

Committee Amendments Adopted for

SENATE BILL No. 43

By Committee on Education

1-21

1 AN ACT concerning postsecondary education; relating to the state board
2 of regents; creating the Kansas promise scholarship act and the Kansas
3 promise scholarship program fund.

4

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

6 Section 1. (a) Sections 1 through 6, and amendments thereto, shall be
7 known and may be cited as the Kansas promise scholarship act.

8 (b) As used in the Kansas promise scholarship act:

9 (1) "Eligible institution" means:

10 (A) Any community college or technical college established under
11 the laws of this state;

12 (B) the Washburn institute of technology; or

13 (C) any not-for-profit institution of postsecondary education with its
14 main campus or principal place of operation in Kansas that offers a
15 promise eligible program, is operated independently and not controlled or
16 administered by any state agency or subdivision of the state, maintains
17 open enrollment and is accredited by a nationally recognized accrediting
18 agency for higher education in the United States.

19 (2) "Eligible student" means a person who:

20 (A) Is a resident of Kansas; and

21 (B) (i) **has recently** graduated from an accredited Kansas public or
22 private secondary school **within the preceding 12 months**;

23 (ii) **has recently** completed the requirements for graduation at a non-
24 accredited private secondary school as provided in K.S.A. 72-4345, and
25 amendments thereto, **within the preceding 12 months**;

26 (iii) **has recently obtained a high school equivalency certificate after**
27 **attending** attended an accredited Kansas public or private secondary school
28 or non-accredited private school as provided in K.S.A. 72-4345, and
29 amendments thereto, **and obtained a high school equivalency certificate**
30 **within the preceding 12 months**;

31 (iv) is 21 years of age or older and, upon application for a
32 scholarship, has been a resident of Kansas for three or more consecutive
33 years; or

1 (v) is a dependent child of a military servicemember permanently
2 stationed in another state and recently graduated or completed the
3 requirements for high school graduation at who, within the preceding 12
4 months, graduated from any out-of-state secondary school or obtained a
5 high school equivalency certificate.

6 (3) "Part-time student" means a student who is enrolled for six credit
7 hours or more in a semester and not enrolled as a full-time student.

8 (4) "Promise eligible program" means any two-year associate degree
9 program or career and technical education certificate or stand-alone
10 program offered by an eligible institution and identified by the state board
11 pursuant to section 4, and amendments thereto, as a "promise eligible
12 program" in any of the following fields of study:

13 (A) Information technology and security;

14 (B) physical and mental healthcare; or

15 (C) advanced manufacturing and building trades; or

16 (D) early childhood education and development.

17 (4)(5) "State board" means the state board of regents.

18 Sec. 2. (a) (1) There is hereby established the Kansas promise
19 scholarship program. Subject to appropriations therefor, a scholarship may
20 be awarded to any eligible student who enrolls in a promise eligible
21 program at an eligible institution. The scholarship amount shall be the
22 aggregate amount of tuition, required fees and the cost of books and
23 required materials for the promise eligible program minus the amount
24 received from any grants, scholarships or other financial assistance awards
25 that do not require repayment. If an eligible student enrolls in a scholarship
26 eligible program at an eligible institution described in section 1(b)(1)(C),
27 and amendments thereto, the scholarship amount shall be based on the
28 average cost of tuition, mandatory fees and the cost of books and required
29 materials for the program when offered by the eligible institutions
30 described in section 1(b)(1)(A) and (B), and amendments thereto.

31 (2) Except as otherwise provided in this paragraph, Kansas promise
32 scholarships shall only be awarded to an eligible student whose family
33 household income equals \$100,000 or less for a family of two, \$150,000 or
34 less for a family of three, and for household sizes above three, a household
35 income that is equal or less than the family of three amount plus \$4,800 for
36 each additional family member. Kansas promise scholarships may be
37 awarded to eligible students whose family household income exceeds such
38 amounts only if scholarship moneys remain in the promise scholarship
39 program fund during the award year after awarding all other scholarships
40 pursuant to this section.

41 (b) To receive a Kansas promise scholarship, an eligible student shall:

42 (1) Complete a scholarship application on such forms and in such
43 manner as established by the state board;

- 1 (2) complete the free application for federal student aid;
- 2 (3) enroll in a promise eligible program at an eligible institution; and
- 3 (4) enter into a scholarship agreement as provided in section 3, and
- 4 amendments thereto.

5 Sec. 3. (a) As a condition to the award of a scholarship, an eligible
6 student shall enter into a scholarship agreement with the state board. Such
7 scholarship agreement shall require that the eligible student:

8 (1) Enroll as a full-time or part-time student in a promise eligible
9 program at an eligible institution and complete the promise eligible
10 program;

11 (2) maintain satisfactory academic progress toward completion of the
12 promise eligible program;

13 (3) within six months of completion of the promise eligible program:

14 (A) Reside in and commence work in the state of Kansas for at least
15 two consecutive years; or

16 (B) enroll as a full-time or part-time student in any public or not-for-
17 profit postsecondary educational institution with its main campus or
18 principal place of operation located in Kansas, and upon graduation or
19 failure to re-enroll, reside in and commence work in the state of Kansas for
20 at least two consecutive years;

21 (4) maintain records and make reports as may be required by the state
22 board to document the satisfaction of the obligations of the Kansas
23 promise scholarship program; and

24 (5) upon failure to satisfy the requirements of a scholarship
25 agreement, repay the scholarship amount as provided in section 5, and
26 amendments thereto.

27 (b) The state board may postpone any requirement of a scholarship
28 agreement for good cause in accordance with rules and regulations
29 adopted by the state board.

30 (c) A scholarship recipient satisfies the requirements of the Kansas
31 promise scholarship program if such recipient:

32 (1) Completes the requirements of the scholarship agreement;

33 (2) commences service as a military servicemember after receiving a
34 Kansas promise scholarship;

35 (3) fails to satisfy the requirements after making the best possible
36 effort to do so as determined by the state board; or

37 (4) is unable to satisfy the requirements due to disability or death of
38 the recipient.

39 Sec. 4. The state board shall implement and administer the Kansas
40 promise scholarship program. The state board shall:

41 (a) Identify the promise eligible programs offered by each eligible
42 institution that provide a two-year associate degree program or a career
43 and technical education certificate or stand-alone program in any of the

1 following fields of study:

2 (1) Information technology and security;

3 (2) mental and physical healthcare; or

4 (3) advanced manufacturing and building trades; or

5 (4) early childhood education and development.

6 (b) work with public and private secondary schools and community
7 partners, such as community foundations and business, industry and
8 economic development organizations to publicize Kansas promise
9 scholarships, including, but not limited to, publicizing promise eligible
10 programs, eligible institutions and application procedures and deadlines;

11 (c) subject to appropriations therefor, distribute funds to eligible
12 institutions for the purpose of awarding Kansas promise scholarships;

13 (d) ensure that each scholarship recipient fulfills the requirements of
14 the scholarship agreement entered into pursuant to section 3, and
15 amendments thereto;

16 (e) on or before March 1, 2022, adopt rules and regulations for the
17 implementation and administration of the Kansas promise scholarship
18 program; and

19 (f) on or before January 15, 2022 2023, and each January 15
20 thereafter, prepare and submit a report to the legislature and the governor
21 on the Kansas promise scholarship program. The report shall include, but
22 not be limited to, the following information for the immediately preceding
23 academic year:

24 (1) The total number of scholarship applications;

25 (2) the total number of scholarship recipients and the total amount of
26 scholarship moneys awarded;

27 (3) the total number of scholarship recipients who completed an
28 eligible postsecondary education program; and

29 (4) the total number of scholarship recipients who satisfied the
30 requirements of a scholarship agreement.

31 Sec. 5. (a) If any scholarship recipient fails to satisfy the requirements
32 of a scholarship agreement, such recipient shall pay to the state board an
33 amount equal to the total scholarship amount received by such recipient
34 plus accrued interest at a rate equivalent to the interest rate applicable to
35 loans made under the federal PLUS program at the time such recipient first
36 received a scholarship. All moneys received by the state board pursuant to
37 this section shall be remitted to the state treasurer in accordance with the
38 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
39 each such remittance, the state treasurer shall deposit the entire amount in
40 the state treasury to the credit of the Kansas promise scholarship program
41 fund created pursuant to section 6, and amendments thereto.

42 (b) To collect upon any repayment account arising under the Kansas
43 promise scholarship program, the state board may submit any repayment

1 account over to a designated loan servicer or collection agency or may
2 utilize the collection procedures provided in K.S.A. 75-6201 et seq., and
3 amendments thereto.

4 New Sec. 6. There is hereby created in the state treasury the Kansas
5 promise scholarship program fund, which shall be administered by the
6 state board. All expenditures from the Kansas promise scholarship
7 program fund shall be for scholarships awarded pursuant to the Kansas
8 promise scholarship program. All expenditures from the Kansas promise
9 scholarship program fund shall be made in accordance with appropriation
10 acts upon warrants of the director of accounts and reports issued pursuant
11 to vouchers approved by the executive officer of the state board or the
12 designee of the executive officer. All moneys received by the board for the
13 Kansas promise scholarship program shall be deposited in the state
14 treasury in accordance with the provisions of K.S.A. 75-4215, and
15 amendments thereto. Upon receipt of each such remittance, the state
16 treasurer shall deposit the entire amount in the state treasury to the credit
17 of the Kansas promise scholarship program fund. During any fiscal year,
18 appropriations made to the Kansas promise scholarship program fund shall
19 not exceed \$6,000,000.

20 Sec. 7. This act shall take effect and be in force from and after its
21 publication in the statute book.