

SENATE BILL No. 354

By Committee on Education

2-3

Proposed Amendment for SB 354
Senate Committee on Education
February 12, 2020
Technical Correction on Institution Name or Location
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Office of Revisor of Statutes

1 AN ACT concerning postsecondary education; relating to the regulation of
2 private and out-of-state educational institutions by the state board of
3 regents; certificates of approval; student protections; rules and
4 regulations; amending K.S.A. 74-32,162, 74-32,163, 74-32,164, 74-
5 32,165, 74-32,167, 74-32,168, 74-32,169, 74-32,170, 74-32,171, 74-
6 32,172, 74-32,173, 74-32,175, 74-32,177, 74-32,178, 74-32,181, 74-
7 32,182, 74-32,184, 74-32,194, 74-32,417 and 74-32,419 and repealing
8 the existing sections.
9

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

11 New Section 1. (a) Any institution that is exempt from the private and
12 out-of-state postsecondary educational institution act pursuant to K.S.A.
13 74-32,164(e), and amendments thereto, may apply to the state board for a
14 certificate of approval under the provisions of such act if the institution is
15 required to obtain a certificate of approval from the state board in order to
16 demonstrate it is legally authorized to provide an educational program
17 under 34 C.F.R. § 600.9, as in effect on July 1, 2020, for participation in
18 programs authorized by the higher education act of 1965.

19 (b) Any institution issued a certificate of approval by the state board
20 under this section shall be subject to the jurisdiction of the state board and
21 the private and out-of-state postsecondary educational institution act.

22 (c) Any institution issued a certificate of approval under this section
23 may return to exempt status under the private and out-of-state
24 postsecondary educational institution act by not applying to renew the
25 certificate of approval. Any institution that returns to exempt status, shall
26 not be relieved of any liability for indemnification or any penalty for
27 noncompliance with certification standards during the period of the
28 institution's approved status.

29 New Sec. 2. (a) Each certificate of approval shall be issued to the
30 owner of the institution applying for the certificate of approval. The
31 certificate of approval shall not be transferable to a new owner. Whenever
32 a change of ownership occurs as a result of death, a court order or
33 operation of law, the new owner shall immediately apply for a new
34 certificate of approval. If a change in ownership occurs in any other
35 circumstance, the new owner shall apply for a new certificate of approval
36 at least 60 days prior to the change of ownership.

1 examinations, including, but not limited to, certified public accountancy
2 examinations, examinations for a professional practice in psychology or
3 bar examinations;

4 ~~(i)~~ ~~any~~ each of the following postsecondary educational institution-
5 institutions, all of which ~~was~~ were granted approval to confer academic or
6 honorary degrees by the state board of education under the provisions of
7 K.S.A. 17-6105, prior to its repeal, or were previously exempted from this
8 act by the legislature and that have approval to confer academic or
9 honorary degrees in calendar year 2020:

- 10 (1) Baker university, Baldwin City;
- 11 (2) Barclay college, Haviland;
- 12 (3) Benedictine college, Atchison;
- 13 (4) Bethany college, Lindsborg;
- 14 (5) Bethel college, North Newton;
- 15 (6) Central Baptist theological seminary, Kansas City;
- 16 (7) Central Christian college, McPherson;
- 17 ~~(8) Cleveland university, Kansas City;~~
- 18 (9) Donnelly college, Kansas City;
- 19 (10) Friends university, Wichita;
- 20 (11) Hesston college, Hesston;
- 21 (12) Kansas Christian college, Overland Park;
- 22 (13) Kansas Wesleyan university, Salina;
- 23 (14) Manhattan Christian college, Manhattan;
- 24 (15) McPherson college, McPherson;
- 25 (16) MidAmerica Nazarene university, Olathe;
- 26 (17) Newman university, Wichita;
- 27 (18) Ottawa university, Ottawa;
- 28 (19) Southwestern college, Winfield;
- 29 (20) Sterling college, Sterling;
- 30 (21) Tabor college, Hillsboro; and
- 31 (22) University of Saint Mary, Leavenworth; and

of Kansas

Cleveland university-Kansas City, Overland Park

32 ~~(j)~~ any institution that does not have a physical presence in Kansas
33 and that is otherwise subject to this act, but only to the extent that and for
34 the period of time that such institution is participating in the state
35 authorization reciprocity agreement as authorized under K.S.A. 74-32,194,
36 and amendments thereto, for the purpose of providing distance education
37 to students in ~~this state~~ Kansas. As used in this subsection, ~~the term~~
38 "distance education" ~~has the meaning ascribed thereto~~ means the same as
39 defined in K.S.A. 74-32,194, and amendments thereto.

40 Sec. 8. K.S.A. 74-32,165 is hereby amended to read as follows: 74-
41 32,165. (a) (1) The state board may adopt rules and regulations for the
42 administration of this act.

43 (2) The state board shall adopt rules and regulations that impose