

As Amended by House Committee

Session of 2023

HOUSE BILL No. 2132

By Committee on Appropriations

1-23

1 AN ACT concerning postsecondary education; relating to the Kansas
2 promise scholarship act; expanding the eligible fields of study;
3 establishing a maximum scholarship amount for certain private
4 postsecondary institutions; amending K.S.A. 2022 Supp. 74-32,272,
5 74-32,273 and 74-32,274 and repealing the existing sections.

6
7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2022 Supp. 74-32,272 is hereby amended to read as
9 follows: 74-32,272. (a) There is hereby established the Kansas promise
10 scholarship program. The state board of regents shall implement and
11 administer the program.

12 (b) On or before March 1, 2023, the state board of regents shall adopt
13 rules and regulations to implement and administer the Kansas promise
14 scholarship program. Such rules and regulations shall establish:

15 (1) A scholarship application process, including, but not limited to,
16 accepting scholarship applications throughout the academic year and
17 processing such applications in the order such applications were received;

18 (2) appeal procedures for denial or revocation of a Kansas promise
19 scholarship;

20 (3) guidelines to ensure as much as is practicable that, if a student
21 who received a Kansas promise scholarship graduates from a promise
22 eligible program and subsequently enrolls in a state educational institution,
23 as defined in K.S.A. 76-711, and amendments thereto, or municipal
24 university, any courses taken by such student shall be transferred to the
25 state educational institution or municipal university and qualify toward the
26 student's baccalaureate degree;

27 (4) the terms, conditions and requirements that shall be incorporated
28 into each Kansas promise scholarship agreement, which shall not be more
29 stringent than the requirements for Kansas promise scholarship agreements
30 provided in this act;

31 (5) procedures for requesting and approving medical, military and
32 personal absences from an eligible postsecondary educational institution
33 while receiving a Kansas promise scholarship;

34 (6) criteria for determining whether a student who received a Kansas
35 promise scholarship fulfilled the residency, employment and repayment
36 requirements included in a Kansas promise scholarship agreement as

- 1 provided in K.S.A. 2022 Supp. 74-32,276, and amendments thereto;
- 2 (7) criteria for determining when a student who received a Kansas
3 promise scholarship may be released from the requirements of a Kansas
4 promise scholarship, if there are special circumstances that caused such
5 student to be unable to complete such requirements; and
- 6 (8) that no eligible postsecondary educational institution may:
- 7 (A) Limit scholarship awards to certain promise eligible programs at
8 such institution; or
- 9 (B) award less than the full Kansas promise scholarship amount for
10 which a student qualifies as long as funds are available in the Kansas
11 promise scholarship program fund.
- 12 (c) The state board of regents shall:
- 13 (1) Identify the promise eligible programs offered by each eligible
14 postsecondary educational institution that are:
- 15 (A) Within a field of study designated by the eligible postsecondary
16 educational institution pursuant to K.S.A. 2022 Supp. 74-32,273, and
17 amendments thereto; and
- 18 (B) in any of the following fields of study:
- 19 (i) Information technology and security;
- 20 (ii) mental and physical healthcare;
- 21 (iii) advanced manufacturing and building trades; or
- 22 (iv) early childhood education and development, *elementary*
23 *education and secondary education*;
- 24 (2) work with community partners, such as community foundations,
25 school districts, postsecondary educational institutions, Kansas business
26 and industry and Kansas economic development organizations to publicize
27 Kansas promise scholarships, including, but not limited to, publicizing
28 eligible postsecondary educational institutions, approved scholarship-
29 eligible educational programs, application procedures and application
30 deadlines;
- 31 (3) disburse funds to each eligible postsecondary educational
32 institution for the purpose of awarding Kansas promise scholarships;
- 33 (4) request information from eligible postsecondary educational
34 institutions and any state agency necessary for the administration of this
35 act;
- 36 (5) accept electronic signatures as sufficient and valid on all forms
37 and agreements required by the Kansas promise scholarship program and
38 any rules and regulations adopted thereunder;
- 39 (6) enforce Kansas promise scholarship agreements;
- 40 (7) collect any moneys repaid by students pursuant to K.S.A. 2022
41 Supp. 74-32,276, and amendments thereto;
- 42 (8) determine whether students who received a Kansas promise
43 scholarship fulfill the residency, employment and repayment requirements

1 provided in K.S.A. 2022 Supp. 74-32,276, and amendments thereto; and

2 (9) ~~beginning in January 2022,~~ annually evaluate the Kansas promise
3 scholarship program and prepare and submit a report to the senate standing
4 committee on education and the house of representatives standing
5 committee on education. Such report shall include, but not be limited to,
6 the total program cost for each promise eligible program at each eligible
7 postsecondary educational institution, the amount of scholarship moneys
8 awarded that went to each promise eligible program, the number of credit
9 hours paid for with scholarship moneys, the amount of scholarship moneys
10 expected to be awarded to each institution for each semester, the number
11 of scholarships awarded, the total amount of scholarship moneys awarded,
12 the amount of scholarship moneys provided for tuition, fees, books and
13 supplies, measures postsecondary educational institutions have taken in
14 working with private business and industry in the state to determine
15 appropriate fields of study and a review of the employment of scholarship
16 recipients who have completed the Kansas promise scholarship program,
17 including, but not limited to, employment fields and geographic location
18 of such employment.

19 (d) (1) The state board of regents may designate an associate degree
20 transfer program as an eligible program only if such program is included
21 in:

22 (A) An established 2+2 agreement with a Kansas four-year
23 postsecondary educational institution; or

24 (B) an articulation agreement with a Kansas four-year postsecondary
25 educational institution and is part of an established degree pathway that
26 allows a student to transfer at least 60 credit hours from the eligible
27 postsecondary educational institution to a four-year postsecondary
28 educational institution for the completion of an additional 60 credit hours
29 toward a bachelor's degree.

30 (2) The provisions of this subsection shall be construed and applied
31 retroactively to the enactment of the Kansas promise scholarship program
32 on July 1, 2021.

33 (e) (1) The state board of regents may remove a promise eligible
34 program from the list of approved promise eligible programs only in
35 accordance with this subsection. If the state board of regents proposes to
36 remove a promise eligible program from such list, the state board of
37 regents shall notify all eligible postsecondary educational institutions of
38 the proposal to remove such program by May 1 of the calendar year that
39 precedes the calendar year in which such program would officially be
40 removed from such list. Within 30 calendar days of receipt, each eligible
41 postsecondary educational institution may appeal such proposed removal
42 to the state board of regents. Following such appeal period, within 45
43 calendar days, the state board of regents shall consider any such appeal

1 and issue a final decision upon whether the program shall be removed. If
2 the state board of regents issues a final decision to remove such program,
3 the program shall be removed from the list of approved promise eligible
4 programs only after not less than 14 months have elapsed from the date
5 that the state board of regents issued the final decision to remove such
6 program.

7 (2) The provisions of this subsection shall apply to any program that
8 has been approved by the state board of regents as a promise eligible
9 program on or after July 1, 2021.

10 Sec. 2. K.S.A. 2022 Supp. 74-32,273 is hereby amended to read as
11 follows: 74-32,273. (a) In addition to the fields of study provided in
12 K.S.A. 2022 Supp. 74-32,272, and amendments thereto, an eligible
13 postsecondary educational institution may designate an additional field of
14 study for awarding a Kansas promise scholarship to meet local
15 employment needs if:

16 (1) Promise eligible programs within such field of study are two-year
17 associate degree programs or career and technical education certificates or
18 stand-alone programs approved by the state board of regents that
19 correspond to jobs that are high wage, high demand or critical need in the
20 community;

21 (2) the institution already offers such field of study; and

22 (3) such field of study is one of the following:

23 (A) Agriculture;

24 (B) food and natural resources;

25 (C) education and training;

26 (D) law, public safety, corrections and security; or

27 (E) *transportation*, distribution and logistics.

28 (b) An eligible postsecondary educational institution that designates
29 an additional promise eligible field of study pursuant to this section shall
30 maintain the promise eligible field of study designation for at least three
31 consecutive years. After maintaining such field of study for at least three
32 years, the institution may designate a new promise eligible field of study
33 that corresponds to a high wage, high demand or critical need occupation
34 to replace the existing designated promise eligible field of study. Any
35 newly designated field of study shall be subject to the requirements of this
36 section.

37 (c) Programs designated by eligible institutions prior to the effective
38 date of this act shall be maintained until all students currently enrolled in
39 such programs have exhausted their promise scholarship eligibility.

40 Sec. 3. K.S.A. 2022 Supp. 74-32,274 is hereby amended to read as
41 follows: 74-32,274. (a) ~~(1)~~ Subject to appropriations, the amount of a
42 Kansas promise scholarship for a student for each academic year shall be
43 *determined as follows:*

1 (1) *For a student enrolled in a promise eligible program offered by*
2 *an eligible public postsecondary educational institution described in*
3 *K.S.A. 2022 Supp. 74-32,271(b)(1)(A) or (B), and amendments thereto, the*
4 *scholarship amount shall be the aggregate amount of tuition, required fees*
5 *and the cost of books and required materials for the promise eligible*
6 *program at the eligible postsecondary educational institution for the*
7 *academic year in which the student is enrolled and receiving the*
8 *scholarship minus the aggregate amount of all other aid awarded to such*
9 *student for such academic year.*

10 (2) ~~For a student is~~ enrolled in a promise eligible program offered
11 by an eligible private postsecondary educational institution described in
12 K.S.A. 2022 Supp. 74-32,271(b)(1)(C), and amendments thereto, *the*
13 *scholarship amount shall be the aggregate amount of tuition, mandatory*
14 *fees and the cost of books and materials for such program—shall be for the*
15 **academic year in which the student is enrolled and receiving the**
16 **scholarship** *minus the aggregate amount of all other aid awarded to such*
17 *student for such academic year, except that a scholarship awarded*
18 *pursuant to this paragraph shall not exceed the average cost of tuition,*
19 ~~mandatory~~ **required** fees and the cost of books and **required** materials for
20 such promise eligible program when offered by an eligible public
21 postsecondary educational institution described in K.S.A. 2022 Supp. 74-
22 32,271(b)(1)(A) or (B), and amendments thereto.

23 (b) Kansas promise scholarships shall only be awarded to an eligible
24 student whose family household income equals \$100,000 or less for a
25 family of one or two, \$150,000 or less for a family of three and, for
26 household sizes above three, a household income that is equal to or less
27 than the family of three amount plus \$4,800 for each additional family
28 member.

29 (c) (1) Kansas promise scholarship awards shall be used only to pay
30 for up to a total of 68 promise scholarship funded credit hours or a total of
31 \$20,000 in Kansas promise scholarship awards, whichever occurs first,
32 over the lifetime of the student who received the Kansas promise
33 scholarship award regardless of the eligible postsecondary educational
34 institution such student attended.

35 (2) Kansas promise scholarship awards shall not be used to fund:

36 (A) Prerequisite classes required for a promise eligible program
37 unless such classes are a designated course within the eligible program; or

38 (B) any remedial course, as defined in K.S.A. 76-7,151, and
39 amendments thereto, unless such course is offered in a corequisite format.

40 (d) For each fiscal year, the appropriation made for the Kansas
41 promise scholarship program shall not exceed \$10,000,000.

42 (e) The state board of regents shall disburse funds based on
43 reimbursement requests from eligible postsecondary educational

1 institutions. Reimbursement requests shall be based on the actual amount
2 of Kansas promise scholarship amounts awarded by an eligible
3 postsecondary educational institution for the appropriate academic period.
4 Any eligible postsecondary educational institution seeking reimbursement
5 shall submit a reimbursement request to the state board of regents on or
6 before September 1, December 1, March 1 and June 1 of each year. The
7 state board of regents shall disburse the appropriate amount of funds to
8 eligible postsecondary educational institutions on September 15,
9 December 15, March 15 and June 15 each year.

10 (f) As used in this section, "aid" includes any grant, scholarship or
11 financial assistance awards that do not require repayment. "Aid" does not
12 include any military financial educational benefits or any family
13 postsecondary savings account or other qualified tuition program
14 established pursuant to section 529 of the internal revenue code of 1986, as
15 amended.

16 Sec. 4. K.S.A. 2022 Supp. 74-32,272, 74-32,273 and 74-32,274 are
17 hereby repealed.

18 Sec. 5. This act shall take effect and be in force from and after its
19 publication in the ~~Kansas register~~ **statute book**.