

SENATE BILL No. 13

By Legislative Educational Planning Committee

1-13

1 AN ACT concerning postsecondary technical education; amending
2 K.S.A. 71-601, 71-604, 71-609, 71-609a, 71-613, 71-614, 71-620, 71-
3 701, 71-802, 71-1201, 72-4440, 72-4441, 72-4442, 72-4453, 72-4454,
4 72-4480, 72-6214, 73-1218 and 76-6a13 and K.S.A. 2010 Supp. 71-
5 201, 71-1507, 72-4412, 72-4415, 72-4450, 72-4466, 72-4470a, 73-
6 1217, 74-3201b, 74-32,146, 74-32,151, 75-4364, 75-53,112, 75-6609,
7 75-7222 and 76-768 and repealing the existing sections; also repealing
8 K.S.A. 71-613a, 71-1706, 72-4428, 72-4435, 72-4468, 72-6803 and
9 74-3229a and K.S.A. 2010 Supp. 72-4430, 72-4431, 72-4432, 72-4433
10 and 76-781.
11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 2010 Supp. 71-201 is hereby amended to read as
14 follows: 71-201. (a) The board of trustees, in accordance with the
15 provisions of law and the rules and regulations of the state board of
16 regents, shall have custody of and be responsible for the property of the
17 community college and shall be responsible for the operation,
18 management and control of the college. The board of trustees shall hold
19 at least one regular meeting each month at a time prescribed by the board.
20 The board shall make an annual report in the manner prescribed by the
21 state board of regents. Members of the board of trustees shall be paid
22 subsistence allowances, mileage and other actual and necessary expenses
23 incurred in the performance of their official duties.

24 (b) For effectuation of the purposes of this act, the board of trustees
25 in addition to such other powers expressly granted to it by law and
26 subject to the rules and regulations of the state board of regents is hereby
27 granted the following powers:

28 (1) To select its own chairperson and such other officers as it may
29 deem desirable, from among its own membership. The secretary may be
30 chief administrative officer of the college.

31 (2) To sue and be sued.

32 (3) To determine the educational program of the college subject to
33 prior approval thereof as provided in this act and to grant certificates of
34 completion of courses or curriculum.

35 (4) To appoint and fix the compensation and term of office of a
36 president or chief administrative officer of the college.

1 (5) To appoint upon nomination of the president or the chief
2 administrative officer members of the administrative and teaching staffs,
3 to fix and determine within state adopted standards their specifications,
4 define their duties; and to fix their compensation and terms of
5 employment. No community college teacher shall be required to meet
6 licensure requirements greater than those required in the state educational
7 institutions.

8 (6) Upon recommendation of the chief administrative officer, to
9 appoint or employ such other officers of the college, agents and
10 employees as may be required to carry out the provisions of law and to
11 fix and determine within state adopted standards their qualifications,
12 duties, compensation, terms of office or employment and all other items
13 and conditions of employment.

14 (7) To enter into contracts.

15 (8) To accept from any government or governmental agency, or from
16 any other public or private body, or from any other source, grants or
17 contributions of money or property which the board may use for or in aid
18 of any of its purposes.

19 (9) To acquire by gift, purchase, lease-purchase, condemnation or
20 otherwise, and to own, lease, use and operate property, whether real,
21 personal, or mixed, or any interest therein, which is necessary or
22 desirable for community college purposes. Any lease-purchase agreement
23 entered into under authority of this subsection shall be subject to the
24 conditions set forth in K.S.A. 10-1116c, and amendments thereto. The
25 term of any lease entered into under authority of this subsection may be
26 for not to exceed 10 years. Such lease may provide for annual or other
27 payment of rent or rental fees and may obligate the community college to
28 payment of maintenance or other expenses. Any lease or lease-purchase
29 agreement entered into under authority of this subsection shall be subject
30 to change or termination at any time by the legislature. Any assignment of
31 rights in any lease or lease-purchase made under this subsection shall
32 contain a citation of this section and a recitation that the lease or lease-
33 purchase agreement and assignment thereof are subject to change or
34 termination by the legislature. To the extent that the provisions of the
35 cash-basis and budget laws conflict with this subsection in such a manner
36 as to prevent the intention of this subsection from being made effective,
37 the provisions of this subsection shall control. This provision is subject to
38 the provisions of subsection (d).

39 (10) To enter into lease agreements as lessor of any property,
40 whether real, personal, or mixed, which is owned or controlled by the
41 community college. Any such agreement may specify the purposes for
42 which the property may be used, require that the property be maintained
43 and operated by the lessee, and may contain such restrictions or

1 limitations on the use of the property, be entered into for such period of
2 time, and include such other terms and conditions as the board of trustees
3 determines to be necessary and proper. Every such agreement shall be
4 subject to change or termination at any time by the legislature. Any
5 assignment of rights under any such agreement shall be subject to
6 approval by the board of trustees and shall contain a citation of this
7 section and a recitation that the lease agreement and assignment of rights
8 thereunder are subject to change or termination by the legislature.

9 (11) To determine that any property owned by the college is no
10 longer necessary for college purposes and to dispose of the same in such
11 manner and upon such terms and conditions as provided by law.

12 (12) To exercise the right of eminent domain, pursuant to chapter 26
13 of Kansas Statutes Annotated.

14 (13) To make and promulgate such rules and regulations, not
15 inconsistent with the provisions of law or with rules and regulations of
16 the state board of regents, that are necessary and proper for the
17 administration and operation of the community college, and for the
18 conduct of the business of the board of trustees.

19 (14) To exercise all other powers not inconsistent with the
20 provisions of law or with the rules and regulations of the state board of
21 regents which may be reasonably necessary or incidental to the
22 establishment, maintenance and operation of a community college.

23 (15) To appoint a member to fill any vacancy on the board of
24 trustees for the balance of the unexpired term. When a vacancy occurs,
25 the board shall publish a notice one time in a newspaper having general
26 circulation in the community college district stating that the vacancy has
27 occurred and that it will be filled by appointment by the board not sooner
28 than 15 days after such publication.

29 (16) To contract with one or more agencies, either public or private,
30 whether located within or outside the community college district or
31 whether located within or outside the state of Kansas for the conduct by
32 any such agencies of ~~academic or vocational~~ education for students of the
33 community college, and to provide for the payment to any such agencies
34 for their contracted educational services from any funds or moneys of the
35 community college, including funds or moneys received from student
36 tuition and fees, funds received from the state of Kansas or the United
37 States for ~~academic or vocational~~ education, or taxes collected under
38 K.S.A. 71-204, and amendments thereto. Any contract made under this
39 subsection with an institution of another state shall be subject to the
40 provisions of K.S.A. 71-202, and amendments thereto.

41 (17) To authorize by resolution the establishment of a petty cash
42 fund in an amount not to exceed \$1,000, and to designate in such
43 resolution an employee to maintain such petty cash fund. The employee

1 designated in any resolution provided for in this subsection receiving
2 such funds shall keep a record of all receipts and expenditures from the
3 fund, and shall from time to time, and at the end of the fiscal year,
4 prepare a statement for the board showing all receipts, expenditures, and
5 the balance in the petty cash fund. The board of trustees may authorize
6 the employee designated to maintain any petty cash fund to make a claim
7 for replenishment of the fund to its original amount in advance of
8 approval by the board of trustees if, at any time during the period
9 between regular monthly meetings of the board of trustees, the balance
10 remaining in the fund is insufficient to make needed expenditures for any
11 purpose for which the petty cash fund is maintained. No petty cash fund
12 may be replenished more than one time during each period between
13 regular monthly meetings of the board of trustees. If a petty cash fund is
14 replenished prior to the end of the fiscal year in accordance with the
15 foregoing authorization, the employee authorized to maintain the petty
16 cash fund shall keep an accurate record of all expenditures made
17 therefrom, and the purpose therefor, and shall submit the record to the
18 board of trustees at the next regular monthly meeting thereof. The petty
19 cash fund shall be replenished by payment from the appropriate funds of
20 the community college to the petty cash fund upon proper claim. The
21 fund shall be kept separate from all other funds and shall be used only for
22 authorized expenditures and itemized receipts shall be taken for each
23 expenditure. No part of such fund may be loaned or advanced against the
24 salary of an employee. All employees entrusted with such funds under
25 this subsection shall be bonded by the community college district.

26 (c) Subject to the provisions of subsection (d), the board of trustees
27 may purchase or otherwise acquire land or land and improvements and
28 may acquire, construct, reconstruct, repair or remodel improvements
29 thereon or additions thereto, including furnishings, equipment, and
30 architectural and incidental expense related thereto, and for such purposes
31 the board of trustees is authorized to issue and sell general obligation
32 bonds, the cumulative total not to exceed the following amounts: Where
33 the community college district has a taxable tangible valuation of less
34 than \$90,000,000 or is located in a county designated as urban under the
35 provisions of K.S.A. 19-3524, and amendments thereto, not to exceed 5%
36 of the taxable tangible property of the community college district, and
37 where the community college district has a taxable tangible valuation of
38 more than \$90,000,000 not to exceed 3% except as provided above for
39 any community college district located in a county designated as urban
40 under the provisions of K.S.A. 19-3524, and amendments thereto, of the
41 taxable tangible property of the community college district. If any
42 increase in the valuation of a community college district results in an
43 outstanding bonded indebtedness in excess of that provided in this

1 subsection, such increase shall not constitute a violation of this
2 subsection. No such bonds shall be issued until the question of their
3 issuance shall have been submitted to a vote of the electors of the
4 community college district at a regular election or at a special election
5 called for that purpose and the majority of the electors voting on the
6 proposition in such community college district shall have voted in favor
7 of the issuance of the bonds. Such election shall be called, noticed and
8 held and the bonds issued, sold, delivered and retired in accordance with
9 the provisions of the general bond law except as herein otherwise
10 expressly provided.

11 (d) The board of trustees of a community college may purchase or
12 otherwise acquire land or land and improvements within: (1) The
13 community college district; or (2) the service area of the community
14 college. Nothing in this subsection shall be construed or operate in any
15 manner to require a board of trustees to sell, convey or otherwise dispose
16 of land or land and improvements located outside the community college
17 district or the service area of the community college and owned or being
18 acquired by the community college on the effective date of this act.

19 For the purposes of this subsection, "service area" means *a* designated
20 geographic area of the state established pursuant to agreement of the
21 presidents of the community colleges and adopted in policy by the state
22 board of regents.

23 Sec. 2. K.S.A. 71-601 is hereby amended to read as follows: 71-601.

24 (a) "Credit hour" means the basic unit of collegiate level instruction, as
25 determined by the state board, in a subject or course offered at a level not
26 higher than those subjects or courses normally offered to freshmen and
27 sophomores in four-year institutions of postsecondary education which
28 subject or course is approved by the state board. Credit hour does not
29 include within its meaning instruction in a subject or course taken by a
30 student enrolled for audit or in any subject or course not approved by the
31 state board. The state board shall determine whether the subjects and
32 courses offered in the community colleges are at the level of freshmen
33 and sophomore subjects and courses offered in the state educational
34 institutions and shall not approve any subject or course offered at a higher
35 level.

36 (b) "Full-time equivalent enrollment" or "FTE enrollment" means
37 the quotient obtained by dividing by 30 the total credit hour enrollment in
38 a fiscal year of students of a community college who are residents of the
39 state of Kansas, or are considered residents of the state of Kansas
40 pursuant to the provisions of K.S.A. 71-407, and amendments thereto.

41 (c) "State *operating* grant" means the *community college* operating
42 grant provided for under subsection (a) of K.S.A. 71-620, and
43 amendments thereto, and if ~~entitlement~~ *eligibility* is determined, the

1 quality performance grant provided for under subsection (b) of K.S.A.
2 71-620, and amendments thereto.

3 Sec. 3. K.S.A. 71-604 is hereby amended to read as follows: 71-604.

4 (a) If the amount of any appropriation for state ~~entitlements aid~~ is
5 insufficient to pay in full the amount each community college is ~~entitled~~
6 *otherwise eligible* to receive, the amount appropriated shall be prorated
7 among all community colleges in proportion to the amount each is
8 ~~entitled~~ *eligible* to receive.

9 (b) If any community college is paid more than the amount it is
10 ~~entitled~~ *eligible* to receive, the state board shall notify the community
11 college of the amount of the overpayment and the community college
12 shall remit the same to the state board and the state board shall deposit the
13 same in the state treasury to the credit of the general fund, and if any such
14 community college fails ~~to~~ remit, the state board shall deduct the
15 excess amount so paid from future payments becoming due to such
16 community college.

17 (c) If any community college is paid less than the amount it is
18 ~~entitled~~ *eligible* to receive, the state board shall pay the additional amount
19 due at any time within the fiscal year in which the underpayment was
20 made or within 60 days after the end of such fiscal year.

21 Sec. 4. K.S.A. 71-609 is hereby amended to read as follows: 71-609.

22 (a) No amount of a state ~~entitlement~~ *funding* shall be based upon
23 enrollment in any subject or course the principal part of which is taught at
24 a location outside the county of the main campus of the community
25 college, unless the location of such subject or course is specifically
26 authorized by the state board of regents.

27 (b) (1) No amount of a state ~~entitlement~~ *funding* shall be based upon
28 enrollment in any subject or course which is taught in a county in which
29 the main campus of a state educational institution is located, unless the
30 teaching of such subject or course is specifically authorized by the chief
31 executive officer of the state educational institution or by a designee of
32 the chief executive officer. The chief executive officer of each state
33 educational institution may designate and authorize a person or
34 committee to act on behalf of the chief executive officer in granting the
35 authorizations required by this subsection.

36 (2) For the purposes of this subsection, the term "main campus of a
37 state educational institution" as applied to Kansas state university of
38 agriculture and applied science means and includes the campus of the
39 university located in Riley county and the campus of the university's
40 college of technology located in Saline county.

41 Sec. 5. K.S.A. 71-609a is hereby amended to read as follows: 71-
42 609a. No amount of the state ~~entitlement~~ *operating grant* of a community
43 college shall be based upon any ~~course or program if such course or~~

1 ~~program is taught in an area vocational school, an area vocational-~~
2 ~~technical school, or a technical college under an agreement with such~~
3 ~~community college and for which payments of state or federal moneys~~
4 ~~are made to the area vocational school, the area vocational-technical~~
5 ~~school, or the technical college under the provisions of article 44 of~~
6 ~~chapter 72 of Kansas Statutes Annotated. credit hour for which the~~
7 ~~community college is receiving or is eligible to receive postsecondary~~
8 ~~tiered technical education state aid.~~

9 Sec. 6. K.S.A. 71-613 is hereby amended to read as follows: 71-613.

10 (a) The vocational education fund of a community college, established by
11 K.S.A. 72-4424, and amendments thereto, which statutory section shall
12 expire on June 30, 2000, is hereby continued in existence in each
13 community college, *and shall be known as the career technical education*
14 *fund*. All moneys received by a community college for establishing,
15 conducting, maintaining and administering any ~~vocational education-~~
16 *career technical* program ~~authorized under article 44 of chapter 72 of~~
17 ~~Kansas Statutes Annotated~~ *approved by the state board of regents* shall be
18 deposited in the ~~vocational~~ *career technical* education fund, unless
19 required to be deposited in the general fund. The expenses of a
20 community college attributable to ~~vocational~~ *career technical* education
21 shall be paid from the ~~vocational~~ *career technical* education fund.

22 (b) Community colleges shall maintain fund accounting procedures
23 as may be necessary to assure proper accounting for federal funds for
24 ~~vocational~~ *career technical* education special projects, whether received
25 directly from the federal government or any of its agencies, or received
26 through the state or any of its agencies.

27 Sec. 7. K.S.A. 71-614 is hereby amended to read as follows: 71-614.

28 Any lawful transfer of money from the general fund of a community
29 college to the ~~vocational~~ *career technical* education fund, adult education
30 fund, adult supplementary education fund or motorcycle driver safety
31 fund shall be an operating expense in the year the transfer is made. The
32 board of trustees of any community college may transfer moneys from its
33 general fund to its ~~vocational~~ *career technical* education fund, adult
34 education fund, adult supplementary education fund or motorcycle driver
35 safety fund. Expenditures for ~~vocational~~ *career technical* education, adult
36 basic education, adult supplementary education and motorcycle driver
37 safety shall not be made from the general fund of a community college.

38 Sec. 8. K.S.A. 71-620 is hereby amended to read as follows: 71-620.

39 (a) In each fiscal year, commencing with the 2001 fiscal year, each
40 community college is ~~entitled~~ *eligible* to receive an operating grant from
41 the state general fund in an amount to be determined by the state board.
42 The state board shall:

43 (1) Determine the average amount of moneys from the state general

1 fund expended per FTE lower division undergraduate student in the
2 preceding fiscal year at the regional state educational institutions;

3 (2) (A) in the 2001 fiscal year, compute 50% of the amount
4 determined under (1); (B) in the 2002 fiscal year, compute 55% of the
5 amount determined under (1); (C) in the 2003 fiscal year, compute 60%
6 of the amount determined under (1); (D) in the 2004 fiscal year and in
7 each fiscal year thereafter, compute 65% of the amount determined under
8 (1);

9 (3) determine the total number of FTE students of all the community
10 colleges;

11 (4) multiply the amount computed under (2) by the total number of
12 FTE students determined under (3). Subject to the provisions of
13 subsection (e) of K.S.A. 74-3202d, and amendments thereto, the product
14 is the total amount of operating grants the community colleges are
15 entitled to receive for the fiscal year.

16 ~~(5) Each community college which is not an officially designated
17 area vocational school shall receive an amount equivalent to the
18 difference between credit hour state aid received in the 1999 fiscal year
19 for credit hours in any subject or course approved as a vocational
20 education subject or course and 1 1/6 times the amount of credit hour
21 state aid received in the 1999 fiscal year for credit hours in any subject or
22 course approved as a vocational education subject or course. The amount
23 determined under this provision shall be distributed in equal installments
24 in the 2001 through 2004 fiscal years as a part of the community college's
25 operating grant, but shall not be subject to the provisions of K.S.A. 71-
26 204, and amendments thereto.~~

27 ~~(6) In each fiscal year, the state board, for the purpose of allocating
28 the amount determined under (4) to the community colleges, shall deduct
29 the total of the amounts determined under (5) from the amount
30 determined under (4).~~

31 ~~(7) In the 2001 fiscal year, the remaining balance determined under
32 (6) shall be allocated to each community college according to the ratio the
33 total amount of state aid received by the community college in the 2000
34 fiscal year bears to the total amount of state aid received by all
35 community colleges in the 2000 fiscal year, subject to adjustments for
36 changes in each community college's FTE enrollment from the 2000
37 fiscal year to the 2001 fiscal year.~~

38 (8) (5) In the 2002 fiscal year and in each fiscal year thereafter, the
39 remaining balance amount determined under ~~(6)~~ (4) shall be allocated to
40 each community college according to the ratio the amount of the
41 operating grant received by the community college in the prior fiscal year
42 bears to the total amount of operating grants received by all community
43 colleges in the prior fiscal year, subject to adjustments for changes in

1 each community college's FTE enrollment from the prior fiscal year to
2 the current fiscal year.

3 (b) In each fiscal year, commencing with the 2003 fiscal year, each
4 community college is eligible to receive a quality performance grant from
5 the state general fund. If the state board determines that the community
6 college has demonstrated effectiveness in complying with its role and
7 mission statement and has met or exceeded the core indicators of quality
8 performance for community colleges identified and approved by the state
9 board, the community college shall receive a quality performance grant in
10 an amount which shall be determined by the state board by computing
11 2% of the amount of the operating grant the community college received
12 in the preceding fiscal year. The computed amount is the amount of the
13 quality performance grant the community college shall receive for the
14 fiscal year.

15 (c) For the purposes of this section, the FTE enrollment of the
16 community college shall be based on: (1) Enrollment of students who are
17 residents of the state of Kansas, or are considered residents of the state of
18 Kansas pursuant to the provisions of K.S.A. 71-407, and amendments
19 thereto; and (2) the greater of FTE enrollment of the community college
20 in the current fiscal year or FTE enrollment in the preceding fiscal year.

21 (d) As used in this section, the term "regional state educational
22 institutions" means Emporia state university, Fort Hays state university
23 and Pittsburg state university and the term "lower division undergraduate
24 student" means a freshman or sophomore.

25 Sec. 9. K.S.A. 71-701 is hereby amended to read as follows: 71-701.
26 As used in this act:

27 (a) *"Board of trustees" means the governing body of a community*
28 *college.*

29 (b) *"Campus" means the location of all or part of the buildings and*
30 *facilities of a community college.*

31 (c) *"Chief administrative officer" means the president or one so*
32 *appointed by the board of trustees.*

33 ~~(a)~~ (d) "Community college" means a public community college
34 established under the provisions of this act. The official name of a
35 community college shall be "the _____ community college" and the
36 blank shall be filled with the name of the city or county.

37 ~~(b)~~ "State board" means the state board of regents.

38 ~~(e)~~ (e) "Community college district" means the taxing district of a
39 community college.

40 ~~(d)~~ "Board of trustees" means the governing body of a community
41 college.

42 ~~(e)~~ "State plan" means the plan adopted for community colleges as
43 provided by law, and such plan as it is from time to time amended by the

1 state board upon recommendation of the advisory council; such plan may
 2 include other matters listed in the community college act and acts
 3 amendatory thereof, or supplemental thereto.

4 (f) ~~"Campus" means the location of all or part of the buildings and~~
 5 ~~facilities of a community college.~~

6 (g) ~~"Advisory council" means the advisory council provided for by~~
 7 ~~K.S.A. 71-901, and amendments thereto.~~

8 (f) *"State board" means the state board of regents.*

9 (h) (g) *"Student tuition" means the charge made to and paid by*
 10 *students for the privilege of attending a community college and*
 11 *participating in the institutional program.*

12 (i) ~~"Chief administrative officer" means the president or one so~~
 13 ~~appointed by the board of trustees.~~

14 Sec. 10. K.S.A. 71-802 is hereby amended to read as follows: 71-
 15 802. At any time, if the state board of regents finds that a community
 16 college previously approved or deemed approved has failed to comply
 17 with the provisions of this act or with any provision of a rule or
 18 regulation adopted pursuant to this act, or fails to meet the standards
 19 contained in this act, the state board of regents shall so advise the board
 20 of trustees. If after 12 calendar months after any such notification such
 21 board of trustees has failed to correct the deficiency noted, the state board
 22 of regents shall withdraw approval of the community college and it shall
 23 not be entitled to *eligible for* state aid during the continuance of any such
 24 period of withdrawal. Any action of the state board of regents in granting,
 25 denying or withdrawing approval of a community college shall be subject
 26 to review by the legislature.

27 Sec. 11. K.S.A. 71-1201 is hereby amended to read as follows: 71-
 28 1201. Territory may be added to any community college district which
 29 has been established under this act either by deemed approval or by
 30 election approval by one of the following methods:

31 (a) The board of education of any unified district a part of which is
 32 in the community college district or which touches and adjoins a
 33 community college district may petition the state board for attachment of
 34 the territory of such unified district to the community college district for
 35 community college purposes. Upon receiving any petition under this
 36 subsection, the same shall be submitted to the advisory council for its
 37 advice and recommendations which, together with the petition, shall be
 38 presented to the state board. After considering the petition, the state board
 39 may approve such attachment; if the advisory council has so
 40 recommended. If the advisory council has not so recommended. The
 41 state board shall so inform *may seek the recommendation of* the board of
 42 trustees of the community college involved and *may request its*
 43 *recommendation* as to such attachment. If such request is made and if

1 such board of trustees recommends such attachment, the same may be
2 approved by the state board. Upon granting any approval for attachment
3 of territory the state board shall so inform the county election officers of
4 counties in which the territory to be attached is located, and such county
5 election officers shall conduct an election for approval for such
6 attachment in the area petitioned for attachment. Such election shall be
7 conducted in accordance with the procedure for approval for
8 establishment of a community college as specified in this act. The
9 question submitted shall be: "Shall the proposed attachment of territory to
10 the _____ community college district be approved?", and the blank
11 shall be filled with the name of the community college. The expenses of
12 the election shall be paid by the community college. In the event that such
13 attachment is so approved by such election the state board shall issue an
14 order attaching the same to the community college district. The
15 provisions of subsection (b) of K.S.A. 71-1102, and amendments thereto,
16 shall also apply to this subsection.

17 (b) Any board of trustees may petition the state board for the
18 attachment of any adjoining territory to the community college district.
19 Such petition shall be processed as *set forth* in subsection (a) ~~of this~~
20 ~~section, except that in the event of disapproval by the advisory council~~
21 ~~the state board shall so inform the board of trustees and in such case such~~
22 ~~attachment shall not be made.~~ If the ~~advisory council~~ *state board*
23 approves such petition, the state board shall notify the county election
24 officers of counties in which the territory to be attached is located, and
25 such county election officers shall conduct an election for approval of
26 such attachment in the area petitioned for attachment. No attachment of
27 territory shall be made under this subsection unless such attachment has
28 been approved by a majority of those voting in the territory to be
29 attached. Such election shall be conducted in accordance with the
30 procedure for approval of the establishment of community colleges as
31 specified in this act. The question submitted shall be: "Shall the proposed
32 attachment of territory to the _____ community college district be
33 approved?", and the blank shall be filled with the name of the community
34 college. In the event that such attachment is so approved by such election
35 the state board shall issue an order attaching the same to the community
36 college district. The expenses of the election shall be paid by the
37 community college.

38 (c) No territory shall be attached to any community college district
39 within 120 days prior to the general election of members of the board of
40 trustees.

41 (d) If the community college attaching territory under subsection (a)
42 or (b) has member district method of election, no approval thereof shall
43 be given by the state board and no proposition for approval thereof shall

1 be submitted to any election until new proposed member districts for the
2 community college territory as the same will exist after the addition of
3 territory have been established by the state board.

4 Sec. 12. K.S.A. 2010 Supp. 71-1507 is hereby amended to read as
5 follows: 71-1507. (a) The board of trustees of any community college and
6 the board of any ~~area vocational school or area vocational technical~~
7 ~~school~~ *technical college or the institute of technology at Washburn*
8 *university*, may make and enter into agreements providing for the transfer
9 from the ~~area vocational school or area vocational technical school~~
10 *technical college or the institute of technology* to the community college
11 of any approved career technical education program being offered and
12 taught at the postsecondary level in the ~~area vocational school or area~~
13 ~~vocational technical school~~. *technical college or the institute of*
14 *technology*.

15 (b) In the event the board of trustees of a community college and the
16 board of an ~~area vocational school or area vocational technical school~~
17 *any technical college or the institute of technology at Washburn*
18 *university* enter into an agreement authorized under subsection (a), the
19 following conditions shall apply:

20 (1) The state board of regents shall be notified of the agreement at
21 the time the agreement is executed.

22 (2) The agreement shall be effective only after approval by the state
23 board of regents.

24 (3) Any career technical education program transferred in
25 accordance with the agreement shall be offered and taught in the
26 community college only after approval of the program by the state board
27 of regents.

28 (4) The agreement shall be subject to change or termination by the
29 legislature.

30 (5) (A) The duration of the agreement shall be perpetual unless
31 terminated in accordance with provision (B).

32 (B) Termination of the agreement may be accomplished only upon
33 approval by the state board of regents of a joint petition to it for
34 termination by the contracting boards after adoption of a resolution to that
35 effect by each such board. The state board of regents shall consider the
36 petition and approve or disapprove termination of the agreement. Upon
37 termination of the agreement, any program transferred thereunder shall be
38 discontinued.

39 Sec. 13. K.S.A. 2010 Supp. 72-4412 is hereby amended to read as
40 follows: 72-4412. As used in this act:

41 (a) *"Associate of applied science degree program" means a program*
42 *that is offered and maintained by a technical college, composed of career*
43 *technical and general education courses of instruction for which*

1 *individuals may earn college credit, designed to prepare individuals for*
2 *gainful employment in technical or technological occupations requiring*
3 *other than a baccalaureate or advanced degree or to qualify individuals*
4 *for transfer to another college or university and, after satisfactory*
5 *completion of the requirements for graduation, results in the conferral of*
6 *an associate of applied science degree. For the purpose of awarding*
7 *college credit for completion of coursework leading to the conferral of an*
8 *associate of applied science degree, the state board of regents shall*
9 *determine the number of clock hours of instruction in general education*
10 *courses or career technical education courses which shall be equivalent*
11 *to a credit hour.*

12 (a) (b) "Board" means the board of education of any school district,
13 the board of trustees of any community college, the board of regents of
14 any municipal university, ~~the board of control of any area vocational-~~
15 ~~technical school,~~ the governing body of any technical college, or the chief
16 executive officer of any state educational institution.

17 (b) ~~"Area vocational school" means any vocational education school~~
18 ~~established under authority of the laws of this state, approved and~~
19 ~~officially designated as an area vocational school by the state board, and~~
20 ~~operated under any board. Any area vocational school, except for~~
21 ~~purposes of the construction of this act, may retain and use the name~~
22 ~~given to such school prior to the effective date of this act, even though~~
23 ~~such name includes the words "area vocational-technical school."~~

24 (c) ~~"Area vocational-technical school" means any vocational-~~
25 ~~education school which was classified as a type II area vocational-~~
26 ~~technical school under authority of former laws or which is established~~
27 ~~and classified as a type II area vocational-technical school under authority~~
28 ~~of this act. The school to which this definition applies is the Southeast~~
29 ~~Kansas area vocational-technical school.~~

30 ~~The state board may adopt special rules and regulations applicable to~~
31 ~~the conduct, operation and administration of area vocational-technical~~
32 ~~schools. Nothing in this act shall be construed to authorize the~~
33 ~~establishment or operation of any area vocational-technical school not~~
34 ~~specifically designated in this subsection.~~

35 (c) "Career technical education" means organized educational
36 programs offering a sequence of courses which are directly related to the
37 preparation of individuals in paid or unpaid employment in current or
38 emerging occupations requiring other than a baccalaureate or advanced
39 degree. Such programs shall include competency-based applied learning
40 which contributes to an individual's academic knowledge, higher-order
41 reasoning, and problem-solving skills, work attitudes, general
42 employability skills, and the occupational-specific skills necessary for
43 economic independence as a productive and contributing member of

1 *society. The term "career technical education" also includes technology*
2 *education and career and technical education as referenced in the Carl*
3 *D. Perkins career and technical education act of 2006.*

4 ~~(d) "School district" means any school district organized under the~~
5 ~~laws of this state.~~

6 (e) (d) "Community college" means any community college
7 organized and operating under the laws of this state.

8 (e) "Institute of technology" or "Washburn institute of technology"
9 means the institute of technology at Washburn university.

10 (f) "Municipal university" means a municipal university established
11 under the provisions of article 13a of chapter 13 of Kansas Statutes
12 Annotated.

13 (g) "School district" means any school district organized under the
14 laws of this state.

15 (h) "School year" means the 12-month period ending on June 30.

16 (i) "State board" means the state board of regents.

17 ~~(g)~~ (j) "State educational institution" means the university of Kansas,
18 Kansas state university of agriculture and applied science, Wichita state
19 university, Emporia state university, Pittsburg state university and Fort
20 Hays state university.

21 (k) "State plan" means a document or set of documents, together
22 with attachments and supplements thereto, containing such provisions as
23 are authorized by this act and required by the Carl D. Perkins career and
24 technical education act of 2006, and acts amendatory thereof or
25 supplemental thereto.

26 ~~(h)~~ (l) "Technical college" means an educational institution that
27 formerly was an area vocational school or an area vocational-technical
28 school and that has been converted to, established as, and officially
29 designated a technical college under authority of this act.

30 (i) "State board" means the state board of regents.

31 (j) "School year" means the twelve-month period ending on June 30.

32 ~~(k) "Career technical education" means organized educational~~
33 ~~programs offering a sequence of courses which are directly related to the~~
34 ~~preparation of individuals in paid or unpaid employment in current or~~
35 ~~emerging occupations requiring other than a baccalaureate or advanced~~
36 ~~degree. Such programs shall include competency-based applied learning~~
37 ~~which contributes to an individual's academic knowledge, higher-order~~
38 ~~reasoning, and problem-solving skills, work attitudes, general~~
39 ~~employability skills, and the occupational-specific skills necessary for~~
40 ~~economic independence as a productive and contributing member of~~
41 ~~society. The term "career technical education" also includes technology~~
42 ~~education and career and technical education as referenced in the Carl D.~~
43 ~~Perkins career and technical education act of 2006.~~

1 (+) (m) "Technology education" means an applied discipline
2 designed to promote technological literacy which provides knowledge
3 and understanding of the impacts of technology including its
4 organizations, techniques, tools and skills to solve practical problems and
5 extend human capabilities in technological areas.

6 ~~(m) "State plan" means a document or set of documents, together
7 with attachments and supplements thereto, containing such provisions as
8 are authorized by this act and required by the Carl D. Perkins career and
9 technical education act of 2006, and acts amendatory thereof or
10 supplemental thereto.~~

11 ~~(n) "Associate of applied science degree program" means a program
12 that is offered and maintained by a technical college, composed of career
13 technical and general education courses of instruction for which
14 individuals may earn college credit, designed to prepare individuals for
15 gainful employment in technical or technological occupations requiring
16 other than a baccalaureate or advanced degree or to qualify individuals
17 for transfer to another college or university and, after satisfactory
18 completion of the requirements for graduation, results in the conferral of
19 an associate of applied science degree. For the purpose of awarding
20 college credit for completion of coursework leading to the conferral of an
21 associate of applied science degree, the state board of regents shall
22 determine the number of clock hours of instruction in general education
23 courses or career technical education courses which shall be equivalent to
24 a credit hour.~~

25 Sec. 14. K.S.A. 2010 Supp. 72-4415 is hereby amended to read as
26 follows: 72-4415. The state board shall be responsible for the allocation
27 and distribution of *the* state and federal funds ~~for career and technical
28 education provided for pursuant to the Carl D. Perkins career and
29 technical education act of 2006~~ in accordance with the state plan.
30 Moneys allocated and distributed under the provisions of this section
31 shall be expended only in accordance with and for the purposes specified
32 in federal or state law or the state plan. Payments under this act may be
33 made in installments and in advance or by way of reimbursement, with
34 necessary adjustments on account of overpayments or underpayments.
35 Federal funds for career and technical education shall be deposited in the
36 state treasury.

37 Sec. 15. K.S.A. 72-4440 is hereby amended to read as follows: 72-
38 4440. As used in this act:

39 ~~(a) "Area vocational school," "area vocational technical school,"
40 "Board," "state board," and "school year" and "technical college" have
41 the meanings respectively ascribed thereto in K.S.A. 72-4412, and
42 amendments thereto.~~

43 ~~(b) "Operating budget" shall have the meaning ascribed thereto in~~

1 K.S.A. 72-4430, and amendments thereto.

2 (e) ~~"School" means any area vocational school and any area~~
3 ~~vocational-technical school.~~

4 (d) ~~"Vocational (b) "~~*Career technical* education capital outlay aid"
5 means state financial aid distributed under this act by the state board to a
6 ~~school~~ *an eligible institution* for the purpose of construction,
7 reconstruction, repair, remodeling, additions to, furnishing and equipping
8 of ~~school~~ buildings, architectural expenses incidental thereto, the
9 acquisition of buildings ~~for school purposes~~ and ~~school~~ building sites and
10 the acquisition of equipment.

11 (c) *"Eligible institution" or "institution" means any technical*
12 *college, Coffeyville community college, Cowley county community*
13 *college, Dodge City community college, Highland community college,*
14 *Hutchinson community college, Johnson county community college,*
15 *Kansas City, Kansas community college, Pratt community college,*
16 *Seward county community college and the institute of technology at*
17 *Washburn university.*

18 Sec. 16. K.S.A. 72-4441 is hereby amended to read as follows: 72-
19 4441. (a) There is hereby established in every ~~area vocational-technical~~
20 ~~school~~ *eligible institution* a fund which shall be called the "~~vocational-~~
21 *career technical* education capital outlay fund," which fund shall consist
22 of all moneys deposited therein or transferred thereto according to law.
23 All moneys received by an ~~area vocational-technical school~~ *eligible*
24 *institution* from distributions made under this act shall be credited to the
25 ~~vocational~~ *career technical* education capital outlay fund.

26 (b) Any moneys received, prior to or after the effective date of this
27 act, by an ~~area vocational-technical school~~ *eligible institution* from
28 donations, gifts, grants or bequests, subject to any terms or conditions to
29 the contrary imposed by the donor thereof, may be transferred to or
30 deposited in the ~~vocational~~ *career technical* education capital outlay fund
31 and may be expended by the ~~area vocational-technical school~~ *institution*
32 for any purpose for which ~~vocational~~ *career technical* education capital
33 outlay aid may lawfully be expended.

34 Sec. 17. K.S.A. 72-4442 is hereby amended to read as follows: 72-
35 4442. The amount of ~~vocational~~ *career technical* education capital outlay
36 aid for each ~~school~~ *eligible institution* shall be determined by the state
37 board on the basis of need and the condition of existing facilities and
38 equipment and payments thereof shall be distributed on payment dates to
39 be determined by the state board. The state board shall certify to the
40 director of accounts and reports the amount due as ~~vocational~~ *career*
41 *technical* education capital outlay aid to each ~~school~~ *eligible institution*
42 five days before each payment date. The director of accounts and reports
43 shall draw warrants on the state treasurer payable to the treasurer of each

1 ~~school entitled to~~ *institution eligible for* payment of ~~vocational career~~
2 *technical* education capital outlay aid, pursuant to vouchers approved by
3 the state board or by a person or persons designated by the state board.
4 Upon receipt of such warrant, the treasurer of each ~~area vocational school~~
5 ~~shall deposit the amount thereof to the credit of the area vocational school~~
6 ~~fund. The treasurer of each area vocational technical school eligible~~
7 *institution* shall deposit the amount of such warrant to the credit of the
8 ~~vocational career technical~~ education capital outlay fund established by
9 this act.

10 In the event any ~~school eligible institution~~ is paid more than it is
11 entitled to receive under any distribution made under this act, the state
12 board shall notify the ~~school institution~~ of the amount of such
13 overpayment, and such ~~school institution~~ shall remit the same to the state
14 board. The state board shall remit any moneys so received to the state
15 treasurer in accordance with the provisions of K.S.A. 75-4215, and
16 amendments thereto. Upon receipt of each such remittance, the state
17 treasurer shall deposit the entire amount in the state treasury to the credit
18 of the state general fund. If any such ~~school institution~~ fails ~~so~~ to remit,
19 the state board shall deduct the excess amounts so paid from future
20 payments becoming due to such ~~school institution~~. In the event any
21 ~~school institution~~ is paid less than the amount to which it is entitled under
22 any distribution made under this act, the state board shall pay the
23 additional amount due at any time within the ~~school academic~~ year in
24 which the underpayment was made or within 60 days after the end of
25 such ~~school academic~~ year.

26 Sec. 18. K.S.A. 2010 Supp. 72-4450 is hereby amended to read as
27 follows: 72-4450. As used in this act:

28 (a) "Career technical education program" means a program of
29 vocational or technical training or retraining which is operated at the
30 postsecondary level and is designed to prepare persons for gainful
31 employment.

32 (b) "Career technical education institution" means any ~~area-~~
33 ~~vocational school, area vocational technical school,~~ technical college,
34 community college, municipal university, or any state educational
35 institution which operates one or more career technical education
36 programs.

37 (c) "~~Area vocational school,~~" "~~area vocational technical school,~~"
38 "Community college," "*institute of technology,*" "municipal university,"
39 "state educational institution," "technical college," and "state board" have
40 the meanings respectively ascribed thereto in K.S.A. 72-4412, and
41 amendments thereto.

42 (d) "Private postsecondary educational institution" and "out-of-state
43 postsecondary educational institution" have the meanings ascribed thereto

1 in K.S.A. 2010 Supp. 74-32,163, and amendments thereto.

2 (e) "Program" means the Kansas training information program
3 established by this act.

4 Sec. 19. K.S.A. 72-4453 is hereby amended to read as follows: 72-
5 4453. (a) The board of trustees of every community college and the
6 governing board of every ~~area vocational school or area vocational-~~
7 ~~technical school~~ *technical college and the institute of technology* shall
8 make and enter into agreements providing the transferability of
9 substantially equivalent courses of study and programs which are offered
10 at such educational institutions in order to facilitate the articulation of
11 students to and among such educational institutions.

12 (b) The following conditions shall apply to the agreements required
13 under subsection (a):

14 (1) The state board of regents shall be notified of the agreement at
15 the time the agreement is executed; and

16 (2) the agreement shall be effective only after approval by the state
17 board of regents.

18 (c) The state board of regents shall prescribe criteria or guidelines
19 for the purpose of determining which courses of study and programs
20 offered in the ~~area vocational schools and area vocational-technical-~~
21 ~~schools~~ *technical colleges and the institute of technology* are: (1)
22 Substantially equivalent to courses of study and programs offered in the
23 community colleges; and (2) transferable to the community colleges. A
24 ~~current, complete list of such courses of study and programs shall be~~
25 ~~maintained on file in the office of the state board of regents and shall be~~
26 ~~open for public inspection at any reasonable time.~~

27 Sec. 20. K.S.A. 72-4454 is hereby amended to read as follows: 72-
28 4454. The state board of regents shall adopt a policy requiring articulation
29 agreements among ~~area vocational schools, area vocational-technical-~~
30 ~~schools,~~ community colleges, technical colleges, *the institute of*
31 *technology* and state educational institutions providing for the
32 transferability of substantially equivalent courses of study and programs
33 which are offered at ~~area vocational schools, area vocational-technical-~~
34 ~~schools,~~ community colleges, technical colleges, *the institute of*
35 *technology* and state educational institutions in order to facilitate
36 articulation of students in technical programs to and among ~~area-~~
37 ~~vocational schools, area vocational-technical schools,~~ community
38 colleges, technical colleges, *the institute of technology* and state
39 educational institutions.

40 Sec. 21. K.S.A. 2010 Supp. 72-4466 is hereby amended to read as
41 follows: 72-4466. As used in this act:

42 (a) "Area vocational school", "area vocational-technical school", and
43 "Community college," "*technical college*" and "*institute of technology*"

1 have the meanings respectively ascribed thereto in K.S.A. 72-4412, and
2 amendments thereto.

3 (b) "Career technical education institution" means any ~~area-~~
4 ~~vocational school, area vocational-technical school or~~ community
5 college, *technical college or the institute of technology*.

6 (c) "Board" means the state board of regents.

7 (d) "Program" means Kansas technology innovation and internship
8 program.

9 Sec. 22. K.S.A. 2010 Supp. 72-4470a is hereby amended to read as
10 follows: 72-4470a. (a) ~~On or before July 1, 2005, All technical college~~
11 ~~boards shall develop and present to the state board of regents a plan to~~
12 ~~replace the governing body described in K.S.A. 72-4470, and~~
13 ~~amendments thereto, with a new~~ *establish and maintain a plan for a*
14 governing board, which shall be separate and independent of any board of
15 education of any school district, to operate, control and manage the
16 technical college. The plan shall include, but not be limited to, provisions
17 relating to:

18 (1) The composition of the independent governing board;

19 (2) the territory of the technical college. If the territory of the
20 technical college includes more than one county, the plan shall designate
21 a home county;

22 (3) the method of election or appointment and the terms of service of
23 the members of the independent governing board;

24 (4) the date upon which the independent governing board shall
25 assume management and control of the technical college;

26 (5) the manner, terms upon which and extent to which the facilities;
27 will be transferred to the independent governing board and the division of
28 other assets and indebtedness and other liabilities; and

29 (6) the manner and terms upon which faculty, employees and
30 students will be transferred to the independent governing board. Subject
31 to the provisions of K.S.A. 2010 Supp. 72-4478, and amendments
32 thereto, such provisions shall specify terms of employment and address
33 other personnel matters.

34 (b) ~~(1) Upon approval of the plan by the state board of regents and~~
35 ~~the governing body of the technical college which submitted the plan, and~~
36 On the date determined in the approved plan, the independent governing
37 board established under subsection (a) of this section shall operate subject
38 to the rules, regulations and supervision of the state board of regents in
39 the same manner as other technical colleges; ~~technical schools and area~~
40 ~~vocational-technical schools.~~ *Any amendments to the plan shall be*
41 *submitted to the state board of regents for approval.*

42 (2) ~~After June 30, 2007, if the governing body of the technical~~
43 ~~college and the state board of regents have not approved a plan submitted~~

1 pursuant to subsection (a), the state board of regents shall have the power
2 to approve the plan and upon such approval and on the date determined in
3 the approved plan, the independent governing board established pursuant
4 to subsection (a) shall operate subject to the rules, regulations and
5 supervision of the state board of regents in the same manner as other
6 technical colleges, technical schools and area vocational technical
7 schools.

8 (c) In addition to such other powers expressly granted by law and
9 subject to the provisions of subsection (b), the governing board shall have
10 the power to:

11 (1) Determine the career technical and general education courses of
12 instruction that will comprise the associate of applied science degree
13 programs of the college;

14 (2) establish the requirements for satisfactory completion of the
15 associate of applied science degree programs of the college;

16 (3) confer the associate of applied science degree upon students who
17 successfully complete an associate of applied science degree program of
18 the college and to award a certificate or diploma to students who
19 successfully complete a career technical education program of the
20 college;

21 (4) appoint teaching staff and fix and determine teacher
22 qualifications, duties and compensation. No teacher appointed to teach
23 courses comprising the associate of applied science degree programs of
24 the college shall be required to meet licensure requirements greater than
25 those required in the state educational institutions;

26 (5) have custody of, and be responsible for, the property of the
27 college and be responsible for the operation, management and control of
28 the college;

29 (6) select a chairperson and such other officers as it deems desirable,
30 from its membership;

31 (7) sue and be sued;

32 (8) appoint and fix the compensation and term of office of a
33 president or chief administrative officer of the college;

34 (9) fix and determine, within state adopted standards, all other
35 employees' qualifications, duties, compensation and all other items and
36 conditions of employment;

37 (10) enter into contracts;

38 (11) accept any gifts, grants or donations;

39 (12) acquire and dispose of real or personal property;

40 (13) enter into lease agreements as lessor of any property owned or
41 controlled by the college;

42 (14) adopt any rules and regulations, not inconsistent with any law
43 or any rules and regulations of the state board of regents, which are

1 necessary for the administration and operation of the college or for the
2 conduct of business of the governing board;

3 (15) contract with one or more agencies, either public or private,
4 whether located within or outside the territory of the college or whether
5 located within or outside the state of Kansas, for the conduct by any such
6 agency of academic or career technical education for students of the
7 college and to provide for the payment to any such agency for the
8 contracted educational services from any funds or moneys of the college,
9 including funds or moneys received from student tuition and fees;

10 (16) appoint as its resident agent for the purpose of service of
11 process, either the president of the technical college or the chairperson of
12 the governing board, or both;

13 (17) take any other action, not inconsistent with any law or any rules
14 and regulations of the state board of regents, which is necessary or
15 incidental to the establishment, operation and maintenance of the college;

16 (18) issue bonds for capital improvement projects, enter into bond
17 covenants and take such ancillary action as the governing board approves,
18 relating thereto, except that such bonds shall not be secured by a pledge
19 of any property tax revenues of the technical college; ~~and~~

20 (19) enter into agreements with counties relating to funding for
21 capital improvement projects at technical colleges;

22 (20) *fix different rates per hour of tuition, fees and charges for the*
23 *different postsecondary programs administered by such board.*

24 Sec. 23. K.S.A. 72-4480 is hereby amended to read as follows: 72-
25 4480. (a) The state board of regents shall identify and approve core
26 indicators of quality performance for ~~vocational education schools and~~
27 technical colleges and shall establish and implement a data management
28 system that includes a process and format for collecting, aggregating and
29 reporting common and institution-specific information documenting
30 effectiveness of the ~~schools and~~ colleges in meeting the role and mission
31 thereof.

32 (b) In each fiscal year, commencing with the 2003 fiscal year, each
33 ~~vocational education school and~~ technical college is eligible to receive a
34 quality performance grant from the state general fund. If the state board
35 determines that the ~~school or~~ college has demonstrated effectiveness in
36 complying with its role and mission statement and has met or exceeded
37 the core indicators of quality performance for ~~vocational education~~
38 ~~schools and~~ technical colleges identified and approved by the state board,
39 the ~~school or~~ college shall receive a quality performance grant in an
40 amount which shall be determined by the state board by computing 2% of
41 the amount of ~~postsecondary aid~~ *state aid* the ~~school or~~ college received
42 in the preceding fiscal year. The computed amount is the amount of the
43 quality performance grant the ~~school or~~ college shall receive for the fiscal

1 year.

2 (c) The distribution of the appropriation for quality performance
3 grants to ~~vocational-education schools and~~ technical colleges entitled to
4 such grants shall be made at a time to be determined by the state board.
5 The state board shall certify to the director of accounts and reports the
6 amount due to each ~~vocational-education school and~~ technical college
7 entitled to a grant, and the director of accounts and reports shall draw a
8 warrant upon the state treasurer in favor of the ~~school or~~ college for such
9 amount. Upon receipt of the warrant, the treasurer of the ~~school or~~
10 college shall credit the amount of the warrant to the general fund.

11 Sec. 24. K.S.A. 72-6214 is hereby amended to read as follows: 72-
12 6214. (a) As used in this section, the following terms shall have the
13 meanings respectively ascribed to them unless the context requires
14 otherwise:

15 (1) "Board" means the state board of regents, the state board of
16 education, the board of trustees of any public community ~~junior~~ college,
17 the board of regents of any municipal university, ~~the board of control of~~
18 ~~any area vocational-technical school~~ *the governing board of any*
19 *technical college* and the board of education of any school district.

20 (2) "Student" means a person who has attained ~~eighteen (18)~~ 18
21 years of age, or is attending an institution of postsecondary education.

22 (3) "Pupil" means a person who has not attained ~~eighteen (18)~~ 18
23 years of age and is attending an educational institution below the
24 postsecondary level.

25 (b) Every board shall adopt a policy in accordance with applicable
26 federal laws and regulations to protect the right of privacy of any student,
27 or pupil and ~~his or her~~ *such pupil's* family regarding personally
28 identifiable records, files and data directly related to such student or
29 pupil. The board shall adopt and implement procedures to effectuate such
30 policy by January 1, 1977. Such procedures shall provide for: (1) Means
31 by which any student or parent of a pupil, as the case may be, may
32 inspect and review any records or files directly related to the student or
33 pupil; and (2) restricting the accessibility and availability of any
34 personally identifiable records or files of any student or pupil and
35 preventing disclosure thereof unless made upon written consent of such
36 student or parent of such pupil, as the case may be. To the extent that any
37 other provision of law conflicts with this section, this section shall
38 control.

39 Sec. 25. K.S.A. 2010 Supp. 73-1217 is hereby amended to read as
40 follows: 73-1217. The board of trustees of every community college, the
41 board of regents of Washburn university of Topeka, ~~the board of control~~
42 ~~of every area vocational school~~ *governing board of every technical*
43 *college* and the governing body of every other institution of post-high

1 school education which is supported by any state moneys shall provide
2 for enrollment without charge of tuition or fees for any dependent of a
3 prisoner of war or a person missing in action, so long as such dependent
4 is eligible, but not to exceed 12 semesters of instruction or the equivalent
5 thereof at all such institutions for any person if the person started such
6 instruction prior to July 1, 2005, or 10 semesters if the person started such
7 instruction on or after July 1, 2005. Once a person qualifies as a
8 dependent under the terms and provisions of this act, no occurrence, such
9 as the return of the dependent's ~~father~~ *parent* or ~~his~~ *such parent's* reported
10 death, shall disqualify the dependent from the provisions or benefits of
11 this act. The state board of regents, the board of trustees of any
12 community college, or the governing body of any other institution which
13 grants tuition for fees without charge to a dependent under this act may
14 file a claim with the ~~Kansas veterans' commission~~ *Kansas commission on*
15 *veterans affairs* for reimbursement of the amount of such tuition or fees.
16 The ~~Kansas veterans' commission~~ *Kansas commission on veterans affairs*
17 shall administer this act and qualifications of persons as dependents shall
18 be determined by such commission. Such commission may adopt rules
19 and regulations making more specific the definitions herein contained and
20 for the administration of this act.

21 Sec. 26. K.S.A. 73-1218 is hereby amended to read as follows: 73-
22 1218. The state board of regents, the board of trustees of every
23 community ~~junior~~ college, the board of regents of Washburn university of
24 Topeka, the ~~board of every area vocational school, the board of control of~~
25 ~~every area vocational-technical school~~ *governing board of every*
26 *technical college* and the governing body of every other institution of
27 post-high school education which is supported by any state moneys shall
28 provide for enrollment without charge of tuition or fees for any dependent
29 of a person who died as the result of a service-connected disability
30 suffered during the Vietnam conflict as a result of such conflict, so long
31 as such dependent is eligible, but not to exceed ~~twelve (12)~~ *12* semesters
32 of instruction or the equivalent thereof at all such institutions for any
33 person. Once a person qualifies as a dependent under the terms and
34 provisions of this act, no occurrence, such as the return of the dependent's
35 father or mother, shall disqualify the dependent from the provisions or
36 benefits of this act. The governing body of every institution of post-high
37 school education which is supported by any state moneys and which
38 grants tuition or fees without charge to a dependent under this act may
39 file a claim with the ~~Kansas veterans' commission~~ *on veterans affairs* for
40 reimbursement of the amount of such tuition or fees. The ~~Kansas~~
41 ~~veterans'~~ *commission on veterans affairs* shall administer this act and the
42 qualification of persons as dependents shall be determined by such
43 commission. Such commission may adopt rules and regulations making

1 more specific the definition herein contained and for the administration of
2 this act.

3 "Dependent" as used in this act shall mean any child born to, legally
4 adopted by, or in the legal custody of a person who was a resident of the
5 state of Kansas at the time such person entered service of the United
6 States armed forces and who, while serving in said U. S. armed forces in
7 the geographical area of the Vietnam conflict, has been declared to be a
8 person who died as the result of a service-connected disability suffered
9 during the Vietnam conflict as a result of such conflict.

10 Sec. 27. K.S.A. 2010 Supp. 74-3201b is hereby amended to read as
11 follows: 74-3201b. As used in the Kansas higher education coordination
12 act:

13 (a) *"Adult basic education program" and "adult supplementary*
14 *education program" have the meanings respectively ascribed thereto in*
15 *K.S.A. 72-4517, and amendments thereto.*

16 (b) *"Community college" means any community college established*
17 *under the laws of this state.*

18 (c) *"Institute of technology" or "Washburn institute of technology"*
19 *means the institute of technology at Washburn university.*

20 (d) *"Municipal university" means Washburn university of Topeka or*
21 *any other municipal university established under the laws of this state.*

22 (e) *"Postsecondary educational institution" means any public*
23 *university, municipal university, community college and technical*
24 *college, and includes any entity resulting from the consolidation or*
25 *affiliation of any two or more of such postsecondary educational*
26 *institutions.*

27 (f) *"Private postsecondary educational institution" and "out-of-state*
28 *postsecondary educational institution" have the meanings ascribed*
29 *thereto in K.S.A. 2010 Supp. 74-32,163, and amendments thereto.*

30 (g) *"Public university" means any state educational institution.*

31 (h) *"Representative of a postsecondary educational institution"*
32 *means any person who is the holder of an associate degree, a bachelor's*
33 *degree, or a certificate of completion awarded by a postsecondary*
34 *educational institution.*

35 (a) (i) *"State board of regents" or "state board" means the state board*
36 *of regents provided for in the constitution of this state and established by*
37 *K.S.A. 74-3202a, and amendments thereto, except as otherwise*
38 *specifically provided in this act.*

39 (b) (j) *"State educational institution" means any state educational*
40 *institution, as defined in K.S.A. 76-711, and amendments thereto.*

41 (c) ~~*"Municipal university" means Washburn university of Topeka or*~~
42 ~~*any other municipal university established under the laws of this state.*~~

43 (d) ~~*"Community college" means any community college established*~~

1 ~~under the laws of this state.~~

2 (e) ~~(k)~~ "Technical college" means any technical college established
3 under the laws of this state.

4 (f) ~~"Career technical education school" means any area vocational~~
5 ~~school or area vocational-technical school established under the laws of~~
6 ~~this state.~~

7 (g) ~~"Public university" means any state educational institution.~~

8 (h) ~~"Postsecondary educational institution" means any public~~
9 ~~university, municipal university, community college, technical college~~
10 ~~and career technical education school, and includes any entity resulting~~
11 ~~from the consolidation or affiliation of any two or more of such~~
12 ~~postsecondary educational institutions.~~

13 (i) ~~"Private postsecondary educational institution" and "out-of-state~~
14 ~~postsecondary educational institution" have the meanings ascribed thereto~~
15 ~~in K.S.A. 2010 Supp. 74-32,163, and amendments thereto.~~

16 (j) ~~"Adult basic education program" and "adult supplementary~~
17 ~~education program" have the meanings respectively ascribed thereto in~~
18 ~~K.S.A. 72-4517, and amendments thereto.~~

19 (k) ~~"Representative of a postsecondary educational institution"~~
20 ~~means any person who is the holder of an associate degree, a bachelor's~~
21 ~~degree, or a certificate of completion awarded by a postsecondary~~
22 ~~educational institution.~~

23 Sec. 28. K.S.A. 2010 Supp. 74-32,146 is hereby amended to read as
24 follows: 74-32,146. As used in the Kansas national guard educational
25 assistance act:

26 (a) ~~"Kansas educational institution" means and includes area~~
27 ~~vocational schools, area vocational-technical schools, community~~
28 ~~colleges, the municipal university, state educational institutions, technical~~
29 ~~colleges, *the institute of technology at Washburn university* and~~
30 ~~accredited independent institutions.~~

31 (b) "Eligible guard member" means a newly enlisted or reenlisted
32 member of the Kansas national guard with not more than 20 years of
33 service and who is enrolled at a Kansas educational institution. The term
34 eligible guard member does not include within its meaning any member
35 of the Kansas national guard who is the holder of a baccalaureate or
36 higher academic degree, who does not hold a high school diploma or
37 general educational development (GED) credentials, or who is entitled to
38 federal educational benefits earned by membership in the Kansas national
39 guard, except financial assistance under the federal education assistance
40 program (FEAP) for members of the selected reserve.

41 (c) "Kansas national guard educational assistance program" or
42 "program" means the program established pursuant to the provisions of
43 the Kansas national guard educational assistance act.

1 (d) "Educational program" means a program which is offered and
2 maintained by a Kansas educational institution and leads to the award of a
3 certificate, diploma or degree upon satisfactory completion of course
4 work requirements.

5 Sec. 29. K.S.A. 2010 Supp. 74-32,151 is hereby amended to read as
6 follows: 74-32,151. (a) This section and K.S.A. 74-32,152 through 74-
7 32,159, and amendments thereto, shall be known and may be cited as the
8 workforce development loan program act.

9 (b) As used in the workforce development loan act, "postsecondary
10 educational institution" shall have the meaning ascribed thereto by K.S.A.
11 74-3201b, and amendments thereto.

12 (c) Within the limits of appropriations and private contributions
13 therefor, and in accordance with the provisions of this act, the state board
14 of regents may award such loans to Kansas residents who are enrolled in
15 or admitted to ~~an area vocational-technical school~~, a technical college,
16 community college, ~~vocational school coordinated under the state board~~
17 ~~of regents~~ *the institute of technology at Washburn university* or associate
18 degree programs at postsecondary educational institutions and who enter
19 into a written agreement with the state board of regents as provided in
20 K.S.A. 74-32,152, and amendments thereto.

21 (d) The board of regents may accept any private contributions to the
22 program. The chief executive officer of the board of regents shall turn
23 such contributions over to the state treasurer who shall deposit such
24 moneys into the workforce development loan fund.

25 (e) After consultation with the secretaries of the departments of
26 social and rehabilitation services and commerce, the board may establish
27 a list of education programs in which an applicant must enroll to be
28 eligible for a loan under this program.

29 (f) The loans shall be awarded on a priority basis to qualified
30 applicants who have the greatest financial need with the highest priority
31 given to those applicants with the greatest financial need who were in
32 foster care on their 18th birthday or were released from foster care prior
33 to their 18th birthday after having graduated from high school or
34 completing the requirements for a general educational development
35 (GED) certificate while in foster care. All loans shall be awarded to
36 resident students attending ~~area vocational-technical schools~~, technical
37 colleges, community colleges, ~~area vocational schools~~ *the institute of*
38 *technology at Washburn university* or associate degree programs at
39 postsecondary educational institutions. Special preference shall also be
40 established for residents drawing unemployment compensation or such
41 residents who were laid off from employment within the prior six months.
42 The board may also establish preferences for workers deemed to be
43 eligible for North American free trade agreement transition assistance

1 under United States department of labor standards or the Kansas
2 department of labor standards.

3 (g) Loans awarded under this program shall be awarded on an
4 annual basis and shall be in effect for one year unless otherwise
5 terminated before the expiration of such period of time. Such loans shall
6 be awarded for the payment of tuition, fees, books, room and board and
7 any other necessary school related expenses.

8 Sec. 30. K.S.A. 2010 Supp. 75-4364 is hereby amended to read as
9 follows: 75-4364. (a) As used in this section:

10 (1) *"Dependent" means (A) a birth child, adopted child or stepchild*
11 *or (B) any child other than the foregoing who is actually dependent in*
12 *whole or in part on the individual and who is related to such individual*
13 *by marriage or consanguinity.*

14 (2) *"Emergency medical services attendant" means an attendant as*
15 *defined by K.S.A. 65-6112, and amendments thereto.*

16 (3) *"Firefighter" means a person who is: (A) Employed by any city,*
17 *county, township or other political subdivision of the state and who is*
18 *assigned to the fire department thereof and engaged in the fighting and*
19 *extinguishment of fires and the protection of life and property therefrom;*
20 *or (B) a volunteer member of a fire district, fire department or fire*
21 *company.*

22 (4) *"Kansas educational institution" means and includes ~~area-~~*
23 *~~vocational schools, area vocational-technical schools,~~ community*
24 *colleges, the municipal university, state educational institutions, the*
25 *institute of technology at Washburn university and technical colleges.*

26 (5) *"Law enforcement officer" means a person who by virtue of*
27 *office or public employment is vested by law with a duty to maintain*
28 *public order or to make arrests for violation of the laws of the state of*
29 *Kansas or ordinances of any municipality thereof or with a duty to*
30 *maintain or assert custody or supervision over persons accused or*
31 *convicted of crime, and includes wardens, superintendents, directors,*
32 *security personnel, officers and employees of adult and juvenile*
33 *correctional institutions, jails or other institutions or facilities for the*
34 *detention of persons accused or convicted of crime, while acting within*
35 *the scope of their authority.*

36 (6) *"Military service" means any active service in any armed service*
37 *of the United States and any active state or federal service in the Kansas*
38 *army or air national guard.*

39 (7) *"Prisoner of war" means any person who was a resident of*
40 *Kansas at the time the person entered service of the United States armed*
41 *forces and who, while serving in the United States armed forces, has been*
42 *declared to be a prisoner of war, as established by the United States*
43 *secretary of defense, after January 1, 1960.*

1 ~~(2) (8) "Public safety officer" means a law enforcement officer or a~~
2 ~~firefighter or an emergency medical services attendant.~~

3 ~~(3) "Law enforcement officer" means a person who by virtue of~~
4 ~~office or public employment is vested by law with a duty to maintain~~
5 ~~public order or to make arrests for violation of the laws of the state of~~
6 ~~Kansas or ordinances of any municipality thereof or with a duty to~~
7 ~~maintain or assert custody or supervision over persons accused or~~
8 ~~convicted of crime, and includes wardens, superintendents, directors,~~
9 ~~security personnel, officers and employees of adult and juvenile~~
10 ~~correctional institutions, jails or other institutions or facilities for the~~
11 ~~detention of persons accused or convicted of crime, while acting within~~
12 ~~the scope of their authority.~~

13 ~~(4) "Firefighter" means a person who is: (1) Employed by any city,~~
14 ~~county, township or other political subdivision of the state and who is~~
15 ~~assigned to the fire department thereof and engaged in the fighting and~~
16 ~~extinguishment of fires and the protection of life and property therefrom;~~
17 ~~or (2) a volunteer member of a fire district, fire department or fire~~
18 ~~company.~~

19 ~~(5) "Emergency medical services attendant" means an attendant as~~
20 ~~defined by K.S.A. 65-6112, and amendments thereto.~~

21 ~~(6) "Dependent" means (A) a birth child, adopted child or stepchild~~
22 ~~or (B) any child other than the foregoing who is actually dependent in~~
23 ~~whole or in part on the individual and who is related to such individual by~~
24 ~~marriage or consanguinity.~~

25 ~~(9) "Resident of Kansas" means a person who is a domiciliary~~
26 ~~resident as defined by K.S.A. 76-729, and amendments thereto.~~

27 ~~(10) "Spouse" means the spouse of a deceased public safety officer~~
28 ~~or deceased member of the military service who has not remarried.~~

29 ~~(7) (11) "State board" means the state board of regents.~~

30 ~~(8) "Military service" means any active service in any armed service~~
31 ~~of the United States and any active state or federal service in the Kansas~~
32 ~~army or air national guard.~~

33 ~~(9) "Prisoner of war" means any person who was a resident of~~
34 ~~Kansas at the time the person entered service of the United States armed~~
35 ~~forces and who, while serving in the United States armed forces, has been~~
36 ~~declared to be a prisoner of war, as established by the United States~~
37 ~~secretary of defense, after January 1, 1960.~~

38 ~~(10) "Resident of Kansas" means a person who is a domiciliary~~
39 ~~resident as defined by K.S.A. 76-729, and amendments thereto.~~

40 ~~(11) "Spouse" means the spouse of a deceased public safety officer~~
41 ~~or deceased member of the military service who has not remarried.~~

42 ~~(b) Every Kansas educational institution shall provide for enrollment~~
43 ~~without charge of tuition or fees for: (1) Any dependent or spouse of a~~

1 public safety officer who died as the result of injury sustained while
2 performing duties as a public safety officer so long as such dependent or
3 spouse is eligible; (2) any dependent or spouse of any resident of Kansas
4 who died on or after September 11, 2001, while, and as a result of,
5 serving in military service; and (3) any prisoner of war. Any such
6 dependent or spouse and any prisoner of war shall be eligible for
7 enrollment at a Kansas educational institution without charge of tuition or
8 fees for not to exceed 10 semesters of undergraduate instruction, or the
9 equivalent thereof, at all such institutions.

10 (c) Subject to appropriations therefor, any Kansas educational
11 institution, at which enrollment, without charge of tuition or fees, of a
12 prisoner of war or a dependent or spouse is provided for under subsection
13 (b), may file a claim with the state board for reimbursement of the
14 amount of such tuition and fees. The state board shall include in its
15 budget estimates pursuant to K.S.A. 75-3717, and amendments thereto, a
16 request for appropriations to cover tuition and fee claims pursuant to this
17 section. The state board shall be responsible for payment of
18 reimbursements to Kansas educational institutions upon certification by
19 each such institution of the amount of reimbursement to which entitled.
20 Payments to Kansas educational institutions shall be made upon vouchers
21 approved by the state board and upon warrants of the director of accounts
22 and reports. Payments may be made by issuance of a single warrant to
23 each Kansas educational institution at which one or more eligible
24 dependents or spouses or prisoners of war are enrolled for the total
25 amount of tuition and fees not charged for enrollment at that institution.
26 The director of accounts and reports shall cause such warrant to be
27 delivered to the Kansas educational institution at which any such eligible
28 dependents or spouses or prisoners of war are enrolled. If an eligible
29 dependent or spouse or prisoner of war discontinues attendance before
30 the end of any semester, after the Kansas educational institution has
31 received payment under this subsection, the institution shall pay to the
32 state the entire amount which such eligible dependent or spouse or
33 prisoner of war would otherwise qualify to have refunded, not to exceed
34 the amount of the payment made by the state in behalf of such dependent
35 or spouse or prisoner of war for the semester. All amounts paid to the
36 state by Kansas educational institutions under this subsection shall be
37 deposited in the state treasury and credited to the state general fund.

38 (d) The state board shall adopt rules and regulations for
39 administration of the provisions of this section and shall determine the
40 qualification of persons as dependents and spouses of public safety
41 officers or United States military personnel and the eligibility of such
42 persons for the benefits provided for under this section.

43 Sec. 31. K.S.A. 2010 Supp. 75-53,112 is hereby amended to read as

1 follows: 75-53,112. As used in the Kansas foster child educational
2 assistance act:

3 (a) "Kansas educational institution" means and includes any ~~area-~~
4 ~~vocational school, area vocational-technical school,~~ community college,
5 the municipal university, state educational institution, *the institute of*
6 *technology at Washburn university* or technical college.

7 (b) "Eligible foster child" means anyone: (1) Who (A) is in the
8 custody of the secretary and in a foster care placement on the date such
9 child attained 18 years of age, (B) has been released from the custody of
10 the secretary prior to attaining 18 years of age, after having graduated
11 from a high school or fulfilled the requirements for a general educational
12 development (GED) certificate while in foster care placement and the
13 custody of the secretary, (C) is adopted from a foster care placement on or
14 after such child's 16th birthday, or (D) left a foster care placement subject
15 to a guardianship under chapter 38 or 59 of the Kansas Statutes
16 Annotated on or after such child's 16th birthday; and

17 (2) who enrolls in a Kansas educational institution on or after July 1,
18 2006.

19 (c) "Kansas foster child educational assistance program" or
20 "program" means the program established pursuant to the provisions of
21 the Kansas foster child educational assistance act which shall provide for
22 undergraduate enrollment of eligible foster children through the semester
23 the eligible foster child attains 23 years of age.

24 (d) "Educational program" means a program which is offered and
25 maintained by a Kansas educational institution and leads to the award of a
26 certificate, diploma or degree upon satisfactory completion of course
27 work requirements.

28 (e) "Secretary" means the secretary of social and rehabilitation
29 services.

30 Sec. 32. K.S.A. 2010 Supp. 75-6609 is hereby amended to read as
31 follows: 75-6609. (a) When used in this section, "surplus real estate"
32 means real estate which is no longer needed by the state agency which
33 owns such real estate as determined in accordance with this section.

34 (b) (1) The secretary of administration shall develop criteria for the
35 identification of surplus real estate, including but not limited to, a review
36 of any legal restrictions associated with the real estate and the reasons for
37 the state agency to keep the real estate. In accordance with such criteria,
38 the secretary shall assist state agencies in the identification of surplus real
39 estate. The secretary of administration shall periodically review the status
40 of all real estate of state agencies subject to this section to determine if
41 any of the real estate owned by state agencies is potentially surplus real
42 estate. If any real estate owned by a state agency is determined by the
43 secretary of administration, in consultation with the head of the state

1 agency, to be surplus real estate in accordance with the criteria developed
2 under subsection (a), then the secretary of administration shall
3 recommend to the governor that such real estate be sold under the
4 procedures prescribed by this section.

5 (2) The secretary of administration shall develop guidelines for the
6 sale of surplus real estate. In accordance with such guidelines and upon
7 the approval of the governor, after consultation with the head of the state
8 agency which owns such surplus real estate, after consultation with the
9 joint committee on state building construction and after approval by the
10 state finance council under subsection (c), the secretary may offer such
11 property for sale by one of the following means: (A) Public auction; (B)
12 by listing the surplus property with a licensed real estate broker or
13 salesperson; or (C) by sealed bid. Subject to the approval of the state
14 finance council as required by subsection (c), the secretary of
15 administration may sell surplus real estate and any improvements thereon
16 on behalf of the state agency which owns such property.

17 (c) Prior to the sale of any surplus real estate under subsection (b),
18 the state finance council shall approve the sale, which is hereby
19 characterized as a matter of legislative delegation and subject to the
20 guidelines prescribed in subsection (c) of K.S.A. 75-3711, and
21 amendments thereto. The matter may be submitted to the state finance
22 council for approval at any time, including periods of time during which
23 the legislature is in session.

24 (d) Prior to offering any real estate for sale, such property shall be
25 appraised pursuant to K.S.A. 75-3043a, and amendments thereto, unless
26 the appraisal is waived as provided in this subsection. The secretary of
27 administration may waive the requirement for appraisal for any parcel of
28 surplus real estate that is to be sold at public auction under this section if
29 the secretary of administration determines that it is in the best interests of
30 the state to waive the requirement for appraisal for such parcel of surplus
31 real estate. The costs of any such appraisal may be paid from the proceeds
32 of the sale.

33 (e) Conveyance of title in surplus real estate offered for sale by the
34 secretary of administration shall be executed on behalf of the state agency
35 by the secretary of administration. The deed for the conveyance may be
36 by warranty deed or by quitclaim deed as determined to be in the best
37 interests of the state by the secretary of administration in consultation
38 with the head of the state agency which owns the surplus real estate.

39 (f) (1) Any proceeds from the sale of surplus real estate and any
40 improvements thereon, after deduction of the expenses of such sale and
41 any cost of appraisal of the surplus real estate, shall be deposited in the
42 state treasury as prescribed by this subsection, unless otherwise
43 authorized by law. On and after the effective date of this act, 20% of the

1 proceeds from each such sale deposited in the state treasury shall be
2 credited to the surplus real estate fund or another appropriate special
3 revenue fund of the state agency which owned the surplus real estate, as
4 is prescribed by law or as may be determined by the state agency, unless
5 otherwise required by state or federal law or by the limitations or
6 restrictions of the state's title to the real estate being sold. In the case of
7 proceeds from the sale of surplus real estate at a state mental health
8 institution or a state mental retardation institution, such portion of the
9 proceeds shall be credited to the client benefit fund of such institution or
10 to another special revenue fund of such institution for (A) rehabilitation
11 and repair or other capital improvements for such institution, or (B) one-
12 time expenditures for community mental health organizations if the real
13 estate sold was at a state mental health institution or for community
14 developmental disabilities organizations if the real estate sold was at a
15 state mental retardation institution, and, in any such case, shall be
16 expended in accordance with the provisions of appropriation acts. The
17 remaining 80% of the proceeds from each such sale deposited in the state
18 treasury shall be credited to the state general fund.

19 (2) The amount of expenses and the cost of appraisal for each sale of
20 surplus real estate pursuant to this section shall be transferred and
21 credited to the property contingency fund created under K.S.A. 75-3652,
22 and amendments thereto, and may be expended for any operations of the
23 department of administration.

24 (3) Any state agency owning real estate may apply to the director of
25 accounts and reports to establish a surplus real estate special revenue fund
26 in the state treasury. Subject to the provisions of appropriation acts,
27 moneys in a surplus real estate special revenue fund may be expended for
28 the operating expenditures of the state agency.

29 (g) Any sale of property by the secretary of transportation pursuant
30 to K.S.A. 68-413, and amendments thereto, shall not be subject to the
31 provisions of this section. The provisions of this section shall not be
32 applicable to real estate given as an endowment, bequest, or gift to a state
33 educational institution as defined in ~~subsection (g) of~~ K.S.A. 72-4412,
34 and amendments thereto, or to the university of Kansas medical center.

35 (h) Sale of the Olathe travel information center shall not be subject
36 to the provisions of this section.

37 Sec. 33. K.S.A. 2010 Supp. 75-7222 is hereby amended to read as
38 follows: 75-7222. As used in this act, unless the context requires
39 otherwise:

40 (a) "Board" means the state board of regents.

41 (b) "Hospital" means a licensed hospital, as defined in K.S.A. 65-
42 425, and amendments thereto.

43 (c) "Library" means: (1) The state library; (2) any public library

1 established and operating under the laws of this state; or (3) any regional
 2 system of cooperating libraries, as defined in K.S.A. 75-2548, and
 3 amendments thereto.

4 (d) "Network" means the KAN-ED network created pursuant to this
 5 act.

6 (e) "School" means: (1) Any unified school district, school district
 7 interlocal cooperative, school district cooperative or nonpublic school
 8 accredited by the state board of education; or (2) any community college,
 9 technical college, ~~area vocational school, area vocational-technical school~~
 10 *the institute of technology at Washburn university* or Kansas educational
 11 institution, as defined in K.S.A. 74-32,120, and amendments thereto.

12 Sec. 34. K.S.A. 76-6a13 is hereby amended to read as follows: 76-
 13 6a13. As used in this act, unless the context otherwise requires:

14 (a) "Board" means the state board of regents or the board of regents
 15 of a municipal university or the ~~board of control of the Northwest Kansas~~
 16 ~~area vocational-technical school governing board of the northwest~~
 17 ~~Kansas technical college~~ or the ~~board of control of the North Central~~
 18 ~~Kansas area vocational-technical school governing board of the north~~
 19 ~~central Kansas technical college~~ or the board of trustees of any
 20 community college.

21 (b) "Institution" means and includes any state educational institution
 22 operated and managed under the control and supervision of the state
 23 board of regents, any municipal university organized under the laws of
 24 Kansas, any community college, the ~~Northwest Kansas area vocational-~~
 25 ~~technical school, and the North Central Kansas area vocational-technical~~
 26 ~~school: northwest Kansas technical college and the north central Kansas~~
 27 ~~technical college.~~

28 (c) "Building," when heretofore or hereafter acquired or constructed
 29 by the state board of regents for any state educational institution under the
 30 control and supervision of the state board of regents, means and includes
 31 one or more dormitories, kitchens, dining halls, student union buildings,
 32 field houses, student hospitals, libraries, on-campus parking, hospital
 33 buildings or facilities for the university of Kansas medical center,
 34 including outpatient treatment or support facilities and acquisition of any
 35 real estate therefor, additions heretofore or hereafter erected in connection
 36 therewith, or rehabilitation or renovation of an existing building, or any
 37 combination thereof, or any stadium, structure or facility when the same
 38 is deemed necessary by the state board of regents to carry out the
 39 purposes of the institution, or additions heretofore or hereafter erected in
 40 connection with such stadium, structure or facility. The state board of
 41 regents shall not issue any revenue bonds for acquisition or construction
 42 of any building, structure or facility or additions erected in connection
 43 therewith, or for rehabilitation or renovation of an existing building, as

1 authorized by this section, unless such acquisition, construction or
2 rehabilitation or renovation has been authorized by appropriation or other
3 act of the legislature and the state board of regents has first advised and
4 consulted on such acquisition, construction or rehabilitation or renovation
5 with the joint committee on state building construction.

6 (d) "Revenue bonds" means bonds issued by a board under authority
7 of K.S.A. 76-6a13 *et seq.*, and amendments thereto, and payable as to
8 both principal and interest solely and only out of (1) the income and
9 revenues arising from the operation of the building for which such bonds
10 are issued, or (2) in the case of a building to be constructed for an
11 institution under the control and supervision of the state board of regents
12 and upon a determination by the state board of regents that the best
13 interests of the state and the institution will be served thereby, the
14 revenues derived from student fees levied for this purpose or for other
15 bonds after such other bonds are retired, or both, (3) any combination of
16 the revenues described in clause (1) or (2), and (4) in addition to the
17 revenues described in clauses (1), (2) or (3), in the discretion of the
18 board, out of one or both of the following additional sources: (A) The
19 proceeds of any grant in aid of such project which may be received from
20 any source, and (B) the net income and revenues arising from the
21 operation of another building already owned and operated by the board
22 and located on the same campus of the institution where the building for
23 which bonds are to be issued will be located.

24 (e) "Net income and revenue" means the income arising from the
25 operation of a building remaining after providing for the costs of
26 operation of such building and the costs of maintenance thereof.

27 (f) "Building," when heretofore or hereafter acquired or constructed
28 by a board other than the state board of regents, means and includes one
29 or more dormitories, kitchens, dining halls, student union buildings, field
30 houses, student hospitals, libraries, on-campus parking or additions
31 heretofore or hereafter erected in connection therewith, or any
32 combination thereof.

33 Sec. 35. K.S.A. 2010 Supp. 76-768 is hereby amended to read as
34 follows: 76-768. (a) On and after July 1, 2006:

35 (1) No postsecondary educational institution shall print or encode a
36 person's social security number on or into the person's identification card.

37 (2) Any distinguishing identifier assigned to the person's
38 identification card shall be a combination of numbers or letters or both,
39 which is unique to such person.

40 (3) A person's distinguishing identifier shall not, in any way, be
41 based on or depend on the person's social security number.

42 (b) As used in this section:

43 (1) "Person" means an employee of or a student enrolled at a

1 postsecondary educational institution.

2 (2) "Postsecondary educational institution" means and includes ~~area~~
3 ~~vocational schools, area vocational technical schools,~~ community
4 colleges, the municipal university, state educational institutions, technical
5 colleges, *the institute of technology at Washburn university* and private
6 institutions of postsecondary education.

7 Sec. 36. K.S.A. 71-601, 71-604, 71-609, 71-609a, 71-613, 71-613a,
8 71-614, 71-620, 71-701, 71-802, 71-1201, 71-1706, 72-4428, 72-4435,
9 72-4440, 72-4441, 72-4442, 72-4453, 72-4454, 72-4468, 72-4480, 72-
10 6214, 72-6803, 73-1218, 74-3229a and 76-6a13 and K.S.A. 2010 Supp.
11 71-201, 71-1507, 72-4412, 72-4415, 72-4430, 72-4431, 72-4432, 72-
12 4433, 72-4450, 72-4466, 72-4470a, 73-1217, 74-3201b, 74-32,146, 74-
13 32,151, 75-4364, 75-53,112, 75-6609, 75-7222, 76-768 and 76-781 are
14 hereby repealed.

15 Sec. 37. This act shall take effect and be in force from and after its
16 publication in the Kansas register.