

**HOUSE BILL No. 2248**

By Committee on Education Budget

2-9

1 AN ACT concerning postsecondary education; relating to the costs of  
2 remedial courses; amending K.S.A. 2010 Supp. 72-6438 and repealing  
3 the existing section.

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

6 New Section 1. (a) Whenever a postsecondary educational  
7 institution offers and provides remedial courses in mathematics and  
8 language arts, within 30 days after the close of enrollment at such  
9 postsecondary educational institution for the semester or term in which  
10 such remedial courses are provided, the governing body of such  
11 institution shall certify to the department: (1) The number of eligible  
12 students enrolled in a remedial course for that semester or term and the  
13 high school from which each such eligible student graduated; (2) the cost  
14 incurred by the postsecondary educational institution on a per student  
15 basis to provide such remedial courses; and (3) the aggregate amount of  
16 tuition and fees such institution charges per student to enroll in and  
17 receive credit for such remedial courses.

18 (b) Within 30 days after receipt of the information provided pursuant  
19 to subsection (a), the department shall:

20 (1) Determine the aggregate cost for each eligible student to enroll  
21 in each remedial course as follows: (A) Determine the aggregate amount  
22 of tuition and fees paid by such eligible student for all remedial courses  
23 such student enrolled in for the semester or term; (B) add to the amount  
24 determined under (A) the aggregate cost per student incurred by the  
25 postsecondary educational institution as certified pursuant to subsection  
26 (a) for all of the remedial courses the eligible student enrolled in for the  
27 semester or term. The resulting sum is the aggregate cost for the eligible  
28 student.

29 (2) Determine the amount payable to each postsecondary  
30 educational institution as follows: (A) Determine the postsecondary  
31 educational institution where each eligible student was enrolled in a  
32 remedial course; and (B) add together the aggregate costs for each  
33 eligible student, as determined in paragraph (1), that was enrolled in the  
34 same postsecondary educational institution. The resulting sum for each  
35 postsecondary educational institution is the amount payable to such  
36 postsecondary educational institution.

1 (c) Upon determination of the aggregate cost for each eligible  
2 student pursuant to subsection (b), the department shall certify to the state  
3 treasurer the aggregate cost for each eligible student. The state treasurer  
4 shall transfer such certified amount from the state school district finance  
5 fund to the postsecondary educational institution remedial course fund,  
6 which such fund is hereby established in the state treasury.

7 (d) The department shall determine the aggregate cost for remedial  
8 courses to be charged to each school district as follows: (1) Determine  
9 the school district which awarded each eligible student a high school  
10 diploma, or the equivalent thereof; (2) add together the aggregate costs  
11 for each eligible student, as determined pursuant to subsection (b), that  
12 was awarded a high school diploma, or the equivalent thereof, from the  
13 same school district. The resulting sum for each school district is the  
14 aggregate cost for remedial courses for such school district. The  
15 department shall deduct from each school district the amount of aggregate  
16 cost for remedial courses from future payments becoming due to such  
17 school district.

18 (e) On January 1 and July 1 of each year, or as soon thereafter as  
19 moneys are available, the state treasurer shall issue warrants payable to  
20 the treasurer of each postsecondary educational institution from the  
21 postsecondary educational institution remedial course fund in an amount  
22 equal to the amount payable to such postsecondary educational  
23 institution. Upon receipt of such warrant each postsecondary educational  
24 institution treasurer shall deposit the amount of such warrant in the  
25 general fund of such institution.

26 (f) Each postsecondary educational institution shall grant any  
27 eligible student a waiver from all tuition and fees normally charged by  
28 such institution for any remedial course such student enrolls in.

29 (g) As used in this section:

30 (1) "Department" means the department of education.

31 (2) "Eligible student" means a student admitted to a postsecondary  
32 educational institution and enrolled in a remedial course within two years  
33 from the date such student graduated from high school.

34 (3) "Postsecondary educational institution" has the same meaning  
35 ascribed thereto in K.S.A. 74-3201b, and amendments thereto.

36 (4) "Remedial course" means any credit hour course offered by a  
37 postsecondary educational institution in the area of mathematics or  
38 language arts, which is determined by such institution, in its sole  
39 discretion, to be remedial.

40 (4) "School district" means a school district organized and  
41 operating under the laws of this state.

42 Sec. 2. K.S.A. 2010 Supp. 72-6438 is hereby amended to read as  
43 follows: 72-6438. (a) The state school district finance fund, established

1 by K.S.A. 1991 Supp. 72-7081 prior to its repeal by the school district  
2 finance and quality performance act, is hereby continued in existence and  
3 shall consist of: (1) All moneys credited to such fund under K.S.A. 72-  
4 6418, 72-6431, 72-6441 and K.S.A. 2010 Supp. 72-6449 and 72-6451,  
5 and amendments thereto; and (2) all amounts transferred to such fund.

6 (b) The state school district finance fund shall be used for the  
7 purpose of school district finance, *for transfer to the postsecondary*  
8 *educational institution remedial course fund as required by section 1, and*  
9 *amendments thereto*, and for no other governmental purpose. It is the  
10 intent of the legislature that the fund shall remain intact and inviolate for  
11 such ~~purpose~~ *purposes*, and moneys in the fund shall not be subject to the  
12 provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments  
13 thereto.

14 (c) Amounts in the state school district finance fund shall be  
15 allocated and distributed to school districts as a portion of general state  
16 aid entitlements provided for under this act.

17 Sec. 3. K.S.A. 2010 Supp. 72-6438 is hereby repealed.

18 Sec. 4. This act shall take effect and be in force from and after its  
19 publication in the statute book.  
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