of this criterion, "cause" shall not include any reason based upon religious affiliation, including failure to follow the directives of any purported superior authority, religious or otherwise.

(D) No institution offering a course of study leading only to a degree in theology or divinity shall be eligible for certification as an approved institution under this rule.

(4) The CBHE shall assign institutions to appropriate institutional groups based on length of program, institutional structure, and other criteria it considers applicable to such assignment.

(5) Institutional Responsibilities.

(A) Approved institutions shall:

1. Admit students based on the institution's standard admission policies;

2. Submit a copy of the institution's policy on satisfactory academic progress for the records of the CBHE;

3. Establish fair and equitable refund policies covering tuition, fees, and, where applicable, room and board charges. The refund policy shall be the same policy used by the institution for refunding all federal Title IV financial aid included in the Higher Education Act of 1965;

4. Systematically organize all student records (student financial aid, registrar, business office) pertaining to students who receive state student assistance program awards to be made readily available for

review upon request by the CBHE. The retention period for these records shall be the same period used by the institution to comply with federal Title IV program requirements included in the Higher Education Act of 1965; and

5. Verify each state student assistance program award recipient's eligibility by transmitting the student's record to the department by the deadline published by the department. Funds must be delivered not more than ten (10) business days after this verification or eligibility must be reconfirmed by the institution before delivery.

(B) Before the approved institution delivers the state student assistance program funds to an applicant, the approved institution must require the applicant to provide affirmative proof that the applicant is a United States (U.S.) citizen, permanent resident of the U.S., or lawfully present in the U.S., in accordance with the rules of the state student assistance program. Students who are U.S. citizens or permanent residents of the U.S. need only provide this proof before the first time they receive an award and shall not be required to provide it before they receive subsequent awards. Students who are not U.S. citizens or permanent residents of the U.S. must present affirmative proof annually.

(C) When the approved institution receives the state student assistance program funds for the awards made by the CBHE, the approved institution must:

1. Deliver the state student assistance program funds to the award recipient in the amount determined by the CBHE using the institution's standard award delivery procedures, obtain the applicant's endorsement when necessary, retain the portion of the state student assistance award that the applicant owes to that institution for expenses, and promptly give the applicant any remaining funds;

2. Return the applicant's award to the CBHE within thirty (30) days of learning he is no longer eligible to receive an award, if this is determined prior to the delivery of funds to the applicant;

3. Be responsible for the repayment of any funds sent to it by the CBHE within thirty (30) days of learning any of the following:

A. The institution delivered funds to an ineligible applicant if the award was based on erroneous, improper, or misleading information provided by the institution to the CBHE; or

B. The institution delivered the funds to a person other than the one to whom the CBHE has directed the funds be delivered; or

C. The award amount for an eligible student exceeded the maximum amount for which the student was eligible; and

4. Determine and calculate the amount of refunds to the CBHE based on the institution's refund formula for applicants who withdraw. The funds must be returned to the CBHE within thirty (30) days of the determination a withdrawal has occurred.

(D) The CBHE may refuse to make state student assistance awards to applicants who attend institutions that fail to make timely refunds to the CBHE as provided above.

(6) Procedures.

(A) All institutions currently holding an approved institution status shall retain said status for a period of three (3) years from the effective date of this rule, unless that status is terminated in accordance with 6 CSR 10-2.140(3) or 6 CSR 10-2.140(6)(C).

(B) Any institution not designated an approved institution on the effective date of this rule shall make application to the CBHE to be certified as an approved institution and shall sign participation agreements for all state student assistance programs in which the institution will participate in order for students attending the institution to be eligible to receive state student assistance awards. Applications for approved institution status shall be made on forms provided therefore by the CBHE. Upon certification of an institution as an approved institution by the CBHE, the status of an approved institution shall continue for a period of no more than three (3) years from the date of certification unless earlier terminated for changes in operation specified in 6 CSR 10-2.140(3) or 6 CSR 10-2.140(6)(C).

(C) During a period in which an institution is certified as an approved institution, if a substantial change occurs in the institution's governing structure; in the institution's hiring policies pertaining to administration, faculty, and staff; in the institution's admissions policies; in the institution's textbook selection procedures; in the level of programs or degrees offered by the institution; in the institution's qualification for accreditation by the Higher Learning Commission or other United States Department of Education-recognized accrediting agency; in the institution's record of compliance with lawfully promulgated CBHE policies and procedures; or in any other matter affecting the criteria set forth in sections 173.1102(2) or (3), RSMo, the CBHE may consider whether to terminate the institution's approved status because of such change. Institutions shall notify the CBHE in writing within thirty (30) days after any such change occurs. Before



the CBHE makes a decision regarding the status of an approved institution, the CBHE may, at its own discretion, hold one (1) or more public hearing(s) under the procedures set forth in subsection (6)(G) of this rule.

(D) If any institution's approved institution status is terminated before the expiration of the three (3)-year term, the institution may thereafter apply to the CBHE for recertification on forms provided by the CBHE.

(E) If an approved institution desires to continue its status as an approved institution, it may apply for renewal of its approved institution status by filing an application for recertification as an approved institution and signing participation agreements for all state student assistance programs in which the institution will participate at least sixty (60) days before the date its certification would normally expire. An application for recertification as an approved institution shall be made to the CBHE on forms provided by the CBHE.

(F) Upon receipt of a completed institutional application form, the CBHE may certify or recertify the institution as an approved institution or deny certification as an approved institution. The CBHE may base its decision on the information submitted by the institution, on the institution's record of compliance with CBHE policies and procedures, and on any other information that the CBHE deems reliable. The CBHE, at its own discretion, may hold one (1) or more public hearing(s) regarding the merits of the application.

(G) In the event the CBHE requires a hearing, the CBHE shall so advise the institution within a reasonable amount of time. The advice to the institution shall state the time and place of the hearing and the issues of concern to the CBHE. The institution shall publish conspicuous notices of such hearing in its buildings and on its grounds, in areas accessible to staff, faculty, and students, and the notices shall set forth the fact that the hearing is to be held; its date, time, location, and purpose; the telephone number and mailing address of the commissioner of higher education at the department, and advice that comments concerning the issues identified by the CBHE may be communicated to the commissioner of higher education.

(H) The decision to certify, recertify, decertify, or reject initial certification of an institution as an approved institution shall rest solely within the discretion of the CBHE.

AUTHORITY: sections 173.236, 173.254, 173.260, and 173.262, RSMo 2000, and sections 173.234, 173.250, and 173.1103, RSMo Supp. 2008. Emergency rule filed Aug. 28,*

2007, effective Sept. 7, 2007, expired March 4, 2008. Original rule filed Oct. 12, 2007, effective March 30, 2008. Amended: Filed Dec. 15, 2008, effective June 30, 2009.

**Original authority: 173.234, RSMo 2008; 173.236, RSMo 1991; 173.254, RSMo 1998; 173.260, RSMo 1987, amended 1998; 173.262, RSMo 1988, amended 1992; 173.250, RSMo 1986, amended 1988, 1990, 1990, 1991, 2007; and 176.1103, RSMo 2007.*

6 CSR 10-2.150 Access Missouri Financial Assistance Program

PURPOSE: This rule sets forth the policies of the Coordinating Board for Higher Education regarding student eligibility and application procedures for student financial assistance under the Access Missouri Financial Assistance Program.

(1) Definitions.

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

(B) Access Missouri shall mean the Access Missouri Financial Assistance Program set forth in sections 173.1101–173.1107, RSMo.

(C) Access Missouri award means an amount of money paid by the state of Missouri to a qualified applicant under the Access Missouri program.

(D) Applicant means a student who has filed a complete and accurate application to receive an Access Missouri award as prescribed by the CBHE and who qualifies to receive such award under section 173.1104, RSMo.

(E) Approved institution means any institution located in the state of Missouri that meets the requirements set forth in sections 173.1102(2) or (3), RSMo, that has been approved under 6 CSR 10-2.140, and that has been approved to participate in the federal student financial assistance programs created in Title IV of the Higher Education Act of 1965, as amended.

(F) Award year shall be from July 1 of any year through June 30 of the following year, excluding summer terms.

(G) CBHE means the Coordinating Board for Higher Education created by section 173.005, RSMo.

(H) Consortium Agreement means a written agreement between two (2) or more approved institutions that allows students to take courses at a school other than the home school and have those courses count toward the degree or certificate at the home school and that complies with United States Department of Education requirements for federal student financial assistance.

(I) Department means the Department of Higher Education created by section 173.005, RSMo.

(J) EFC means Expected Family Contribution, the amount of money a student and family should pay toward the cost of post-secondary education as calculated annually by the United States Department of Education as a result of an official federal need analysis based on the student's federal need-based aid application form.

(K) Expenses mean any educational-related expenses including, but not limited to, tuition, fees, and room and board.

(L) Full-time student means a student who is enrolled in at least twelve (12) semester hours, eight (8) quarter hours, or the equivalent in another measurement system, but not 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 Title IV student aid programs shall be considered by the approved institution to be a full-time student and shall be considered to be making satisfactory academic progress, as defined in subsection (1)(R) of this rule, while carrying a minimum of six (6) credit hours or their equivalent at the approved institution.

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

(N) Initial recipient means a student who qualifies under section 173.1104, RSMo, has filed an accurate and complete application by the deadline established by the CBHE for the Access Missouri program, and has not received an Access Missouri award in any prior academic year.

(O) Increment group shall mean a group organized by EFC in five hundred dollar (\$500) increments into which all eligible applicants are placed.

(P) Renewal recipient means a student who received an Access Missouri award, who meets the requirements set forth in section 173.1104, RSMo, and who has filed an accurate and complete application by the deadline established by the CBHE for the Access Missouri program.

(Q) Residency, for the purpose of this rule, shall be determined by reference to the



standards set forth in the determination of student residency rule, 6 CSR 10-3.010.

(R) 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 approved institution's policies as applied to other students at the approved institution receiving assistance under Title IV financial aid programs included in the Higher Education Act of 1965. The calculation of CGPA shall be based on the approved institution's policies as applied to other students in similar circumstances.

(2) Responsibilities of Institutions of Postsecondary Education. Institutions participating in the Access Missouri program must meet the requirements set forth in 6 CSR 10-2.140 Institutional Eligibility for Student Participation.

(3) Basic Eligibility Policy. To qualify for an Access Missouri award, an initial or a renewal recipient, at the time of his application and throughout the period during which he receives the award, must meet the requirements set forth in section 173.1104, RSMo.

(4) Application and Evaluation Policy.

(A) The CBHE shall annually prescribe the time and method for filing applications for financial assistance under the Access Missouri program. It shall make announcement of its action in these respects.

(B) Students shall apply annually for financial assistance under the Access Missouri program by completing and submitting the federal need-based aid application form as prescribed by the United States Department of Education.

(C) The department will evaluate each student's application for an Access Missouri award according to the student's EFC as calculated based on information provided in the student's federal need-based aid application form completed and submitted as prescribed by the United States Department of Education.

(D) Annual award amounts for renewal recipients may be increased or decreased based on a change in the financial condition of the applicant, the financial condition of the applicant's spouse or parents, or availability of funds for distribution during that award year.

(E) Exceptions to the department's procedures applicable to the Access Missouri program and reconsideration of applicants' need will take place only in unusual circum-

stances, such as death or disability of a wage earner, illness, or other economic reversal, and will be considered on an individual basis only upon written request, submitted to the Missouri Department of Higher Education, Access Missouri Program, 3515 Amazonas Drive, Jefferson City, MO 65109.

(5) Award Policy.

(A) Access Missouri awards shall be allotted for one (1) award year.

(B) A renewal recipient may continue to receive a grant under the Access Missouri program so long as the applicant:

1. Maintains satisfactory academic progress;

2. Otherwise meets the criteria of the Access Missouri program; and

3. Has not exceeded—

A. Five (5) semesters at two (2)-year institutions; or

B. A total of ten (10) semesters or fifteen (15) quarters at a four (4)-year institution or any combination of institutions.

(C) Initial and renewal recipients who meet the eligibility requirements set forth in sections 173.1101 through 173.1107, RSMo, and this rule shall be eligible for an Access Missouri award, with minimum and maximum annual award amounts as follows, subject to the availability of funds appropriated by the legislature:

1. One thousand dollars (\$1,000) maximum and three hundred dollars (\$300) minimum for students attending institutions classified as part of the public two (2)-year sector;

2. Two thousand one hundred fifty dollars (\$2,150) maximum and one thousand dollars (\$1,000) minimum for students attending institutions classified as part of the public four (4)-year sector, including Linn State Technical College; and

3. Four thousand six hundred dollars (\$4,600) maximum and two thousand dollars (\$2,000) minimum for students attending approved private institutions.

(D) All students with an EFC of twelve thousand dollars (\$12,000) or less shall receive at least the minimum annual award amount for his institution, subject to the availability of funds appropriated by the legislature. Maximum annual award amounts for recipients with an EFC above seven thousand dollars (\$7,000) shall be reduced by ten percent (10%) of the maximum EFC for his increment group.

(E) Any award amount shall be reduced by the amount of a student's reimbursement pursuant to section 160.545, RSMo.

(F) Maximum annual award amounts will be reduced as provided in section 173.1105,

RSMo, across all institutional groups in order to ensure the total funds awarded through the Access Missouri program do not exceed the funds appropriated. If sufficient funds are appropriated, the department shall increase the number of recipients by raising the EFC cutoff once the statutory maximum awards have been met.

(G) A student who has been denied an Access Missouri award for lack of satisfactory academic progress may not receive another Access Missouri award until the enrollment period after the applicable standard has once again been met.

(H) No Access Missouri awards will be granted to a student after—

1. A baccalaureate degree has been granted to the student;

2. The required hours for a baccalaureate degree have been completed by a student; or

3. The student has completed one hundred fifty (150) semester hours or two hundred twenty-five (225) quarter hours of coursework.

(I) Access Missouri awards will be made for use during the normal academic year, but no funds for Access Missouri awards will be granted for use for summer school.

(J) No Access Missouri award will be made retroactive to a previous academic year. An Access Missouri award will be made retroactive to a previous semester only upon the sole discretion of the department.

(K) Access Missouri awards will be issued only after certification of full-time attendance of the student by the institution. For a student enrolled as part of a consortium agreement, the student must be considered to be enrolled full-time at the home institution to be certified.

(L) Only one-half the annual Access Missouri award will be issued in a semester of that award year.

(M) The applicant's award will be sent to the approved institution to be endorsed by the applicant. The institution shall retain the portion of the award that the student owes for expenses and promptly give the applicant any remaining funds.

(N) An applicant's failure to provide required information by the established deadlines may result in loss of the Access Missouri award.

(O) The CBHE has the discretion to withhold payments of any Access Missouri awards after initiating an inquiry into the eligibility or the continued eligibility of a student or into the approved status of an institution.

(P) A student may transfer the Access Missouri award from one approved public or private institution to another without losing



eligibility for assistance, but the CBHE shall make any necessary adjustments in the amount of the award.

(6) Information Sharing Policy. All information on an individual's Access Missouri 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 the state or federal governments as provided for in the Privacy Act of 1974, 5 U.S.C. sections 552, 552a.

AUTHORITY: section 173.1103, RSMo Supp. 2008. Emergency rule filed Aug. 28, 2007, effective Sept. 7, 2007, expired March 4, 2008. Original rule filed Oct. 12, 2007, effective March 30, 2008. Amended: Filed Dec. 15, 2008, effective June 30, 2009.*

**Original authority: 173.1103, RSMo 2007.*

6 CSR 10-2.160 War Veteran's Survivors Grant Program

PURPOSE: The War Veteran's Survivors Grant, established by section 173.234, RSMo, authorizes the Coordinating Board for Higher Education to provide grants for tuition assistance, room and board, and books for eligible undergraduate students who meet the criteria established in statute. This administrative rule sets forth eligibility requirements for War Veteran's Survivors Grant award recipients and the responsibilities that approved postsecondary institutions must fulfill for participation in the program.

(1) Definitions.

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

(B) Applicant means a survivor who has filed an accurate and complete application to receive a War Veteran's Survivors Grant award, who has been certified as eligible by the Missouri Veteran's Commission, and who otherwise qualifies to receive such award under section 173.254, RSMo.

(C) Award shall be an amount of money paid by Missouri to a qualified applicant for tuition assistance, room and board, and books pursuant to the provisions of this rule and section 173.234, RSMo.

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

(E) Books are any books or related supplementary materials required for any course for

which tuition was paid in whole or in part by an award under this section.

(F) Consortium agreement means a written agreement between two (2) or more approved institutions that allows students to take courses at a school other than the home school and have those courses count toward the degree or certificate at the home school and that complies with United States Department of Education requirements for federal student financial assistance.

(G) Coordinating board, CBHE, or board is the Coordinating Board for Higher Education created by section 173.005, RSMo.

(H) Department means the Department of Higher Education created by section 173.005, RSMo.

(I) Grant shall be the War Veteran's Survivors Grant established in section 173.234, RSMo.

(J) His, him, or he shall apply equally to the female as well as the male sex.

(K) Initial recipient means any applicant who meets the criteria set forth in section 173.234, RSMo, and in this regulation; has filed an accurate and complete application by the deadline established by the CBHE for the War Veteran's Survivors Grant program; and has not received a War Veteran's Survivors Grant award in any prior academic year.

(L) Institution of postsecondary education or approved institution shall be any Missouri public institution of postsecondary education as defined in section 173.1102(3), RSMo.

(M) Renewal recipient means any applicant who has received a War Veteran's Survivors Grant award; who meets the requirements set forth in section 173.234, RSMo, and in this regulation; and who has filed an accurate and complete application by the deadline established by the department for the War Veteran's Survivors Grant program.

(N) Satisfactory academic progress means meeting the requirements established by the approved institution in which the student is enrolled for students at the approved institution to receive assistance under Title IV financial aid programs included in the Higher Education Act of 1965, with the exception of grade point average.

(O) Survivor shall be any child up to twenty-five (25) years of age or spouse of a war veteran as defined in section 173.234.1(5), RSMo.

(P) Tuition is any tuition or incidental fee, or both, charged by an institution of postsecondary education for attendance at the institution by a student as a resident of this state.

(Q) Tuition assistance is the component of the award related to the actual tuition paid by the student up to the amount charged to a

Missouri resident at the University of Missouri-Columbia.

(2) Responsibilities of Institutions of Postsecondary Education.

(A) Institutions participating in the War Veteran's Survivors Grant program must meet the requirements set forth in 6 CSR 10-2.140 Institutional Eligibility for Student Participation.

(B) Institutions must retain highlighted book receipts documenting each eligible student's book costs and provide a copy of the receipts to the department upon request.

(3) Eligibility Policy. To qualify for an award, an initial or renewal recipient, at the time of his application and throughout the period during which he receives the award, must—

(A) Meet the requirements set forth in section 173.234, RSMo, and this regulation;

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

(C) Be enrolled or accepted for enrollment at least half-time in an approved institution where half-time enrollment is determined by the standards of the institution.

(4) Application and Evaluation.

(A) The department shall annually prescribe the time and method for filing applications for an award under the War Veteran's Survivors Grant program. It shall make announcement of its action in these respects.

(B) Students shall apply annually for an award under the War Veteran's Survivors Grant program by completing and submitting the application form as prescribed by the department.

(C) The department will evaluate each application for a War Veteran's Survivors Grant award according to the certification provided by the Missouri Veteran's Commission and according to the extent to which each applicant meets the requirements set forth in this regulation and section 173.234, RSMo.

(5) Award Policy.

(A) War Veteran's Survivors Grant awards shall be allotted for one (1) award year. Award amounts will be calculated and issued for each semester of that award year.

(B) Within the limits of amounts appropriated therefore, a renewal recipient may continue to receive an award so long as he:

1. Maintains a cumulative grade point average of at least two and one-half (2.5) on a four-point (4.0) scale, or its equivalent;



2. Maintains satisfactory academic progress; and

3. Otherwise meets the criteria of the War Veteran's Survivors Grant program.

(C) Provided that sufficient funds are appropriated, initial and renewal recipients who meet the eligibility requirements set forth in section 173.234, RSMo, and this rule shall be eligible for a War Veteran's Survivors Grant award amounting to the sum of the following:

1. The actual tuition charged for the number of hours in which the initial or renewal recipient is enrolled or accepted for enrollment at the approved institution. The amount of the tuition assistance shall not exceed the amount of tuition charged a Missouri resident enrolled in the same number of hours at the University of Missouri-Columbia. For programs measured in clock hours rather than credit hours, the institution shall use the conversion formula of fifteen (15) classroom hours equal one (1) credit hour;

2. An allowance of up to two thousand dollars (\$2,000) per semester for room and board, as determined by the department; and

3. The actual cost of the survivor's books at the approved institution where the initial or renewal recipient is enrolled or accepted for enrollment as documented with actual receipts for books purchased, not to exceed five hundred dollars (\$500) per semester.

(D) Within the amounts appropriated for awards, the coordinating board shall provide awards for up to twenty-five (25) applicants annually to attend approved institutions.

(E) Eligible renewal recipients shall have award priority. If funds are not available to make awards to all applicants who would otherwise meet the requirements to be renewal recipients, the department will make awards according to priority based on the earliest complete and accurate applications received by the department.

(F) Applicants who qualify as initial recipients under the provisions of this rule shall receive awards if sufficient funds are appropriated and subject to the priorities described above.

(G) If funds are not available to make awards to all applicants who would otherwise meet the requirements to be initial recipients, the department will make awards according to priority based on the earliest complete and accurate applications received by the department.

(H) Eligible applicants who do not receive an award due to insufficient grant funds shall be put on a waiting list. If the waiting list of eligible applicants exceeds fifty (50), the

CBHE may petition the general assembly to expand the quota. If the quota is not expanded, then the eligibility status of these eligible applicants will be extended to the following academic year and the applicant will be considered for an award in accordance with the criteria in subsections (5)(D)-(G) of this rule.

(I) Award notifications will be sent to the eligible applicants by the department once the applications have been approved and the award amounts have been determined. Notification of award eligibility will also be sent to the student financial aid office at the approved institution where the student plans to enroll or has enrolled.

(J) An applicant who has been denied a War Veteran's Survivors Grant award for lack of satisfactory academic progress or failure to maintain the grade point average requirement in paragraphs (5)(B)1.-2. of this rule may not receive another War Veteran's Survivors Grant award until the enrollment period after the applicable standard has once again been met.

(K) No War Veteran's Survivors Grant award will be granted to an applicant after completion of the first baccalaureate degree, regardless of age.

(L) War Veteran's Survivors Grant awards will be made for use during the academic year, but no funds for War Veteran's Survivors Grant awards will be granted for use for summer school.

(M) No War Veteran's Survivors Grant award will be made retroactive to a previous academic year. A War Veteran's Survivors Grant award will be made retroactive to a previous semester only upon the sole discretion of the department.

(N) War Veteran's Survivors Grant awards will be issued only after certification of attendance of the student by the institution.

(O) In order to receive an award for attendance at more than one (1) institution during a single semester, applicants must be enrolled in a consortium agreement. Awards based on consortium agreements will be issued to the home school.

(P) An applicant's failure to provide an accurate and complete application or any additional information by any deadline may result in loss of the War Veteran's Survivors Grant award.

(Q) The CBHE may withhold payment of any War Veteran's Survivors Grant award after initiating an inquiry into the initial or continued eligibility of a student or into the approved status of an institution.

(R) A student may transfer the War Veteran's Survivors Grant award from one (1) approved public institution of postsecondary education to another without losing eligibili-

ty for assistance, but the CBHE shall make any necessary adjustments in the amount of the award.

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

AUTHORITY: section 173.234, RSMo Supp. 2008. Original rule filed Dec. 15, 2008, effective June 30, 2009.*

**Original authority: 173.234, RSMo 2008.*

6 CSR 10-2.170 Kids' Chance Scholarship Program

PURPOSE: The Kids' Chance Scholarship Program, established by section 173.254, RSMo, authorizes the Department of Higher Education to provide scholarships for the children of workers who were seriously injured or died in work-related accidents or of occupational diseases covered by workers' compensation and compensable pursuant to Chapter 287, RSMo, to attend a college, university, or accredited vocational institution of their choice. This administrative rule sets forth eligibility requirements for Kids' Chance Scholarship award recipients and the responsibilities that approved postsecondary institutions must fulfill for the administration of the program.

(1) Definitions.

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

(B) Applicant means an eligible child, as defined in this rule, who applies for a Kids' Chance scholarship.

(C) Award year shall be from July 1 of any year through June 30 of the following year, excluding summer terms.

(D) Consortium agreement means a written agreement between two (2) or more approved institutions that allows students to take courses at a school other than the home school and have those courses count toward the degree or certificate at the home school and that complies with United States Department of Education requirements for federal student financial assistance.



(E) Coordinating board, CBHE, or board is the Coordinating Board for Higher Education created by section 173.005, RSMo.

(F) Department means the Department of Higher Education created by section 173.005, RSMo.

(G) EFC means Expected Family Contribution, the amount of money a student and family should pay toward the cost of postsecondary education as calculated annually by the United States Department of Education as a result of an official federal need analysis based on the student's federal need-based aid application form.

(H) Eligible child is a natural child, adopted child, or stepchild who meets the requirements set forth in section 173.254, RSMo, and this regulation.

(I) His, him, or he shall apply equally to the female as well as the male sex.

(J) Initial recipient means any applicant who has filed an accurate and complete application by the deadline established by the CBHE for the Kids' Chance program and has not received a Kids' Chance award in any prior academic year.

(K) Institution of postsecondary education or approved institution means any institution located in the state of Missouri that meets the requirements set forth in sections 173.1102(2) or (3), RSMo, and that has been approved under 6 CSR 10-2.140.

(L) Kids' Chance or scholarship program shall mean the Kids' Chance Scholarship Program set forth in sections 173.254 through 173.258, RSMo.

(M) Kids' Chance Inc. of Missouri means the registered Missouri nonprofit corporation established to provide scholarships for tuition, education materials, living expenses, and other related incidental expenses for education to children of employees who have been seriously injured or killed in work-related accidents which have been either judicially determined to be, or accepted as, compensable under the Missouri Workers' Compensation Law, or any corresponding provisions of any future Missouri law.

(N) Missouri residency, for the purpose of this rule, shall be determined by reference to the standards set forth in the determination of student residency rule, 6 CSR 10-3.010.

(O) Renewal recipient means any applicant who has received a Kids' Chance award and who has filed an accurate and complete application by the deadline established by the department for the Kids' Chance program.

(P) Satisfactory academic progress means meeting the requirements established by the approved institution in which the student is enrolled for students at the approved institu-

tion to receive assistance under Title IV financial aid programs included in the Higher Education Act of 1965, with the exception of grade point average.

(Q) Scholarship assistance, award, or funds shall be an amount of money paid by Missouri to a qualified applicant pursuant to the provisions of this rule.

(R) Serious injury shall be an injury that led to a paid settlement or judicial award that can be identified by the injured party's inclusion on the Dependent Outreach List provided by the Missouri Division of Worker's Compensation.

(2) Responsibilities of Institutions of Postsecondary Education. Institutions participating in the Kids' Chance program must meet the requirements set forth in 6 CSR 10-2.140 Institutional Eligibility for Student Participation.

(3) Eligibility Policy. To qualify for an award, an initial or renewal recipient, at the time of his application and throughout the period during which he receives the award, must:

(A) Meet the requirements set forth in section 173.254, RSMo, and this regulation;

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

(C) Be enrolled or accepted for enrollment at least half-time in an approved institution, where half-time enrollment is determined by the standards of the institution;

(D) Establish financial need by having an EFC that is less than or equal to the maximum EFC used to determine eligibility for the Access Missouri Student Financial Assistance Program;

(E) 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

(F) Complete an application for scholarship assistance according to the provisions of this rule.

(4) Application and Evaluation.

(A) The department shall annually prescribe the time and method for filing applications for an award under the Kids' Chance program. It shall make announcement of its action in these respects.

(B) Students shall apply annually for an award under the Kids' Chance program by completing and submitting the application form as prescribed by the department.

(C) The department will evaluate each application for a Kids' Chance award based on the information provided by Kids' Chance

Inc. of Missouri and according to the extent to which each applicant meets the requirements set forth in this regulation and section 173.254, RSMo.

(5) Award Policy.

(A) Kids' Chance awards shall be allotted for one (1) award year, but an applicant shall be eligible for renewed assistance until he has reached the age of twenty-two (22) years, except the applicant may receive such scholarship assistance through the completion of the semester or similar grading period in which the eligible child reaches his twenty-second year.

(B) Award amounts will be calculated and issued for each semester of that award year.

(C) Within the limits of amounts appropriated therefore, a renewal recipient may continue to receive an award so long as he:

1. Maintains a cumulative grade point average of at least two and one-half (2.5) on a four-point (4.0) scale, or its equivalent;

2. Maintains satisfactory academic progress; and

3. Otherwise meets the criteria of the Kids' Chance program.

(D) Provided that sufficient funds are appropriated, initial and renewal recipients who meet the eligibility requirements set forth in section 173.254, RSMo, and this rule shall be eligible for a Kids' Chance award, with the maximum scholarship award amount for each semester being the least of:

1. The actual tuition as defined in section 173.260, RSMo, charged at the approved institution where the individual is enrolled or accepted for enrollment for the number of credit hours in which the individual is enrolled; or

2. The amount of tuition charged a Missouri resident at the University of Missouri for attendance based on the same number of credit hours in which the individual is enrolled.

(E) The applicant's scholarship award shall be reduced when necessary pursuant to section 173.093, RSMo.

(F) Eligible renewal recipients shall have award priority. If funds are not available to make awards to all applicants who would otherwise meet the requirements to be renewal recipients, the department will make awards first according to priority based on the students with the lowest EFCs and then on the earliest complete and accurate applications received by the department.

(G) Applicants who qualify as initial recipients under the provisions of this rule shall receive awards if sufficient funds are appropriated and subject to the priorities described above.



(H) If funds are not available to make awards to all applicants who would otherwise meet the requirements to be initial recipients, the department will make awards first according to priority based on the students with the lowest EFCs and then on the earliest complete and accurate applications received by the department.

(I) Award notifications will be sent to the eligible applicants by the department once the applications have been approved. Notification of award eligibility will also be sent to the student financial aid office at the approved institution where the student plans to enroll or has enrolled.

(J) An applicant who has been denied a Kids' Chance award for lack of satisfactory academic progress or failure to maintain the grade point average requirement in paragraphs (5)(C)1.-2. of this rule may not receive another Kids' Chance award until the enrollment period after the applicable standard has once again been met.

(K) Kids' Chance awards will be made for use during the academic year, but no funds for Kids' Chance awards will be granted for use for summer school.

(L) No Kids' Chance award will be made retroactive to a previous academic year. A Kids' Chance award will be made retroactive to a previous semester only upon the sole discretion of the department.

(M) Kids' Chance awards will be issued only after certification of at least half-time attendance of the student by the institution. For students enrolled as part of a consortium agreement, the student must be considered to be enrolled at least half-time at the home institution to be certified.

(N) An applicant's failure to provide an accurate and complete application or any additional information by any deadline may result in loss of the Kids' Chance award.

(O) The CBHE may withhold payment of any Kids' Chance award after initiating an inquiry into the initial or continued eligibility of a student or into the approved status of an institution.

(P) A student may transfer the Kids' Chance award from one (1) approved institution in Missouri to another without losing eligibility for assistance, but the CBHE shall make any necessary adjustments in the amount of the award.

(6) Information Sharing Policy. All information on an individual's Kids' Chance application will be shared with the financial aid office of the institution to which the individual has applied or that the individual is attending to permit verification of data submitted. Information may be shared with fed-

eral financial aid officers if necessary to verify data furnished by the state or federal governments as provided for in the Privacy Act of 1974, 5 U.S.C. sections 552, 552a.

AUTHORITY: section 173.254, RSMo 2000. Original rule filed Dec. 15, 2008, effective June 30, 2009.*

**Original authority: 173.254, RSMo 1998.*