

SENATE BILL No. 340

By Committee on Education

1-13

1 AN ACT concerning higher education; relating to the Kansas promise
2 scholarship program; responsibilities of the state board of regents and
3 postsecondary educational institutions; authorizing designation of
4 additional eligible programs and fields of study; amending K.S.A. 2021
5 Supp. 74-32,271, 74-32,272, 74-32,273, 74-32,274, 74-32,275 and 74-
6 32,276 and repealing the existing sections.
7

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

9 Section 1. K.S.A. 2021 Supp. 74-32,271 is hereby amended to read as
10 follows: 74-32,271. (a) K.S.A. 2021 Supp. 74-32,271 et seq., and
11 amendments thereto, shall be known and may be cited as the Kansas
12 promise scholarship act.

13 (b) As used in the Kansas promise scholarship act:

14 (1) "Eligible postsecondary educational institution" means:

15 (A) Any community college or technical college established under
16 the laws of this state *and with a recognized service area*;

17 (B) the Washburn institute of technology; or

18 (C) any not-for-profit institution of postsecondary education with its
19 main campus or principal place of operation in Kansas that offers a
20 promise eligible program, is operated independently and not controlled or
21 administered by any state agency or subdivision of the state, maintains
22 open enrollment and is accredited by a nationally recognized accrediting
23 agency for higher education in the United States.

24 (2) "Military servicemember" means the same as defined in K.S.A.
25 2021 Supp. 48-3406, and amendments thereto.

26 (3) "Part-time student" means a student who is enrolled for six credit
27 hours or more in ~~a~~ *the fall, summer or spring* semester and is not enrolled
28 as a full-time student.

29 (4) "Promise eligible program" means any two-year associate degree
30 program or career and technical education certificate or stand-alone
31 program offered by an eligible postsecondary educational institution that is
32 identified as a "promise eligible program" by the state board of regents
33 pursuant to K.S.A. 2021 Supp. 74-32,272, and amendments thereto, or
34 ~~designated~~ *as a "promise eligible program" within a field of study*
35 *designated* by an eligible postsecondary educational institution pursuant to
36 K.S.A. 2021 Supp. 74-32,273, and amendments thereto.

1 2021, the state board of regents shall be the sole entity responsible for
2 collecting or recouping any Kansas promise scholarship funds required to
3 be repaid by a student who fails to satisfy the requirements of a Kansas
4 promise scholarship agreement pursuant to this section.

5 (3) The state board of regents is authorized to turn any repayment
6 account arising under this act to a designated loan servicer or collection
7 agency to collect on the state board's behalf, the state not being involved
8 other than to receive payments from the loan servicer or collection agency
9 at the interest rate prescribed under this subsection.

10 (4) Eligible postsecondary educational institutions and each state
11 agency are authorized to provide academic, employment, residency and
12 contact information regarding students who received a Kansas promise
13 scholarship to the state board of regents for the purposes of ~~determining~~

14 (A) Whether or not a student satisfied the requirements of this act and
15 the Kansas promise scholarship agreement; and

Determining

16 (B) aiding in the collection or recouping of any funds required to be
17 repaid pursuant to this section.

18 (5) Eligible postsecondary educational institutions shall:

19 (A) Provide annually to the state board of regents the last known
20 contact information of each student who received a Kansas promise
21 scholarship until the requirements of the program and scholarship
22 agreement are complete; and

23 (B) notify the state board of regents when a student who received a
24 Kansas promise scholarship:

25 (i) Completes the program of study for which the student received the
26 scholarship or has exhausted scholarship benefits; and

27 (ii) exceeds the 48-month program completion requirement provided
28 in this section. This requirement shall apply to any Kansas promise
29 scholarship awarded on or after July 1, 2021.

30 (6) For any Kansas promise scholarship awarded on or after July 1,
31 2021, eligible postsecondary educational institutions shall not be
32 considered a contractor of the state nor shall such institutions be required
33 to participate in tracking, collecting or recouping any funds required to be
34 repaid by a student who fails to satisfy the requirements of a Kansas
35 promise scholarship agreement pursuant to this section.

36 (c) Any requirement of a Kansas promise scholarship agreement
37 entered into pursuant to this section may be postponed for good cause in
38 accordance with rules and regulations of the state board of regents.

39 (d) A scholarship recipient satisfies the requirements of the Kansas
40 promise scholarship program if such recipient:

41 (1) Completes the requirements of the scholarship agreement;

42 (2) commences service as a military servicemember after receiving a
43 Kansas promise scholarship;

- 1 (3) fails to satisfy the requirements after making the best possible
2 effort to do so as determined by the state board of regents;
- 3 (4) is unable to obtain employment or continue in employment after
4 making the best possible effort to do so; or
- 5 (5) is unable to satisfy the requirements due to disability or death of
6 the *scholarship* recipient.
- 7 ~~(e) The provisions of this section shall be construed and applied~~
8 ~~retroactively to the enactment of the Kansas promise scholarship program~~
9 ~~on July 1, 2021.~~
- 10 Sec. 7. K.S.A. 2021 Supp. 74-32,271, 74-32,272, 74-32,273, 74-
11 32,274, 74-32,275 and 74-32,276 are hereby repealed.
- 12 Sec. 8. This act shall take effect and be in force from and after its
13 publication in the Kansas register.