

## 2023 Kansas Statutes

**74-32,164. Institutions and courses exempt from act.** The Kansas private and out-of-state postsecondary educational institution act shall not apply to:

- (a) Postsecondary educational institutions established, operated and governed by this state or a political subdivision thereof;
- (b) an institution or training program that offers instruction only for avocational or recreational purposes as determined by the state board;
- (c) a course or courses of instruction or study, excluding degree-granting programs, sponsored by an employer for the training and preparation of its own employees, and for which no tuition or other fee is charged to the student;
- (d) a course or courses of instruction or study sponsored by a recognized trade, business or professional organization having a closed membership for the instruction of the members of the organization, and for which no tuition or other fee is charged to the student;
- (e) except as provided in K.S.A. 2023 Supp. 74-32,164a, and amendments thereto, an institution that is otherwise actively regulated by another regulatory agency of Kansas under any other law of Kansas and has received an affirmative approval from such other agency to operate in Kansas;
- (f) a course or courses of special study or instruction having a closed enrollment and financed or subsidized on a contract basis by local or state government, private industry, or any person, firm, association or agency, other than the student involved;
- (g) an institution financed or subsidized by federal or special funds that has applied to the state board for exemption from the provisions of this act and has been declared exempt by the state board because the state board has found that the operation of such institution is outside the purview of this act;
- (h) education offered as an intensive review course solely designed to prepare students for graduate or professional school entrance examinations or professional licensure examinations, including, but not limited to, certified public accountancy examinations, examinations for a professional practice in psychology or bar examinations;
- (i) each of the following postsecondary educational institutions, all of which were granted approval to confer academic or honorary degrees by the state board of education under the provisions of K.S.A. 17-6105, prior to its repeal, or were previously exempted from this act by the legislature and that have approval to confer academic or honorary degrees in calendar year 2021:
  - (1) Baker university, Baldwin City;
  - (2) Barclay college, Haviiland;
  - (3) Benedictine college, Atchison;
  - (4) Bethany college, Lindsborg;
  - (5) Bethel college, North Newton;
  - (6) Central Baptist theological seminary, Kansas City;
  - (7) Central Christian college of Kansas, McPherson;
  - (8) Cleveland university-Kansas City, Overland Park;
  - (9) Donnelly college, Kansas City;
  - (10) Friends university, Wichita;
  - (11) Hesston college, Hesston;
  - (12) Kansas Christian college, Overland Park;
  - (13) Kansas Wesleyan university, Salina;
  - (14) Manhattan Christian college, Manhattan;
  - (15) McPherson college, McPherson;
  - (16) MidAmerica Nazarene university, Olathe;
  - (17) Newman university, Wichita;
  - (18) Ottawa university, Ottawa;
  - (19) Southwestern college, Winfield;
  - (20) Sterling college, Sterling;
  - (21) Tabor college, Hillsboro; and
  - (22) University of Saint Mary, Leavenworth; and
- (j) any institution that does not have a physical presence in Kansas and that is

otherwise subject to this act, but only to the extent that and for the period of time that such institution is participating in the state authorization reciprocity agreement as authorized under K.S.A. 74-32,194, and amendments thereto, for the purpose of providing distance education to students in Kansas. As used in this subsection, "distance education" means the same as defined in K.S.A. 74-32,194, and amendments thereto.

**History:** L. 2004, ch. 185, § 4; L. 2014, ch. 8, § 2; L. 2017, ch. 9, § 1; L. 2021, ch. 17, § 7; July 1.