

2020

Senate Substitute for HOUSE BILL NO. 2515

By Committee on Education

AN ACT concerning postsecondary education; creating the Kansas RISE scholarship act.

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

Section 1. The provisions of section 1 et seq., and amendments thereto, shall be known and may be cited as the Kansas reinvest in postsecondary education (RISE) act.

Sec. 2. As used in the RISE act:

(a) "Baccalaureate degree completion program" means the third and fourth years, or up to the last 72 credit hours, of a baccalaureate degree program approved by the board for the Kansas RISE scholarship program whereby a student holding an associate degree or completing one-half of such baccalaureate program may obtain a bachelor's degree from a four-year eligible postsecondary educational program.

(b) "Board" means the state board of regents provided for in the constitution of this state and described in article 32 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto.

(c) "Continuously enrolled" means a student is enrolled in a minimum of six credit hours in each of the fall and spring semesters of a single academic year until such student has graduated or completed the eligible postsecondary education program. Enrollment during the summer is not required to be "continuously enrolled."

(d) "Eligible high school" means any public or private high school located in Kansas.

(e) "Eligible postsecondary educational institution" means any public university, municipal university, community college, technical college or not-for-profit private postsecondary educational institution. An "eligible postsecondary educational institution" shall

be located in Kansas.

(f) "Eligible postsecondary education program" means an associate degree program, a career and technical education program or a baccalaureate degree completion program that is designated by the board pursuant to section 3, and amendments thereto, and is offered by an eligible postsecondary educational institution whereby a student can obtain a degree or an industry-recognized certificate in a technical profession or complete the third and fourth year of a baccalaureate degree.

(g) "Four-year eligible postsecondary educational institution" means an eligible postsecondary educational institution that offers baccalaureate degrees in addition to associate degrees or industry-recognized certificates in technical professions.

(h) "Gift aid" means financial aid received from a federal Pell grant and any other scholarship or financial assistance awards that do not require repayment.

(i) "Military servicemember" means the same as in K.S.A. 2019 Supp. 48-3406, and amendments thereto.

(j) "Private postsecondary educational institution" means an entity that is not a public institution, and that:

- (1) Is a business enterprise operated on a not-for-profit basis;
- (2) has a physical presence within the state of Kansas;
- (3) offers a course or courses of instruction or study through classroom contact or by distance education, or both, for the purpose of training or preparing persons for a field of endeavor in a business, trade, technical or industrial occupation, or that offers a course or courses leading to an academic degree;

(4) is accredited and in good standing with a nationally recognized accrediting agency for higher education in the United States; and

(5) offers a baccalaureate degree, an associate degree or an industry-recognized certificate in a technical profession.

(k) "Semester" means one of two principal terms, when there are only two principal terms in the academic year, whether or not there are other shorter terms during the same academic year.

Sec. 3. (a) There is hereby established the Kansas RISE scholarship program. The state board of regents shall administer such program, and shall:

(1) Publicize Kansas RISE scholarships, including the list of eligible postsecondary education programs and information regarding application procedures and deadlines;

(2) review and approve or deny applications for a Kansas RISE scholarship;

(3) request any information from an eligible postsecondary educational institution the board deems necessary for the administration of this act;

(4) allocate funds to eligible postsecondary educational institutions for the purpose of awarding Kansas RISE scholarships;

(5) annually collaborate with the department of commerce and Kansas business and industry to identify five statewide job fields and pathways and up to five job fields and pathways that are not included in the statewide list but that exist within each Kansas department of commerce region and are necessary to meet the diverse needs of employers in each region. The identified job fields and pathways shall be of critical need or high wage;

(6) designate eligible postsecondary education programs that correspond to the job

fields and pathways identified in paragraph (5);

(7) establish requirements for mentoring and guidance sessions for students participating in the program; and

(8) annually evaluate the Kansas RISE scholarship program and prepare and submit reports in accordance with section 8, and amendments thereto.

(b) On or before January 1, 2021, the board shall adopt rules and regulations for the implementation and administration of this act, including, but not limited to:

(1) Deadlines for applications to be submitted;

(2) appeal procedures for denial or revocation of a scholarship;

(3) procedures for requesting and approving medical and personal absences from an eligible postsecondary education program;

(4) the terms, conditions and requirements that shall be incorporated into each Kansas RISE scholarship agreement; and

(5) criteria for determining whether any student who received a Kansas RISE scholarship fulfilled the requirements of the Kansas RISE scholarship agreement as provided in section 7, and amendments thereto.

Sec. 4. To be eligible for a Kansas RISE scholarship, a student shall:

(a) Be a Kansas resident;

(b) (1) be enrolled in grade 12 in an eligible high school;

(2) have graduated from an eligible high school not less than five years prior to applying for a Kansas RISE scholarship;

(3) have been in the custody of the secretary for children and families as a minor

pursuant to the revised Kansas code for care of children at any time while enrolled in any of the grades six through 12;

(4) have obtained a general educational development (GED) certificate or high school equivalency certificate; or

(5) be a dependent child of a military servicemember permanently stationed in another state who is enrolled in grade 12, has graduated high school within the last five years or met the requirements of paragraph (3) or (4);

(c) complete the required scholarship application on such forms and in such manner as established by the board;

(d) complete the free application for federal student aid for the academic year in which the student seeks to receive a Kansas RISE scholarship;

(e) participate in mentoring and guidance sessions as required by the board; and

(f) enroll in an eligible postsecondary education program for the fall semester immediately following submission of the student's scholarship application.

Sec. 5. (a) Subject to appropriations, the amount of a Kansas RISE scholarship for a student for each semester shall be determined pursuant to subsection (b). During any fiscal year, the appropriation pursuant to this section shall not exceed \$10,000,000.

(b) (1) For a student enrolled in an eligible postsecondary education program offered by a two-year eligible postsecondary educational institution, the scholarship amount shall be:

(A) The aggregate amount of tuition and required fees for the eligible postsecondary education program for the semester in which the student is enrolled less the aggregate amount of all other gift aid awarded to such student for such semester; plus

(B) a stipend to pay for all, or a portion of, the cost of books and materials for such semester.

(2) (A) For a student enrolled in an eligible postsecondary education program offered by a four-year eligible postsecondary educational institution, the scholarship amount shall be the average cost of tuition, required fees and the cost of books and materials for such eligible postsecondary education program when offered by a two-year eligible postsecondary educational institution less the aggregate amount of all other gift aid awarded to such student for such semester.

(B) The amount of a Kansas RISE scholarship for a student enrolled in an eligible postsecondary education program offered by a four-year eligible postsecondary educational institution shall be funded based on \$1 from such four-year eligible postsecondary educational institution's endowment or other scholarship granting fund for every \$1 paid by the board pursuant to this act.

Sec. 6. (a) A student who has been approved for a Kansas RISE scholarship shall continue to receive a Kansas RISE scholarship for up to 72 credit hours or two years from the date such student enrolls in an eligible postsecondary education program provided such student:

- (1) Is continuously enrolled in such eligible postsecondary education program;
- (2) maintains satisfactory academic progress; and
- (3) continues to participate in mentoring and guidance sessions as required by the board.

(b) A student who has an approved medical or personal leave of absence from an eligible postsecondary educational institution may continue to receive such student's Kansas

RISE scholarship upon resuming such student's education at an eligible postsecondary educational institution, provided, such student continues to satisfy all applicable eligibility requirements. The aggregate amount of approved leave for a student shall not exceed six months, except as provided in rules and regulations adopted by the board.

Sec. 7. (a) As a condition of receiving a Kansas RISE scholarship, the student shall enter into a Kansas RISE scholarship agreement with the eligible postsecondary educational institution that awarded the scholarship to such student. Such agreement shall require each student who receives a Kansas RISE scholarship to:

- (1) Enroll at the eligible postsecondary education institutional that awarded the scholarship and engage in and complete the eligible postsecondary educational program;
- (2) within six months of completion of an eligible postsecondary education program, reside and commence work in the state of Kansas for three consecutive years;
- (3) maintain records and make reports to the board on such forms and in such manner as required by the board to document the satisfaction of the requirements of this act; and
- (4) upon failure to satisfy the requirements of a Kansas RISE scholarship agreement, repay the scholarship amount the student received under the Kansas RISE scholarship program as provided in subsection (b).

(b) (1) Except as provided in subsection (c), if any student who receives a Kansas RISE scholarship fails to satisfy the requirements of a Kansas RISE scholarship agreement, such student shall pay an amount equal to the total amount of scholarship moneys received by such student that is financed by the state of Kansas plus accrued interest at a rate equivalent to the interest rate applicable to loans made under the federal PLUS program at the time such student

first received a scholarship. Installment payments of such amounts may be made in accordance with rules and regulations of the board. Such installment payments shall begin six months after the date such student fails to satisfy the requirements of the Kansas RISE scholarship agreement, as determined by the board. All moneys received pursuant to this subsection shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(2) The board is authorized to turn any repayment account arising under this act to a designated loan servicer or collection agency, the state not being involved other than to receive payments from the loan servicer or collection agency at the interest rate prescribed under this subsection.

(c) Any requirement under a Kansas RISE scholarship agreement entered into pursuant to this section may be postponed for good cause as determined by the state board of regents.

(d) A student who received a Kansas RISE scholarship and entered into a Kansas RISE scholarship agreement satisfies the requirements under such agreement when such student:

- (1) Completes the requirements of such agreement;
- (2) fails to satisfy the requirements for completion of the educational requirements after making the best effort possible to do so;
- (3) is unable to obtain employment and continue in such employment after making the best effort possible to do so;
- (4) is unable to satisfy the requirements due to permanent physical disability;
- (5) dies; or



(6) is unable to meet the residency requirement of subsection (a)(2).

Sec. 8. (a) On or before January 15, 2022, and each January 15 thereafter, the board shall prepare and submit a report to the legislature and the governor on the Kansas RISE scholarship program. The report shall provide the following information for the immediately preceding academic year:

(1) The number of students who applied for a Kansas RISE scholarship, the total number of students receiving a scholarship and the number of students receiving a scholarship disaggregated by those students who are eligible pursuant to section 4(b)(1), (2), (3), (4) and (5), and amendments thereto;

(2) the total amount of scholarship moneys awarded and the amount of scholarship moneys awarded disaggregated by those students who are eligible pursuant to section 4(b)(1), (2), (3), (4) and (5), and amendments thereto;

(3) the number of students who completed an eligible postsecondary education program; and

(4) the number of students who became employed within six months after completion of an eligible postsecondary education program.

(b) On or before January 15, 2022, the board shall prepare and submit a report to the legislature and the governor that evaluates and makes recommendations regarding funding for Kansas RISE scholarships under the provisions of section 5(c), and amendments thereto.

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