

SENATE BILL No. 437

AN ACT concerning education; relating to postsecondary educational institutions.

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

Section 1. (a) As used in this section:

- (1) "State board" means the state board of regents.
- (2) "ROTC institution" and "selection committee" have the meanings ascribed thereto by K.S.A. 74-3255, and amendments thereto.
- (3) "Chief executive officer" means the chief executive officer of a ROTC institution.
- (4) "Community college" means a community college established and operating under the provisions of chapter 71 of the Kansas Statutes Annotated.
- (5) "Board of trustees" means the board of trustees of a community college.

(b) Subject to the limitations of appropriations therefor and within the limitation on the number of scholarships which may be awarded under K.S.A. 74-3256, and amendments thereto, the selection committee at each ROTC institution may award ROTC scholarships to qualifying students who are enrolled at a community college. Scholarships awarded pursuant to this section shall be awarded in accordance with the memorandum of understanding required by subsection (c) and shall be subject to the requirements of K.S.A. 74-3255 et seq., and amendments thereto, except that such scholarships may be awarded to students enrolled at a community college.

(c) The selection committee shall not award a scholarship under this section to a student enrolled at a community college unless the board of trustees of the community college at which the student is enrolled has entered into a memorandum of understanding with the chief executive officer of the ROTC institution. The memorandum of understanding shall fix the requirements for student eligibility, the procedure for application and any other terms or conditions deemed necessary by the chief executive officer and the board of trustees. Any memorandum of understanding shall be submitted to and approved by the state board.

(d) On or before January 14, 2011, the state board shall submit a report to the legislature relating to the administration of this section. The report shall include the following information for the time period beginning on July 1, 2008 and ending on October 1, 2010:

- (1) The number of scholarships awarded under this section.
- (2) The average amount of scholarships awarded under this section.
- (3) The aggregate amount of scholarships awarded under this section.
- (4) Other information deemed necessary by the state board.
- (e) The provisions of this section shall expire on June 30, 2011.

Sec. 2. Sections 2 through 7, and amendments thereto, shall be known and may be cited as the military service scholarship program act.

Sec. 3. As used in the military service scholarship program act:

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

(b) "Qualified student" means a person who: (1) Is a resident of the state of Kansas; (2) (A) has served, after September 11, 2001, in military service in Iraq or Afghanistan for at least 90 days or for less than 90 days because of injuries received in Iraq or Afghanistan; or (B) has served, after September 11, 2001, in military service in international waters or on foreign soil in support of military operations in Iraq or Afghanistan for at least 90 days or for less than 90 days because of injuries received during such service; (C) has received an honorable discharge from military service or is still in military service; and (D) has military discharge papers (DD Form 214) or active duty orders that indicate the person has served after September 11, 2001, in one or more of the following military operations: (i) Enduring Freedom; (ii) Noble Eagle; or (iii) Iraqi Freedom; (3) has been accepted for admission to or is enrolled in a course of instruction in a postsecondary educational institution; and (4) has qualified for the award of a scholarship under the military 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) “State board” means the state board of regents.

(d) “Postsecondary educational institution” has the meaning ascribed thereto by K.S.A. 74-3201b, and amendments thereto.

(e) “Military service” means any active service in any armed service of the United States and any service as a member in good standing in the Kansas army or air national guard.

(f) “Program” means the military service scholarship program.

Sec. 4. (a) There is hereby established the military service scholarship program. A scholarship may be awarded under the program to any qualified student and may be renewed for each such student who remains qualified for the scholarship. Determination of the students qualified for such scholarships shall be made by the executive officer. Scholarships shall be awarded on a priority basis to qualified applicants who have the greatest financial need. When determining financial need, the executive officer shall take into consideration federal military educational assistance received by a qualified student, if any.

(b) Within the limitations of appropriations therefor, the number of scholarships awarded and the amount awarded to each applicant shall be determined by the executive officer. The amount awarded shall be specified in the agreement. The amount awarded may vary depending upon the number of hours and the program in which the applicant is enrolled. A scholarship awarded under the program shall provide for payment to a qualified student of an amount not to exceed the amount of the fees and tuition for an academic year at the postsecondary educational institution in which the qualified student is enrolled. Except as provided by this subsection, a qualified student may be awarded a scholarship for not more than four academic years of undergraduate study. If the course of instruction requires a fifth year of undergraduate study, a scholarship may be awarded for the duration of the course of instruction.

(c) If a student is not enrolled on a full-time basis, a student shall complete the course of study within the time period specified in the agreement and shall receive a proportionate amount of the scholarship allowed under subsection (b) based upon the number of hours enrolled in an academic period, and computed as a fraction of the total number of credit hours required for full-time enrollment.

Sec. 5. (a) An applicant for designation as a qualified student and for the award of a scholarship under the military service scholarship program shall provide to the executive officer, on forms supplied by the executive officer, information required by the executive officer.

(b) As a condition to awarding a scholarship under this act, the executive officer and the applicant shall enter into an agreement which shall require the applicant to:

(1) Complete the required course of instruction; and

(2) maintain records and make reports to the executive officer as required by the agreement.

Sec. 6. The state board of regents shall adopt rules and regulations for administration of the military service scholarship program and shall establish terms, conditions and obligations which shall be incorporated into the provisions of any agreement entered into between the executive officer and an applicant for the award of a scholarship under the program. The terms, conditions and obligations shall be consistent with the provisions of law relating to the program and shall include, but not be limited to, the circumstances under which eligibility for financial assistance under the program may be terminated and the amount of financial assistance to be provided.

Sec. 7. There is hereby created in the state treasury the military service scholarship program fund. All expenditures from the military service scholarship program fund shall be for scholarships awarded under the military service scholarship program and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive officer or by a person designated by the executive officer.

Sec. 8. (a) The Salina area technical school is authorized to be converted to and established as a technical college and, upon such conversion and establishment as provided by law, shall be officially designated as the Salina area technical college.

(b) Whenever the Salina area technical school is referred to or des-

ignated by or in any statute, contract or other document, such reference or designation shall be deemed to apply to the Salina area technical college.

Sec. 9. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the SENATE, and passed that body

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE
as amended _____

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.