

SESSION OF 2004

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2734

As Amended by House Committee on
Appropriations

Brief*

HB 2734 would amend provisions dealing with the tuition waiver for children in the foster care system. The bill would increase the number of new tuition waivers provided by an educational institution from three per year to five. In addition, Washburn University would be added to the list of participating educational institutions.

Current eligibility requirements require that the participant must have been in the foster care system on his or her 18th birthday and have graduated from high school or attained a general education development (GED) certificate while in foster care. Eligibility requirements for participation would be expanded to include:

- ! an individual who left the foster care system prior to his or her 18th birthday and graduated from high school or attained a GED certificate while in foster care; and
- ! an individual who was adopted out of the foster care system on or after the individual's 16th birthday.

A student would be eligible for the tuition waiver until the semester he or she turns 21 years old. Current law sets no such limit.

The bill would require that refunds when an eligible student discontinues attendance be returned to the original source of funding. If the original source is federal funding transferred from the Department of Social and Rehabilitation Services, the funding will be returned to the Department of Social and Rehabilitation Services. Refunds are currently credited to a tuition waiver reimbursement fund within the Board of Regents.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

HB 2734 would require that the Board of Regents certify that 20 percent of the total amount required to pay the claims received from the educational institutions be in cash, in-kind contributions, State General Fund moneys, or non-federal funds not used to match other funds.

Annual expenditures of the Department of Social and Rehabilitation Services for the tuition waiver program would be limited to no more than 30 percent of the amount of the total federal award. The current statute has no expenditure limitation. The bill would also require that the Department of Social and Rehabilitation Services approve the eligibility of each candidate.

HB 2734 also would amend one of the eligibility criteria for the Workforce Development Loan Act by requiring that an individual seeking the foster care priority for receipt of loans be in the foster care system on his or her 18th birthday. The current statute allows the granting of priority status if the individual is in the foster care system prior to his or her 18th birthday.

The bill would provide a waiver of tuition and fees for former prisoners of war who were residents of Kansas at the time of their imprisonment. This waiver would be provided for not more than 12 semesters.

Background

The bill was introduced by the House Appropriations Committee. The Education Budget Committee held a hearing on the bill. A representative from the Department of Social and Rehabilitation Services appeared in favor of the bill. A representative of the Board of Regents testified to the Committee expressing the agency's neutrality. There were no opponents appearing before the Committee.

The House Committee amended the bill to include a waiver of tuition and fees for former prisoners of war who were residents of Kansas at the time of their imprisonment.

The fiscal note from the Division of the Budget on the bill as introduced states that the bill would allow approximately 115 students

to be served in FY 2005 and approximately 90 students in FY 2006. The decrease is due to the limit of 30 percent of the total federal award being placed on the program. The actual cost of the program would depend upon the number of participants.