

SENATE BILL No. 19

AN ACT concerning education; establishing the Kansas national guard educational master's for enhanced readiness and global excellence (EMERGE) program and the Kansas national guard EMERGE program repayment fund; requiring school districts to establish requirements for cardiac emergency response plans; establishing the school cardiac emergency response grant fund.

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

Section 1. (a) Sections 1 through 6, and amendments thereto, shall be known and may be cited as the Kansas national guard educational master's for enhanced readiness and global excellence (EMERGE) program.

(b) The purpose of the Kansas national guard EMERGE program is to establish a master's degree assistance program under which payment of the tuition and fees charged eligible members of the Kansas national guard for enrollment in master's degree programs at Kansas educational institutions shall be provided by the state pursuant to the EMERGE program.

Sec. 2. As used in the Kansas national guard educational master's for enhanced readiness and global excellence (EMERGE) program:

(a) "Educational program" means a master's degree program offered or maintained by a Kansas educational institution that leads to the award of a master's degree to an eligible guard member upon satisfactory completion of course work requirements.

(b) "Eligible guard member" means any member of the Kansas national guard who has been accepted into an eligible master's degree program and who is not under a suspension of favorable flag action or on the unit unfavorable information file.

(c) "Kansas educational institution" means a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, Washburn university or an accredited independent institution, as defined in K.S.A. 72-3222, and amendments thereto.

(d) "Kansas national guard educational master's for enhanced readiness and global excellence program" or "EMERGE program" means the program established pursuant to the provisions of the Kansas national guard educational master's for enhanced readiness and global excellence program.

Sec. 3. The state board of regents shall administer the Kansas national guard EMERGE program. The state board of regents may adopt rules and regulations for the administration of this act and shall:

(a) Establish a mechanism to ensure distribution of funds for tuition and fee reimbursement to Kansas educational institutions;

(b) enter into a cooperative relationship with the adjutant general to ensure efficient operation of the program;

(c) develop and effectuate a system of accountability for all disbursements under the program and provide written reports as prescribed; and

(d) coordinate with the adjutant general to create a procedure to ensure initial and on-going eligibility of all eligible guard members who are program participants.

Sec. 4. (a) Subject to the availability of appropriations for the Kansas national guard EMERGE program and within the limits of any such appropriations, except as provided in subsections (b) and (c), every eligible national guard member who is enrolled at a Kansas educational institution and participating in the program shall receive assistance each semester in an amount equal to the tuition and required fees for not more than 15 hours. The aggregate number of credit hours for which assistance may be provided under the program shall not exceed 150% of the total credit hours required for the eligible guard member to complete such member's master's degree program.

(b) Notwithstanding the provisions of subsection (a), eligible

guard members shall not be paid the amount of tuition and fees charged for any course repeated or taken in excess of the requirements for completion of the master's degree program in which the eligible guard member is enrolled. The amount of tuition and required fees paid an eligible guard member pursuant to subsection (a) shall be at a rate not to exceed the maximum rate that would be charged by a state educational institution for enrollment of the eligible guard member.

(c) Amounts of assistance for which an eligible guard member is eligible to receive under this act shall be offset by the aggregate amount of federal or institutional tuition assistance received by such eligible guard member, as a result of active national guard membership, to pay costs of tuition and fees for enrollment at Kansas educational institutions.

Sec. 5. (a) On or before July 1 of each academic year, the adjutant general shall select up to 100 eligible national guard members who applied to the program to receive assistance from such program. The number of eligible guard members in the program shall not exceed 200 eligible guard members in any one school year.

(b) (1) In order to qualify for participation in the Kansas national guard EMERGE program, an eligible national guard member shall agree, in writing, to complete such member's current service obligation in the Kansas national guard and serve actively in good standing with the Kansas national guard or in a duty status affiliated with the Kansas national guard for not less than 48 months upon completion of the last semester for which the member receives assistance under the program.

(2) Prior to becoming eligible for participation in the program, each eligible guard member shall submit the free application for federal student aid and apply for any other federal tuition assistance that such member also may be eligible to receive.

(c) In order to remain eligible for participation in the program, an eligible guard member shall remain in good standing at the Kansas educational institution where such member is enrolled, make satisfactory progress toward completion of the requirements of such member's master's degree program, maintain a grade point average of not less than 2.75 and maintain satisfactory participation in the Kansas national guard.

(d) (1) Upon failure of any eligible guard member who received payments under the Kansas national guard EMERGE program to satisfy the agreement to continue service in the Kansas national guard as provided by subsection (a), such person shall pay to the state of Kansas an amount to be determined as follows:

(A) Determine the total amount of assistance paid to such member under the program;

(B) divide the amount determined under subsection (d)(1)(A) by 48; and

(C) multiply the amount determined under subsection (d)(1)(B) by the number of months such member did not serve as required by subsection (a). The resulting product is the total amount of recoupment to be paid by such member.

(2) All amounts paid to the state under this subsection shall be deposited in the state treasury and credited to the Kansas national guard EMERGE program repayment fund created by section 6, and amendments thereto.

(e) Any eligible guard member that received payments under the program but has failed to satisfy the agreement to continue service in the Kansas national guard as provided by subsection (a) by reason of extenuating circumstances or extreme hardship may request a waiver from recoupment under subsection (d). Such request shall be in writing and submitted through such member's chain of command to the Kansas

national guard education services office. The chief of staff of the Kansas army national guard or the director of staff for the Kansas air national guard shall review all requests for a waiver from recoupment and the decision to issue such waiver shall be made by either officer as such officer deems appropriate.

Sec. 6. There is hereby created in the state treasury the Kansas national guard EMERGE program repayment fund. The state board of regents shall remit all moneys received under section 5, and amendments thereto, to the state treasurer at least monthly. Upon receipt of such remittance the state treasurer shall deposit the entire amount thereof in the state treasury, and such amount shall be credited to the Kansas national guard EMERGE program repayment fund. All expenditures from the Kansas national guard EMERGE repayment fund shall be for payments of assistance under the Kansas national guard EMERGE program and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive director of the state board of regents or a person designated by the executive officer.

Sec. 7. (a) The secretary of health and environment shall develop statewide standards for cardiac emergency response plans. Such standards shall be developed in accordance with nationally recognized guidelines for implementation of cardiac emergency response plans as promulgated by organizations focused on emergency cardiovascular care.

(b) The board of education of each school district shall adopt a comprehensive cardiac emergency response plan, including policies and procedures for cardiac emergency responses for each attendance center operated by the school district, based on the statewide standards developed by the secretary under subsection (a). The board may utilize any materials, documentation, video recordings, training modules and certifications published by organizations focused on emergency cardiovascular care. The cardiac emergency response plan shall include, but is not limited to, the following:

- (1) Establishing of a cardiac emergency response team;
- (2) identifying and implementing the placement of automated external defibrillators;
- (3) identifying roles and responsibilities of school district personnel, local law enforcement agencies and local emergency medical services in implementing the cardiac emergency response plan;
- (4) establishing procedures, including the roles and responsibilities of school district personnel when responding to incidents involving an individual experiencing a suspected sudden cardiac arrest while attending school or at the site of any school-sponsored athletic practice or competition or other school-sponsored activity located in this state whether such site is located on the grounds of the school district or at another location, including, but not limited to:
 - (A) Responding to individuals experiencing a suspected sudden cardiac arrest;
 - (B) summoning emergency medical services;
 - (C) assisting emergency medical service providers; and
 - (D) documenting actions taken during such incident;
- (5) conducting routine maintenance of automated external defibrillators, including appropriate placement in accordance with the statewide standards;
- (6) designating school district personnel for training in the use of automated external defibrillators and cardiopulmonary resuscitation during a cardiac emergency;
- (7) rehearsing cardiac emergency response plans, by simulation,

by all athletic directors, coaches, assistant coaches, athletic trainers, school nurses and any other school district personnel designated pursuant to paragraph (6) either prior to the beginning of each athletic season or prior to the beginning of each school year;

(8) establishing communication systems with local emergency medical services operating within the school district; and

(9) developing a cardiac emergency action plan for school-sponsored events held at a location that is not on school district property.

(c) Each board of education shall annually review the cardiac emergency response plan and adopt any changes to such plan as necessary.

(d) Each school district shall submit a copy of the adopted cardiac emergency response plan to the secretary of health and environment. If the board of education of such district adopts any changes to such plan, a copy of the amended plan shall be submitted to the secretary.

Sec. 8. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the SENATE, and passed that body

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE
as amended _____

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.