

SENATE BILL No. 200

By Committee on Education

2-1

AN ACT concerning the teacher service scholarship program; revising the definition of qualified student to include persons holding a teaching certificate; amending K.S.A. 74-32,100, 74-32,101, 74-32,102, 74-32,103, 74-32,105 and 74-32,106 and K.S.A. 2000 Supp. 74-32,104 and 74-32,107 and repealing the existing sections.

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

Section 1. K.S.A. 74-32,100 is hereby amended to read as follows: 74-32,100. This act shall be known and may be cited as the teacher *service* scholarship program.

Sec. 2. K.S.A. 74-32,101 is hereby amended to read as follows: 74-32,101. As used in this act:

(a) "Executive officer" means the *chief* executive officer of the state board of regents appointed under K.S.A. ~~74-3203~~ 2000 Supp. 74-3203a, and amendments thereto;

(b) "qualified student" means a person who: (1) Is a resident of the state of Kansas; (2) has been accepted for admission to or is enrolled full time in a course of instruction leading to certification ~~in a hard-to-fill teaching discipline~~ as a teacher or to endorsement in a hard-to-fill teaching discipline if the person holds a teaching certificate; and (3) has qualified for the award of a scholarship under the teacher *service* scholarship program on the basis of having demonstrated scholastic ability, or who has previously so qualified and remains qualified for renewal of the scholarship on the basis of remaining in good standing and making satisfactory progress toward completion of the requirements of the course of instruction in which enrolled;

(c) "hard-to-fill teaching discipline" means a teaching discipline in which there is a critical shortage of teachers as determined and specified by the state board of education;

(d) "underserved area" means a geographic area of the state in which there is a critical shortage of teachers as determined and specified by the state board of education.

Sec. 3. K.S.A. 74-32,102 is hereby amended to read as follows: 74-32,102. (a) There is hereby established the teacher *service* scholarship program. A scholarship may be awarded under the teacher *service* schol-

1 arship program to any qualified student and may be renewed for each
2 such student who remains qualified for the scholarship. The number of
3 new scholarships awarded under the program in each year shall not ex-
4 ceed 50. Determination of the students qualified for such scholarships
5 shall be made by the executive officer. Scholastic ability shall be deter-
6 mined on the basis of any one or more of the following: (1) High ACT or
7 SAT score; (2) rank in high school graduation class; (3) cumulative high
8 school or college grade point average; or (4) any other indicator of scho-
9 lastic ability which the state board of regents determines to be demon-
10 strative of potential for successful completion of a course of instruction
11 leading to certification ~~in a hard-to-fill teaching discipline as a teacher or~~
12 ~~to endorsement in a hard-to-fill teaching discipline.~~ To the extent prac-
13 ticable and consistent with qualification factors, consideration shall be
14 given to students who are members of ethnic minority groups.

15 (b) A scholarship awarded under the program shall provide for pay-
16 ment to a qualified student of ~~a stipend in the amount of \$5,000~~ (1) *an*
17 *amount not to exceed 70% of the cost of attendance for an academic year*
18 *at the teacher education school in which the qualified student is enrolled*
19 *if such teacher education school is maintained by a state educational in-*
20 *stitution or* (2) *an amount not to exceed 70% of the average amount of*
21 *the cost of attendance for an academic year at the teacher education*
22 *schools maintained by the state educational institutions if the teacher ed-*
23 *ucation school in which the qualified student is enrolled is not a state*
24 *educational institution.* A qualified student may be awarded a scholarship
25 for not more than four academic years of undergraduate study, except
26 that a qualified student who is enrolled full time in a course of instruction
27 leading to *endorsement in a hard-to-fill teaching discipline or to certifi-*
28 *cation or endorsement in a hard-to-fill teaching discipline* for which grad-
29 uate study is required may be awarded a scholarship for the duration of
30 the course of instruction.

31 Sec. 4. K.S.A. 74-32,103 is hereby amended to read as follows: 74-
32 32,103. (a) An applicant for designation as a qualified student and for the
33 award of a scholarship under the teacher *service* scholarship program shall
34 provide to the executive officer, on forms supplied by the executive of-
35 ficer, information required by the executive officer.

36 (b) As a condition to awarding a scholarship under this act, the ex-
37 ecutive officer and the applicant shall enter into an agreement which shall
38 require the applicant to:

39 (1) Complete the required course of instruction leading to certifica-
40 tion ~~in a hard-to-fill teaching discipline as a teacher or to endorsement in~~
41 ~~a hard-to-fill teaching discipline;~~

42 (2) engage in teaching in *Kansas in an underserved area or in a hard-*
43 ~~to-fill teaching discipline in Kansas~~ and comply with such other terms and

1 conditions as may be specified by such agreement;

2 (3) commence teaching *on a full-time basis in a hard-to-fill teaching*
3 ~~discipline in~~ Kansas in an accredited public or private elementary or sec-
4 ondary school in accordance with the agreement, ~~which shall be~~ *and con-*
5 *tinue teaching on a full-time basis* for a period of not less than the length
6 of the course of instruction for which the scholarship was awarded *or*
7 *commence teaching on a part-time basis in Kansas in an accredited public*
8 *or private elementary or secondary school in accordance with the agree-*
9 *ment and continue teaching on such a part-time basis for a period of time*
10 *that is equivalent to full time, as determined by the state board of regents,*
11 *multiplied by the length of the course of instruction for which the schol-*
12 *arship was awarded;*

13 (4) *commence teaching in Kansas on a full-time or part-time basis*
14 *within six months after completion of the course of instruction for which*
15 *the scholarship was awarded and certification or endorsement in a hard-*
16 *to-fill teaching discipline and continue teaching for the period of time*
17 *required by the agreement;*

18 ~~(4)~~ (5) maintain records and make reports to the executive officer as
19 required by the executive officer to document the satisfaction of the ob-
20 ligations under this act and the agreement; and

21 ~~(5)~~ (6) upon failure to satisfy an agreement to engage in teaching in
22 *an underserved area or in a hard-to-fill teaching discipline* for the re-
23 quired period of time under any such agreement, repay to the state
24 amounts as provided in K.S.A. 74-32,104, and amendments thereto.

25 Sec. 5. K.S.A. 2000 Supp. 74-32,104 is hereby amended to read as
26 follows: 74-32,104. (a) Except as provided in K.S.A. 74-32,105, and
27 amendments thereto, upon the failure of any person to satisfy the obli-
28 gation under any agreement entered into pursuant to the teacher *service*
29 scholarship program, such person shall pay to the executive officer an
30 amount equal to the total amount of money received by such person
31 pursuant to such agreement plus ~~annual~~ *accrued* interest at a rate of ~~15%~~,
32 *which is equivalent to the interest rate applicable to loans made under*
33 *the federal PLUS program at the time such person first entered into an*
34 *agreement plus five percentage points. Amounts of payment under this*
35 *section shall be adjusted proportionately for full years of the obligation*
36 that have been satisfied. Installment payments of any such amounts may
37 be made in accordance with the provisions of the agreement entered into
38 by the scholarship recipient or if no such provisions exist in such agree-
39 ment, in accordance with rules and regulations of the state board of re-
40 gents, except that such installment payments shall commence six months
41 after the date of the action or circumstances that cause the failure of the
42 person to satisfy the obligations of such agreements, as determined by
43 the executive officer based upon the circumstances of each individual

1 case. Amounts paid under this section to the executive officer shall be
2 deposited in the teacher *service* scholarship repayment fund in accord-
3 ance with K.S.A. 74-32,107, and amendments thereto.

4 *(b) The state board of regents is authorized to turn any repayment*
5 *account arising under the teacher service scholarship program over to a*
6 *designated loan servicer or collection agency, the state not being involved*
7 *other than to receive payments from the loan servicer or collection agency*
8 *at the interest rate prescribed under this section.*

9 Sec. 6. K.S.A. 74-32,105 is hereby amended to read as follows: 74-
10 32,105. (a) Except as otherwise specified in the agreement, an obligation
11 under any agreement entered into under the teacher *service* scholarship
12 program shall be postponed: (1) During any required period of active
13 military service; (2) *during any period of service as a part of volunteers*
14 *in service to America (VISTA); (3) during any period of service in the*
15 *peace corps; (4) during any period of service commitment to the United*
16 *States public health service; (5) during any period of religious missionary*
17 *work conducted by an organization exempt from tax under section*
18 *501(c)(3) of the federal internal revenue code as in effect on December*
19 *31, 2000; ~~(2)~~ (6) during any period of temporary medical disability during
20 ~~which time the person obligated is unable because of such temporary~~
21 ~~medical disability to teach a hard-to-fill teaching discipline; or ~~(3)~~ (7)~~
22 ~~during any period of time the person obligated is enrolled and actively~~
23 ~~engaged on a full-time basis in a course of study leading to a degree in~~
24 ~~the field of education as a hard-to-fill teaching discipline which is higher~~
25 ~~than that formerly attained formerly by the person obligated; (8) during~~
26 ~~any period of time the person obligated is on job-protected leave under~~
27 ~~the federal family and medical leave act of 1993; or (9) during any period~~
28 ~~of time the state board of regents determines that the person obligated is~~
29 ~~unable because of special circumstances to teach. Except for clause (2) of~~
30 ~~this subsection (a) clauses (6), (8) and (9), an obligation under any agree-~~
31 ~~ment entered into under as provided in the teacher service scholarship~~
32 ~~program shall not be postponed more than five years from the time the~~
33 ~~obligation was to have been commenced under any such agreement. An~~
34 ~~obligation under any agreement under entered into as provided in the~~
35 ~~teacher service scholarship program shall be postponed under clause ~~(2)~~~~
36 ~~of this subsection (a) (6) during the period of time the medical disability~~
37 ~~exists. Except for clause (1) or clause (2) of this subsection (a); An obli-~~
38 ~~gation under any agreement entered into under as provided in the teacher~~
39 ~~service scholarship program shall not be postponed unless the postpone-~~
40 ~~ment is provided for in the agreement under clause (8) during the period~~
41 ~~of time the person obligated remains on FMLA leave. An obligation to~~
42 ~~engage in teaching in accordance with an agreement under the teacher~~
43 ~~service scholarship program shall be postponed under clause (9) during~~*

1 *the period of time the state board of regents determines that the special*
2 *circumstances exist. The state board of regents shall adopt rules and reg-*
3 *ulations prescribing criteria or guidelines for determination of the exis-*
4 *tence of special circumstances causing an inability to teach, and shall*
5 *determine the documentation required to prove the existence of such*
6 *circumstances.*

7 (b) An obligation under any agreement ~~under~~ entered into as pro-
8 vided in the teacher service scholarship program shall be satisfied: (1) If
9 the obligation ~~in accordance with an agreement under the scholarship~~
10 ~~program~~ has been completed *in accordance with the agreement*; (2) if the
11 person obligated dies; (3) if, because of permanent physical disability, the
12 person obligated is unable to satisfy the obligation; ~~or~~ (4) if the person
13 obligated fails to satisfy ~~all the requirements to enable the recipient to~~
14 ~~teach a hard-to-fill teaching discipline for graduation from a teacher ed-~~
15 ~~ucation program~~ after making the best effort possible; (5) *if the person*
16 *obligated fails to satisfy all requirements for certification to teach in Kan-*
17 *sas or for endorsement in a hard-to-fill teaching discipline or has been*
18 *denied certification or endorsement after applying for a certificate to teach*
19 *or for endorsement in a hard-to-fill teaching discipline and making the*
20 *best effort possible to obtain such certificate or endorsement; or (6) if the*
21 *person obligated is unable to obtain employment as a teacher in an un-*
22 *derserved area or in a hard-to-fill teaching discipline after making the*
23 *best effort possible to obtain such employment and the person obligated*
24 *otherwise completes the terms, conditions and obligations of the*
25 *agreement.*

26 Sec. 7. K.S.A. 74-32,106 is hereby amended to read as follows: 74-
27 32,106. The state board of regents shall adopt rules and regulations for
28 administration of the teacher service scholarship program and shall es-
29 tablish terms, conditions and obligations which shall be incorporated into
30 the provisions of any agreement entered into between the executive of-
31 ficer and an applicant for the award of a scholarship under the program.
32 The terms, conditions and obligations shall be consistent with the provi-
33 sions of law relating to the program and shall include, but not be limited
34 to, the circumstances under which eligibility for financial assistance under
35 the program may be terminated, the amount of financial assistance to be
36 provided, the circumstances under which obligations may be discharged
37 or forgiven, the amount of money required to be repaid because of failure
38 to satisfy the obligations under an agreement and the method of
39 repayment.

40 Sec. 8. K.S.A. 2000 Supp. 74-32,107 is hereby amended to read as
41 follows: 74-32,107. (a) There is hereby created in the state treasury the
42 teacher service scholarship program fund. The executive officer shall re-
43 mit all moneys received under the teacher service scholarship program,

1 which are paid because of nonattendance or discontinuance by scholar-
2 ship recipients, to the state treasurer at least monthly. Upon receipt of
3 each such remittance the state treasurer shall deposit the entire amount
4 thereof in the state treasury, and such amount shall be credited to the
5 teacher *service* scholarship program fund. All expenditures from the
6 teacher *service* scholarship program fund shall be for scholarships
7 awarded under the teacher *service* scholarship program and shall be made
8 in accordance with appropriation acts upon warrants of the director of
9 accounts and reports issued pursuant to vouchers approved by the execu-
10 tive officer or by a person designated by the executive officer.

11 (b) There is hereby created in the state treasury the teacher *service*
12 scholarship repayment fund. The executive officer shall remit all moneys
13 received under the teacher *service* scholarship program, which are for
14 payment of amounts pursuant to K.S.A. 74-32,104, and amendments
15 thereto, to the state treasurer at least monthly. Upon receipt of each such
16 remittance the state treasurer shall deposit the entire amount thereof in
17 the state treasury, and such amount shall be credited to the teacher *serv-*
18 *ice* scholarship repayment fund. All expenditures from the teacher *service*
19 scholarship repayment fund shall be for scholarships awarded under the
20 teacher *service* scholarship program and shall be made in accordance with
21 appropriation acts upon warrants of the director of accounts and reports
22 issued pursuant to vouchers approved by the executive officer or by a
23 person designated by the executive officer.

24 Sec. 9. K.S.A. 74-32,100, 74-32,101, 74-32,102, 74-32,103, 74-
25 32,105 and 74-32,106 and K.S.A. 2000 Supp. 74-32,104 and 74-32,107
26 are hereby repealed.

27 Sec. 10. This act shall take effect and be in force from and after its
28 publication in the statute book.

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