

## SENATE BILL No. 566

By Senators Wilson and D. Schmidt

2-14

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9 AN ACT concerning teachers; enacting the teacher education grant pro-  
10 gram act; providing for the administration of the teacher education  
11 grant program.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. Sections 2 through 8, and amendments thereto, shall be  
15 known and may be cited as the teacher education grant program act.

16 Sec. 2. As used in this act:

17 (a) "State board" means the state board of education.

18 (b) "Department" means the Kansas department of education.

19 (c) "Executive officer" means the chief executive officer of the state  
20 board of regents appointed under K.S.A. 74-3203a, and amendments  
21 thereto.

22 (d) "Qualified student" means a person who: (1) Is a resident of the  
23 state of Kansas; (2) is licensed as a teacher or a person who holds an  
24 associate's degree; (3) (A) has been accepted for admission to, or is en-  
25 rolled in, a course of instruction leading to a master's degree in the field  
26 of education in the case of a person who is licensed as a teacher or (B)  
27 holds an associate's degree and has been accepted for admission to, or is  
28 enrolled in, a course of instruction leading to licensure and full endorse-  
29 ment as a special education teacher; and (4) has qualified for the award  
30 of a grant under the teacher education grant program act on the basis of  
31 having demonstrated scholastic ability, or who has previously so qualified  
32 and remains qualified for renewal of the scholarship on the basis of re-  
33 maining in good standing and making satisfactory progress toward com-  
34 pletion of the requirements of the course of instruction in which enrolled.

35 (e) "Program" means the teacher education grant program.

36 Sec. 3. (a) There is hereby established the teacher education grant  
37 program. Such program shall be administered by the state board. Subject  
38 to the provisions of appropriations therefor, a grant may be awarded and  
39 renewed under such program to any qualified student.

40 (b) A grant awarded under the program shall provide for payment to  
41 a qualified student of (1) an amount not to exceed 100% of the cost of  
42 attendance for an academic year at the teacher education school in which  
43 the qualified student is enrolled if such teacher education school is main-

1 tained by a state educational institution or (2) an amount not to exceed  
2 100% of the average amount of the cost of attendance for an academic  
3 year at the teacher education schools maintained by the state educational  
4 institutions if the teacher education school in which the qualified student  
5 is enrolled is not a state educational institution.

6 Sec. 4. (a) The executive officer shall determine whether a student  
7 is qualified to receive a grant under the program. An applicant for des-  
8 ignation as a qualified student and for the award of a grant under the  
9 program shall provide to the executive officer, on forms supplied by the  
10 executive officer, information required by the executive officer and the  
11 state board. The executive director shall forward to the state board the  
12 application of any applicant designated as a qualified student.

13 (b) As a condition to awarding a grant under this act, the state board  
14 and the applicant shall enter into an agreement which requires the ap-  
15 plicant to:

16 (1) (A) Complete the required course of instruction leading to a mas-  
17 ter's degree in the case of a qualified student who is licensed as a teacher  
18 or (B) leading to licensure and full endorsement as a special education  
19 teacher in the case of a qualified student who holds an associate's degree;

20 (2) comply with the terms and conditions as may be specified by such  
21 agreement;

22 (3) commence teaching on a full-time basis in Kansas in an accredited  
23 public or private elementary or secondary school in accordance with the  
24 agreement and continue teaching on a full-time basis for a period of not  
25 less than 10 years or commence teaching on a part-time basis in Kansas  
26 in an accredited public or private elementary or secondary school in ac-  
27 cordance with the agreement and continue teaching on such a part-time  
28 basis for a period of time that is equivalent to full-time, as determined  
29 by the state board;

30 (4) commence teaching in Kansas on a full-time or part-time basis  
31 within six months after licensure is obtained and continue teaching for  
32 the period of time required by the agreement;

33 (5) maintain records and make reports to the state board as required  
34 by the state board to document the satisfaction of the obligations under  
35 this act and the agreement; and

36 (6) repay to the state amounts as provided in section 5, and amend-  
37 ments thereto, if the student fails to satisfy any obligation under any  
38 agreement entered into under the program.

39 Sec. 5. (a) Except as provided in section 6, and amendments thereto,  
40 upon the failure of any person to satisfy the obligation under any agree-  
41 ment entered into pursuant to the program, such person shall pay to the  
42 state board an amount equal to the total amount of money received by  
43 such person pursuant to such agreement plus accrued interest at a rate

1 which is equivalent to the interest rate applicable to grants made under  
2 the federal PLUS program at the time such person first entered into an  
3 agreement plus five percentage points. Amounts of payment under this  
4 section shall be adjusted proportionately for full years of the obligation  
5 that have been satisfied. Installment payments of any such amounts may  
6 be made in accordance with the provisions of the agreement entered into  
7 by the grant recipient or if no such provisions exist in such agreement, in  
8 accordance with rules and regulations of the state board, except that such  
9 installment payments shall commence six months after the date of the  
10 action or circumstances that cause the failure of the person to satisfy the  
11 obligations of such agreements, as determined by the state board based  
12 upon the circumstances of each individual case. Amounts paid under this  
13 section to the state board shall be deposited in the teacher education  
14 grant repayment fund in accordance with section 8, and amendments  
15 thereto.

16 (b) The state board is authorized to turn any repayment account arising  
17 under the program over to a designated collection agency with the  
18 state not being involved other than to receive payments from the collection  
19 agency at the interest rate prescribed under this section.

20 Sec. 6. (a) Except as otherwise specified in the agreement, an obligation  
21 under any agreement entered into under the program shall be postponed:  
22 (1) During any required period of active military service; (2) during any  
23 period of service as a part of volunteers in service to America (VISTA);  
24 (3) during any period of service in the peace corps; (4) during any  
25 period of service commitment to the United States public health service;  
26 (5) during any period of religious missionary work conducted by an  
27 organization exempt from tax under section 501(c)(3) of the federal  
28 internal revenue code as in effect on December 31, 2005; (6) during any  
29 period of time the person obligated is unable because of temporary medical  
30 disability to teach; (7) during any period of time the person obligated  
31 is enrolled and actively engaged on a full-time basis in a course of study  
32 leading to a degree in the field of education which is higher than that  
33 formerly attained; (8) during any period of time the person obligated is  
34 on job-protected leave under the federal family and medical leave act of  
35 1993; or (9) during any period of time the state board determines that  
36 the person obligated is unable because of special circumstances to teach.  
37 Except for clauses (6), (8) and (9), an obligation under any agreement  
38 entered into as provided in the program shall not be postponed more  
39 than five years from the time the obligation was to have been commenced  
40 under such agreement. An obligation under any agreement entered into  
41 as provided in the program shall be postponed under clause (6) during  
42 the period of time the medical disability exists. An obligation under any  
43 agreement entered into as provided in the program shall be postponed

1 under clause (8) during the period of time the person obligated remains  
2 on FMLA leave. An obligation to engage in teaching in accordance with  
3 an agreement under the program shall be postponed under clause (9)  
4 during the period of time the state board determines that the special  
5 circumstances exist. The state board shall adopt rules and regulations  
6 prescribing criteria or guidelines for determination of the existence of  
7 special circumstances causing an inability to teach, and shall determine  
8 the documentation required to prove the existence of such circumstances.

9 (b) An obligation under any agreement entered into as provided in  
10 the program shall be satisfied: (1) If the obligation has been completed  
11 in accordance with the agreement; (2) if the person obligated dies; (3) if,  
12 because of permanent physical disability, the person obligated is unable  
13 to satisfy the obligation; (4) if the person obligated fails to satisfy the  
14 requirements for a graduation from a teacher education program or post-  
15 graduate program after making the best effort possible; (5) if the person  
16 obligated fails to satisfy all requirements for licensure, or renewal thereof,  
17 to teach in Kansas or has been denied such licensure after applying there-  
18 for and making the best effort possible to obtain such license; or (6) if  
19 the person obligated is unable to obtain employment as a teacher after  
20 making the best effort possible to obtain such employment and the person  
21 obligated otherwise completes the terms, conditions and obligations of  
22 the agreement.

23 Sec. 7. (a) The state board shall adopt rules and regulations for ad-  
24 ministration of the program and shall establish terms, conditions and ob-  
25 ligations which shall be incorporated into the provisions of any agreement  
26 entered into between the state board and an applicant for the award of a  
27 grant under the program. The terms, conditions and obligations shall be  
28 consistent with the provisions of law relating to the program and shall  
29 include, but not be limited to, the circumstances under which eligibility  
30 for financial assistance under the program may be terminated, the amount  
31 of financial assistance to be provided, the circumstances under which  
32 obligations may be discharged or forgiven, the amount of money required  
33 to be repaid because of failure to satisfy the obligations under an agree-  
34 ment and the method of repayment.

35 (b) The executive officer shall cooperate with the state board in the  
36 administration of the program and shall provide such assistance deemed  
37 necessary by the state board in the administration of the program.

38 Sec. 8. (a) There is hereby created in the state treasury the teacher  
39 education grant program fund. The state board shall remit all moneys  
40 received under the program, which are paid because of nonattendance  
41 or discontinuance by grant recipients, to the state treasurer in accordance  
42 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon  
43 receipt of each such remittance, the state treasurer shall deposit the entire

1 amount in the state treasury to the credit of the teacher education grant  
2 program fund. All expenditures from the fund shall be for grants awarded  
3 under the program and shall be made in accordance with appropriation  
4 acts upon warrants of the director of accounts and reports issued pursuant  
5 to vouchers approved by the executive officer or by a person designated  
6 by the executive officer.

7 (b) There is hereby created in the state treasury the teacher education  
8 grant repayment fund. The executive officer shall remit all moneys re-  
9 ceived under the program, which are for payment of amounts pursuant  
10 to section 5, and amendments thereto, to the state treasurer in accordance  
11 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon  
12 receipt of each such remittance, the state treasurer shall deposit the entire  
13 amount in the state treasury to the credit of the teacher education grant  
14 repayment fund. All expenditures from such fund shall be for grants  
15 awarded under the program and shall be made in accordance with ap-  
16 propriation acts upon warrants of the director of accounts and reports  
17 issued pursuant to vouchers approved by the state board or by a person  
18 designated by the state board.

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