

Senate Substitute for HOUSE BILL No. 2060

By Committee on Education

3-27

1 AN ACT concerning education; relating to postsecondary educational
2 institutions; authorizing payments from the state safety fund to
3 community colleges for the provision of driver's education; authorizing
4 the provision of tools, supplies and examinations for participants in an
5 AO-K career pathway program; including high school equivalency
6 credentials in performance-based payments for postsecondary
7 educational institutions; amending K.S.A. 8-272 and 74-32,434 and
8 K.S.A. 2022 Supp. 74-32,267 and repealing the existing sections.
9

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

11 Section 1. K.S.A. 8-272 is hereby amended to read as follows: 8-272.
12 (a) Any school district conducting an approved course in driver training
13 and any student attending a nonpublic school accredited by the state board
14 of education conducting an approved course in driver training and any
15 student 19 years of age or under attending a community college
16 conducting an approved course in driver training shall be entitled to
17 participate in the state safety fund created by K.S.A. 8-267, and
18 amendments thereto. In August of each year, the superintendent of each
19 school district and the governing authority of each nonpublic school and
20 community college shall report to the state board of education the number
21 of students who have been in attendance for a complete driver training
22 course conducted by such school district, nonpublic school or community
23 college during the past school year. The state board of education shall
24 certify to the director of accounts and reports the amount due each school
25 district *or community college* and each student of a nonpublic school ~~or~~
26 ~~community college~~ entitled to payment under this subsection. The director
27 of accounts and reports shall draw warrants on the state treasurer payable
28 to the treasurer of each school district *or community college* and to each
29 student of a nonpublic school ~~or community college~~ entitled to payment
30 under this subsection upon vouchers approved by the state board and shall
31 cause such warrants to be delivered to the respective school districts,
32 nonpublic schools and community colleges. If the amount appropriated in
33 any year from the state safety fund is insufficient to pay the full amount
34 each school district *or community college* and each student of a nonpublic
35 school ~~or community college~~ is entitled to receive under this subsection,
36 then the entire amount appropriated for such year shall be prorated among

1 all school districts, *community colleges* and all students of nonpublic
2 schools ~~and community colleges~~ in proportion to the amount each school
3 district *or community college* and each student of a nonpublic school ~~or~~
4 ~~community college~~ is entitled to receive. No moneys in the state safety
5 fund shall be used for any purpose other than that specified in this
6 subsection or for the support of driver improvement programs. The state
7 board of education shall prescribe all forms necessary for reporting in
8 connection with this act. The funds shall be distributed on or before
9 November 1 each year.

10 (b) (1) Any school district conducting an approved course in
11 motorcycle safety as a part of an approved course in driver training, any
12 student attending a nonpublic school accredited by the state board of
13 education conducting an approved course in motorcycle safety as a part of
14 an approved course in driver training or any community college
15 conducting an approved course in motorcycle safety shall be entitled to
16 participate in the motorcycle safety fund created by K.S.A. 8-267, and
17 amendments thereto. The state board of education may establish, by rules
18 and regulations, standards for the conduct, operation and approval of
19 courses in motorcycle safety and for the qualifications of instructors for
20 such courses conducted by a school district or nonpublic accredited school.
21 Such standards shall not include the requirement that instructors be
22 licensed by the state board of education. In August of each year, the
23 superintendent of each school district or the governing authority of each
24 nonpublic school shall report to the state board of education the number of
25 students who have been in attendance for a complete course in motorcycle
26 safety as a part of the driver training course conducted by such school
27 district or nonpublic school during the past school year. The state board of
28 education shall certify to the director of accounts and reports the amount
29 due each school district and each student of a nonpublic school entitled to
30 payment under this subsection. The director of accounts and reports shall
31 draw warrants on the state treasurer payable to the treasurer of each school
32 district and to each student of a nonpublic school entitled to payment
33 under this subsection upon vouchers approved by the state board and shall
34 cause such warrants to be delivered to the respective school districts and
35 nonpublic schools. If the amount appropriated in any year from the
36 motorcycle safety fund shall be insufficient to pay the full amount each
37 school district and each student of a nonpublic school is entitled to receive
38 under this subsection, then the entire amount appropriated for such year
39 shall be prorated among all school districts and all students of nonpublic
40 schools in proportion to the amount each school district and each student
41 of a nonpublic school is entitled to receive. No moneys in the motorcycle
42 safety fund shall be used for any purpose other than that specified in this
43 subsection or for the support of motorcycle driver improvement programs.

1 The state board of education shall prescribe all forms necessary for
2 reporting in connection with this act. The funds shall be distributed on or
3 before November 1 each year.

4 (2) Any community college conducting an approved course in
5 motorcycle safety shall be entitled to participate in the motorcycle safety
6 fund created by K.S.A. 8-267, and amendments thereto. The department of
7 revenue may establish, by rules and regulations or by public declaration of
8 the director of vehicles, standards for the conduct, operation and approval
9 of courses in motorcycle safety and for the qualifications of instructors for
10 such courses conducted by a community college. In August of each year,
11 the chief administrative officer of each community college shall report to
12 the state board of regents and the department the number of students who
13 have been in attendance for a complete course in motorcycle safety as a
14 part of the driver training course conducted by such community college
15 during the past school year. The state board of regents shall certify to the
16 director of accounts and reports the amount due each community college
17 entitled to payment under this subsection. The director of accounts and
18 reports shall draw warrants on the state treasurer payable to the treasurer
19 of each community college entitled to payment under this subsection upon
20 vouchers approved by the state board of regents and shall cause such
21 warrants to be delivered to the respective community colleges. If the
22 amount appropriated in any year from the motorcycle safety fund shall be
23 insufficient to pay the full amount each community college is entitled to
24 receive under this subsection, then the entire amount appropriated for such
25 year shall be prorated among all community colleges in proportion to the
26 amount each community college is entitled to receive. No moneys in the
27 motorcycle safety fund shall be used for any purpose other than that
28 specified in this subsection or for the support of motorcycle driver
29 improvement programs or department administration. The department, in
30 consultation with the state board of regents, shall prescribe all forms
31 necessary for reporting in connection with this act. The funds shall be
32 distributed on or before November 1 each year.

33 (c) (1) As used in this subsection, "institution" means a technical
34 school affiliated with a public university in this state, a technical college or
35 community college.

36 (2) Any institution conducting an approved course in truck driving
37 shall be entitled to participate in the truck driver training fund created by
38 K.S.A. 8-267, and amendments thereto. The department may establish, by
39 rules and regulations or by public declaration of the director of vehicles,
40 standards for the conduct, operation and approval of courses in truck
41 driver training and for the qualifications of instructors for such courses.
42 Such standards shall not include the requirement that instructors be
43 certificated by the state board of regents. Courses in truck driver training

1 for an interstate commercial class license shall also comply with the
2 Kansas uniform commercial drivers' license act. In August of each year,
3 the chief administrative officer of each participating institution shall report
4 to the state board of regents and the department the number of students
5 who have been in attendance for a complete course in truck driver training
6 conducted by such institution during the past school year. The state board
7 of regents shall certify to the director of accounts and reports the amount
8 due each institution entitled to payment under this subsection. The director
9 of accounts and reports shall draw warrants on the state treasurer payable
10 to the treasurer of each institution entitled to payment under this
11 subsection upon vouchers approved by the state board of regents and shall
12 cause such warrants to be delivered to the respective institution. If the
13 amount appropriated in any year from the truck driver training fund shall
14 be insufficient to pay the full amount each institution is entitled to receive
15 under this subsection, then the entire amount appropriated for such year
16 shall be prorated among all participating institutions in proportion to the
17 amount each institution is entitled to receive. No moneys in the truck
18 driver training fund shall be used for any purpose other than that specified
19 in this subsection or for the support of truck driver training programs and
20 department administration. The department, in consultation with the state
21 board of regents, shall prescribe all forms necessary for reporting in
22 connection with this act. The funds shall be distributed on or before
23 November 1 each year.

24 Sec. 2. On and after July 1, 2023, K.S.A. 2022 Supp. 74-32,267 is
25 hereby amended to read as follows: 74-32,267. (a) There is hereby
26 established the AO-K to work program. The provisions of this program
27 shall apply to all adult education programs in the state.

28 (b) As used in this section:

29 (1) "AO-K" or "accelerating opportunity: Kansas" means a career
30 pathways program model that assists students in obtaining a high school
31 equivalency, becoming ready for transferable college-level courses and
32 earning an industry credential.

33 (2) "Career readiness assessment" means an assessment approved by
34 the state board of regents to measure foundational skills required for
35 success in the workplace and workplace skills that affect job performance.

36 (3) "Career readiness certificate" means a certificate that uses a career
37 readiness assessment approved by the state board of regents to document
38 an individual's skills in applied math, graphic literacy and workplace
39 documents.

40 (4) "Community college" means a community college as defined in
41 K.S.A. 71-701, and amendments thereto.

42 (5) "Industry recognized credential" means a credential recognized by
43 multiple employers across an industry as determined by the state board of

1 regents.

2 (6) "Kansas adult education program" means any educational
3 institution or approved agency that receives adult education funding
4 through the state board of regents; provides adult education or English
5 language acquisition programs; serves Kansas adults aged 16 and over
6 who are in need of basic skills for the workforce, community participation
7 and family life; and prepares adults for achieving industry recognized
8 credentials and college certificates and degrees.

9 (7) "Qualified student" means an individual who has:

10 (A) Attained the age of 21 *years*;

11 (B) not been awarded a high school diploma;

12 (C) been accepted into a Kansas adult education program;

13 (D) demonstrated high school equivalency by meeting the criteria
14 established by the state board of regents pursuant to this section; and

15 (E) declared an AO-K career pathway interest.

16 (8) "Technical college" means a technical college as such term is
17 defined in K.S.A. 71-1802, and amendments thereto.

18 (c) ~~(1)~~ The state board of regents shall award a Kansas high school
19 equivalency credential to any qualified student who:

20 ~~(A)~~(1) Is recommended and approved to participate in a AO-K career
21 pathway approved by the state board of regents for college credit;

22 ~~(B)~~(2) successfully completes an approved AO-K career pathway and
23 receives the industry-recognized credential appropriate to the completed
24 pathway;

25 ~~(C)~~(3) takes a career readiness assessment and earns a career
26 readiness certificate at a level approved by the state board of regents; and

27 ~~(D)~~(4) satisfies any other requirements deemed necessary by the state
28 board of regents.

29 (d) (1) While participating in the AO-K to work program, qualified
30 students shall be provided reasonable access to all available student
31 resources of the adult education program, the participating technical or
32 community college and the appropriate community partners, including, but
33 not limited to, appropriate academic support, barrier mitigation ~~and~~,
34 employment or career assistance, *books, tools and personal materials*
35 *required to participate in an AO-K career pathway program and industry*
36 *examinations.*

37 (2) *Subject to appropriations, financial assistance for books, tools,*
38 *personal materials and industry examinations shall be the aggregate*
39 *amount of the cost of books, tools, personal materials and industry*
40 *examinations for the career pathway program at the technical college or*
41 *community college where such student is enrolled and receiving assistance*
42 *minus the aggregate amount of all other aid awarded to such student. The*
43 *amount of financial assistance provided for each student shall not exceed*

1 \$500.

2 (e) Each application to the state board of regents for issuance or
3 duplication of a Kansas high school equivalency credential shall be
4 accompanied by a fee, ~~which shall be~~ established by the state board of
5 regents in an amount of not more than \$25. On or before June 1 of each
6 year, the state board of regents shall determine the amount of revenue ~~that~~
7 ~~will be~~ required to properly administer the provisions of this section during
8 the next ensuing fiscal year and shall establish the Kansas high school
9 equivalency credentials processing fee for such year in the amount deemed
10 necessary for such purposes. Such fee shall become effective on the
11 succeeding July 1 of each year. The state board of regents shall remit all
12 moneys received by or for it from Kansas high school equivalency
13 credentials processing fees to the state treasurer in accordance with the
14 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
15 each such remittance, the state treasurer shall deposit the entire amount in
16 the state treasury to the credit of the Kansas high school equivalency
17 credential processing fees fund, which fund is hereby established in the
18 state treasury, and shall be used only for the payment of expenses
19 connected with the processing, issuance, or duplication of Kansas high
20 school equivalency credentials, and for the keeping of records by the state
21 board of regents. All expenditures from the Kansas high school
22 equivalency credential processing fees fund shall be made in accordance
23 with appropriation acts upon warrants of the director of accounts and
24 reports issued pursuant to vouchers approved by the state board of regents
25 or by a person or persons designated by the state board.

26 (f) The state board of regents may adopt rules and regulations to
27 implement and administer the provisions of this act.

28 Sec. 3. On and after July 1, 2023, K.S.A. 74-32,434 is hereby
29 amended to read as follows: 74-32,434. (a) (1) Any eligible postsecondary
30 educational institution may certify to the board of regents:

31 (A) The number of individuals who received a general educational
32 development (GED) *or high school equivalency (HSE)* credential from
33 such institution while enrolled in an eligible career technical education
34 program;

35 (B) the number of individuals who received a career technical
36 education credential from such institution; and

37 (C) the number of individuals who were enrolled in an eligible career
38 technical education program at such institution and who are pursuing a
39 general educational development (GED) *or high school equivalency (HSE)*
40 credential.

41 (2) Certifications submitted pursuant to this subsection shall be
42 submitted in such form and manner as prescribed by the board of regents,
43 and shall include such other information as required by the board of

1 regents.

2 (b) Each fiscal year, upon receipt of a certification submitted under
3 subsection (a), the board of regents shall authorize payment to such
4 eligible postsecondary educational institution from the postsecondary
5 education performance-based incentives fund. The amount of any such
6 payment shall be calculated based on the following:

7 (1) For each individual who has received a general educational
8 development (GED) *or high school equivalency (HSE)* credential, \$500;

9 (2) for each individual who has received a career technical education
10 credential, \$1,000; and

11 (3) for each individual enrolled in an eligible career technical
12 education program who is pursuing a general educational development
13 (GED) *or high school equivalency (HSE)* credential, \$170.

14 (c) That portion of any payment from the postsecondary education
15 performance-based incentives fund that is made based on subsection (b)(2)
16 shall be expended for scholarships for individuals enrolled in an eligible
17 career technical education program and operating costs of eligible career
18 technical education programs. Each eligible postsecondary educational
19 institution shall prepare and submit a report to the board of regents ~~which~~
20 ~~shall include~~ *that includes* the number of individuals who received
21 scholarships, the aggregate amount of moneys expended for such
22 scholarships and the number of those individuals who received a
23 scholarship that also received a career technical education credential.

24 (d) (1) Of that portion of any payment from the postsecondary
25 education performance-based incentives fund that is made based on
26 subsection (b)(3), an amount equal to \$150 for each individual shall be
27 expended by the eligible postsecondary educational institution for the
28 general educational development (GED) test.

29 (2) If any individual enrolled in an eligible career technical education
30 program for which an eligible postsecondary educational institution has
31 received a payment under this section fails to take the general educational
32 development (GED) test, then such institution shall notify the board of
33 regents in writing that no such test was administered to the individual. For
34 each such notification received, the board of regents shall deduct an
35 amount equal to \$150 from such institution's subsequent incentive
36 payment.

37 (e) All payments authorized by the board of regents pursuant to this
38 section shall be subject to the limits of appropriations made for such
39 purposes. If there are insufficient appropriations for the board of regents to
40 authorize payments in accordance with the amounts set forth in subsection
41 (b), the board of regents shall prorate such amounts in accordance with
42 appropriations made therefor.

43 (f) There is hereby created the postsecondary education performance-

1 based incentives fund. Expenditures from the postsecondary education
2 performance-based incentives fund shall be for the sole purpose of paying
3 payments to eligible postsecondary educational institutions as authorized
4 by the board of regents. All expenditures from the postsecondary education
5 performance-based incentives fund shall be made in accordance with
6 appropriation acts upon warrants of the director of accounts and reports
7 issued pursuant to vouchers approved by the president of the board of
8 regents; or the president's designee.

9 (g) As used in this section:

10 (1) "Board of regents" means the state board of regents provided for
11 in the constitution of this state and established by K.S.A. 74-3202a, and
12 amendments thereto.

13 (2) "Career technical education credential" means any industry-
14 recognized technical certification or credential, other than a general
15 educational development (GED) *or high school equivalency (HSE)*
16 credential, or any technical certification or credential authorized by a state
17 agency.

18 (3) "Eligible career technical education program" means a program
19 operated by one or more eligible postsecondary educational institutions
20 that is identified by the board of regents as a program that allows an
21 enrollee to obtain a general educational development (GED) *or high*
22 *school equivalency (HSE)* credential while pursuing a career technical
23 education credential.

24 (4) "Eligible postsecondary educational institution" means any
25 community college, technical college or the institute of technology at
26 Washburn university.

27 (5) "State agency" means any state office, department, board,
28 commission, institution, bureau or any other state authority.

29 Sec. 4. K.S.A. 8-272 is hereby repealed.

30 Sec. 5. On and after July 1, 2023, K.S.A. 74-32,434 and K.S.A. 2022
31 Supp. 74-32,267 are hereby repealed.

32 Sec. 6. This act shall take effect and be in force from and after its
33 publication in the Kansas register.