

## SENATE BILL No. 293

By Committee on Ways and Means

3-6

1 AN ACT concerning higher education; authorizing technical and  
2 community colleges to affiliate with universities; amending K.S.A. 71-  
3 1802, 72-3810, 74-32,413 and 76-712 and repealing the existing  
4 sections.

5  
6 *Be it enacted by the Legislature of the State of Kansas:*

7 New Section 1. (a) Upon approval by the state board of regents or the  
8 governing body of a municipal university, as applicable, and a majority  
9 vote of the governing body of the technical college or community college,  
10 a state educational institution or municipal university may enter into  
11 agreements to affiliate with a technical college or a community college.

12 (b) As part of the affiliation, the technical college or community  
13 college may change its official designation. Whenever the technical  
14 college or community college, or words of like effect, is referred to or  
15 designated by any statute, contract or other document, such reference or  
16 designation shall be deemed to apply to the technical college or  
17 community college affiliated pursuant to this section.

18 (c) All of the powers and duties established in the governing body of  
19 the technical college or the board of trustees of the community college by  
20 law, with the exception of the board of trustee's taxing authority pursuant  
21 to K.S.A. 71-204, and amendments thereto, shall be transferred to the  
22 affiliating state educational institution or municipal university, subject to  
23 the supervision of the governing board of the affiliating state educational  
24 institution or municipal university.

25 (d) (1) The governing body of the technical college or the board of  
26 trustees of the community college shall become the industry advisory  
27 board to the president or chancellor of the affiliating state educational  
28 institution or municipal university. The board of trustees of any  
29 community college that affiliates with a state educational institution or  
30 municipal university pursuant to this section shall retain the taxing  
31 authority pursuant to K.S.A. 71-204, and amendments thereto.

32 (2) For each technical college that affiliates with a state educational  
33 institution or municipal university pursuant to this section, the president or  
34 chancellor of the affiliating state educational institution or municipal  
35 university shall appoint the members of the industry advisory board. The  
36 members of the advisory board shall represent the industry sectors that

1 correspond to the programs offered by the technical college affiliated  
2 pursuant to this section. For each community college that affiliates with a  
3 state educational institution or municipal university pursuant to this  
4 section, the members of the board of trustees shall continue to be elected  
5 in accordance with the provisions of article 14 of chapter 71 of the Kansas  
6 statutes annotated, and amendments thereto.

7 (e) The industry advisory board shall:

8 (1) Review non-credit and credit programs with the president or  
9 chancellor and senior leadership of the state educational institution or  
10 municipal university to ensure such programs are aligned with current and  
11 emerging needs of industry and the community for an educated and trained  
12 workforce; and

13 (2) provide input relating to changes in each member's industry sector  
14 that affect academic programs.

15 (f) (1) Except as provided in paragraph (2), the following persons  
16 admitted by a state educational institution into a technical college or  
17 community college affiliated pursuant to this section shall not be subject to  
18 the admission requirements of K.S.A. 76-717, and amendments thereto, or  
19 the board of regents rules and regulations establishing qualified admission  
20 criteria for state educational institutions:

21 (A) Persons admitted as degree-seeking students in career technical  
22 education courses or programs terminating with an associate of applied  
23 science degree; and

24 (B) persons admitted as nondegree-seeking students in career  
25 technical education certificate programs.

26 (2) Persons admitted into a technical college or community college  
27 affiliated with a state educational institution pursuant to this section who  
28 subsequently seek to transfer into another school within the state  
29 educational institution, or into a bachelor's, master's or doctorate degree  
30 program shall be subject to the admission requirements of K.S.A. 76-717,  
31 and amendments thereto, and the board of regents rules and regulations  
32 establishing qualified admission criteria for state educational institutions.

33 (g) (1) A technical college affiliated pursuant to this section shall  
34 continue to be eligible for funding that is available to technical colleges to  
35 the extent provided by law. The amounts of such funding are to be  
36 determined in the same manner as provided by law for technical colleges.

37 (2) A community college affiliated pursuant to this section shall  
38 continue to be eligible for funding that is available to community colleges  
39 to the extent provided by law. The amounts of such funding are to be  
40 determined in the same manner as provided by law for community  
41 colleges.

42 (h) The affiliation plan between the technical college or community  
43 college and the affiliating state educational institution or municipal

1 university shall include provisions relating to the manner and terms upon  
2 which faculty, employees and students will be transferred to the affiliating  
3 state educational institution or municipal university. Such provisions shall  
4 specify terms of employment and address other personnel matters. Subject  
5 to the authorization of the governing board of the affiliating state  
6 educational institution or municipal university, all personnel of a technical  
7 college or community college affiliated pursuant to this section who are  
8 necessary to the operation of such technical college or community college,  
9 in accordance with the needs of the affiliating state educational institution  
10 or municipal university, may become personnel of the affiliating state  
11 educational institution or municipal university. The employment of such  
12 personnel shall be deemed uninterrupted.

13 (i) The affiliation of a technical college or community college with a  
14 state educational institution or municipal university shall not affect any  
15 contract, agreement or assurance in effect on July 1, 2025.

16 (j) (1) No suit, action or other proceeding, judicial or administrative,  
17 lawfully commenced, or that could have been commenced, by or against a  
18 technical college or community college prior to affiliation, or by or against  
19 any personnel of such technical college or community college, shall abate  
20 by reason of such affiliation. Any such suit, action or other proceeding  
21 may be allowed to be maintained by or against the affiliating state  
22 educational institution or municipal university.

23 (2) No criminal action commenced or that could have been  
24 commenced by a technical college or community college prior to  
25 affiliation shall abate by reason of such affiliation.

26 (k) Except as otherwise provided in this section, the provisions of all  
27 statutes of general application to area vocational schools, area vocational  
28 technical schools or technical colleges shall apply to a technical college  
29 affiliated pursuant to this section. Except as otherwise provided in this  
30 section, the provisions of all statutes of general application to community  
31 colleges shall apply to a community college affiliated pursuant to this  
32 section.

33 (l) As used in this section:

34 (1) "Affiliation" means the association or connection of a technical  
35 college or community college with a state educational institution or  
36 municipal university where the technical college or community college is  
37 directly or indirectly under the control of the affiliating state educational  
38 institution or municipal university.

39 (2) "Community college" means any community college established  
40 in accordance with chapter 71 of the Kansas Statutes Annotated, and  
41 amendments thereto.

42 (3) "Municipal university" means Washburn university of Topeka or  
43 any other municipal university established under the laws of this state.

1 (4) "State educational institution" means the university of Kansas,  
2 Kansas state university, Wichita state university, Emporia state university,  
3 Pittsburg state university and Fort Hays state university.

4 (5) "Technical college" means a technical college designated pursuant  
5 to K.S.A. 74-32,458, 74-32,460, 74-32,461, 74-32,462, 74-32,464 or 74-  
6 32,465, and amendments thereto.

7 Sec. 2. K.S.A. 71-1802 is hereby amended to read as follows: 71-  
8 1802. As used in K.S.A. 71-1801 through 71-1810, and amendments  
9 thereto:

10 (a) "Community college" means any community college established  
11 in accordance with chapter 71 of the Kansas Statutes Annotated.

12 (b) "Community college operating grant" means the operating grant  
13 provided for under subsection (a) of K.S.A. 71-620, and amendments  
14 thereto, prior to fiscal year 2012.

15 (c) (1) "Credit hour" means the basic unit of collegiate level  
16 instruction, as determined by the state board, in a subject or course offered  
17 by an eligible institution at a postsecondary level not higher than those  
18 programs or courses normally offered to freshmen and sophomores in  
19 four-year public institutions of postsecondary education, in a program that  
20 has been approved by the state board.

21 (2) The term "credit hour" does not include instruction in a program  
22 or course taken by a student enrolled for audit or not for postsecondary  
23 credit, or in any program or course not approved by the state board.

24 (3) The state board shall determine whether the programs and courses  
25 offered are at the level of freshmen and sophomore programs and courses  
26 offered in the state educational institutions and shall not approve for  
27 funding any program or course offered at a higher level.

28 (d) "Eligible institution" or "institution" means any community  
29 college, technical college ~~or~~, the institute of technology *or any technical*  
30 *college or community college that affiliated with a state educational*  
31 *institution or municipal university pursuant to section 1, and amendments*  
32 *thereto.*

33 (e) "Institute of technology," "institute" or "Washburn institute of  
34 technology" means the institute of technology at Washburn university.

35 (f) "*Municipal university*" means *Washburn university of Topeka or*  
36 *any other municipal university established under the laws of this state.*

37 (g) "Non-tiered course" means any postsecondary credit-bearing  
38 course offered by an eligible institution and identified by the state board as  
39 not meeting the definition of a tiered technical course. Non-tiered courses  
40 include courses that are generally designed to: (1) Contribute to academic  
41 knowledge or skills across multiple disciplines and occupations, such as  
42 communication, writing, mathematics, humanities, social or behavioral  
43 science and natural or physical science courses, some of which may be

1 considered for transfer as general education credit toward a baccalaureate  
2 degree; (2) contribute to general knowledge or skills in areas such as  
3 critical thinking and reasoning, problem solving, use of technology and  
4 teamwork skills; (3) provide instruction in basic or foundational skills  
5 necessary for individuals to effectively participate in technical programs;  
6 (4) prepare individuals for certification or licensure exams or re-  
7 certifications and skill updates; or (5) allow individuals to explore various  
8 career opportunities. Seminars, workshops or other courses that are  
9 supplemental to the primary instruction required for the occupationally  
10 specific technical program shall be considered non-tiered courses, unless  
11 otherwise specified by the state board.

12 ~~(g)~~(h) "State board of regents" or "state board" means the state board  
13 of regents provided for in the constitution of this state and established by  
14 K.S.A. 74-3202a, and amendments thereto.

15 ~~(h)~~(i) "*State educational institution*" means the university of Kansas,  
16 Kansas state university, Wichita state university, Emporia state university,  
17 Pittsburg state university and Fort Hays state university.

18 (j) "Technical college" means a technical college *affiliated with a*  
19 *state institution or municipal university pursuant to section 1, and*  
20 *amendments thereto, or designated pursuant to K.S.A. 74-32,458, 74-*  
21 *32,460, 74-32,461, 74-32,462, 74-32,464 or 74-32,465, and amendments*  
22 *thereto.*

23 ~~(i)~~(k) "Technical program" means any program of study comprised of  
24 a sequence of tiered technical courses and non-tiered courses, which  
25 program is identified by the state board as a technical program for funding  
26 purposes. Technical programs must: (1) Be designed to prepare individuals  
27 for gainful employment in current or emerging technical occupations  
28 requiring other than a baccalaureate or advanced degree; (2) lead to  
29 technical skill proficiency, an industry-recognized credential, a certificate  
30 or an associate degree; and (3) be delivered by an eligible institution.

31 ~~(j)~~(l) "Tiered technical course" means a postsecondary credit-bearing  
32 course included in the sequence of courses comprising a technical  
33 program, which course is itself designed to provide competency-based  
34 applied instruction to prepare individuals with occupationally specific  
35 knowledge and skills necessary for employment, and which the state board  
36 has identified as a tiered technical course.

37 ~~(k)~~(m) "Tiered technical course credit hour" means a credit hour in a  
38 tiered technical course.

39 ~~(l)~~(n) "Washburn institute of technology operating grant" means any  
40 legislative appropriation designated for non-tiered courses delivered by the  
41 Washburn institute of technology.

42 Sec. 3. K.S.A. 72-3810 is hereby amended to read as follows: 72-  
43 3810. (a) Students admitted to a career technical education course or

1 program—~~which~~ *that* is conducted by the school district in which the  
2 student is enrolled may be charged fees but shall not be charged tuition.

3 (b) Postsecondary students admitted to a career technical education  
4 course or program shall pay tuition and fees as provided by laws  
5 applicable thereto.

6 (c) (1) Secondary students admitted to a career technical education  
7 course or program—~~which~~ *that* is conducted by a community college,  
8 technical college—~~or, institute of technology or any technical college or~~  
9 *community college that affiliated with a state educational institution or*  
10 *municipal university pursuant to section 1, and amendments thereto,* may  
11 be charged fees; but shall not be charged tuition.

12 (2) Each—~~school~~ *academic* year, to the extent there are sufficient  
13 moneys appropriated to the career technical education secondary program,  
14 the state board of regents shall distribute state funds to community  
15 colleges, technical colleges, *any technical college or community college*  
16 *that affiliated with a state educational institution or municipal university*  
17 *pursuant to section 1, and amendments thereto,* and the Washburn institute  
18 of technology for the cost associated with secondary students enrolled in  
19 postsecondary career technical education programs as determined by the  
20 state board of regents.

21 (3) For purposes of this subsection:

22 (A) "Community college" means any community college established  
23 in accordance with chapter 71 of the Kansas Statutes Annotated, and  
24 amendments thereto.

25 (B) "Fees" means those charges assessed against a student by a  
26 community college, technical college—~~or, the institute of technology, a~~  
27 *state educational institution or a municipal university* for student services,  
28 such as health clinics, athletic activities and technology services, or for  
29 books, supplies or other materials necessary for a particular course or  
30 program, the expense of which is not covered by tuition.

31 (C) "Institute of technology" means the institute of technology at  
32 Washburn university.

33 (D) "*Municipal university*" means *Washburn university of Topeka or*  
34 *any other municipal university established under the laws of this state.*

35 (E) "Secondary student" means a pupil who: (i) Has not attained a  
36 high school diploma or a general educational development (GED)  
37 credential; and (ii) is regularly enrolled in and attending a public or private  
38 secondary school.

39 (F) "*State educational institution*" means *the university of Kansas,*  
40 *Kansas state university, Wichita state university, Emporia state university,*  
41 *Pittsburg state university and Fort Hays state university.*

42 (E)(G) "Technical college" means a technical college designated  
43 pursuant to K.S.A. 74-32,458, 74-32,460, 74-32,461, 74-32,462, 74-

1 32,464 or 74-32,465, and amendments thereto.

2 ~~(F)~~(H) "Tuition" means those charges assessed against a student by a  
3 community college, technical college, *any technical college or community*  
4 *college that affiliated with a state educational institution or municipal*  
5 *university pursuant to section 1, and amendments thereto*, or the institute  
6 of technology on a per credit hour, per course or per term basis, and that  
7 are charged to cover the general expense of providing instructional  
8 services.

9 (d) Students admitted to a ~~vocational~~ *career technical* education  
10 course or program ~~which~~ *that* is not conducted by the school district in  
11 which the student is enrolled shall be charged tuition and fees determined  
12 in accordance with subsection (e), subject ~~however~~ to the following:

13 (1) Tuition or fees, or tuition and fees may be paid for the student in  
14 accordance with any agreement made under K.S.A. 72-3814, and  
15 amendments thereto; or

16 (2) if ~~the~~ tuition of a student is not paid under paragraph (1) ~~of this~~  
17 ~~subsection~~, the tuition of the student shall be paid by the school district in  
18 which the student is enrolled. No school district shall pay tuition for a  
19 student who is a postsecondary student, and no school district shall be  
20 required to pay tuition or fees of a student who is eligible to have tuition  
21 and fees for the course or training the student selects paid by any state or  
22 federal agency from moneys, funds or appropriations made available under  
23 any one or more state or federal programs. Any state agency administering  
24 any one or more such programs shall pay such tuition and fees upon proper  
25 application by a student therefor.

26 (e) All tuition and fees charged for career technical education by any  
27 board shall be in such amounts as are authorized by rules and regulations  
28 adopted by the state board, which shall establish general guidelines for  
29 tuition and fee schedules in career technical education courses and  
30 programs, ~~except that tuition of postsecondary students shall be fixed in~~  
31 ~~accordance with K.S.A. 72-4433\*, and amendments thereto~~. The particular  
32 tuition and fee schedule of every career technical education program shall  
33 be subject to annual approval of the state board. A current complete  
34 schedule of tuition and fees for each career technical education course and  
35 program of each board as approved by the state board shall be maintained  
36 on file in the office of the state board, and shall be open for public  
37 inspection at any reasonable time.

38 Sec. 4. K.S.A. 74-32,413 is hereby amended to read as follows: 74-  
39 32,413. As used in this act:

40 (a) "Board," "state board," "school year" and "technical college" ~~have~~  
41 ~~the meanings respectively ascribed thereto~~ *mean the same as defined in*  
42 K.S.A. 74-32,407, and amendments thereto.

43 (b) "Career technical education capital outlay aid" means state

1 financial aid distributed under this act by the state board to an eligible  
2 institution for the purpose of construction, reconstruction, repair,  
3 remodeling, additions to, furnishing and equipping of buildings,  
4 architectural expenses incidental thereto, the acquisition of buildings and  
5 building sites and the acquisition of equipment.

6 (c) "Eligible institution" or "institution" means any technical college,  
7 Coffeyville community college, Cowley county community college,  
8 Dodge City community college, Highland community college, Hutchinson  
9 community college, Johnson county community college, Kansas City,  
10 Kansas community college, Pratt community college, Seward county  
11 community college ~~and~~, the institute of technology at Washburn university  
12 *and any technical college or community college that affiliated with a state*  
13 *educational institution or municipal university pursuant to section 1, and*  
14 *amendments thereto.*

15 (d) *"Municipal university" means Washburn university of Topeka or*  
16 *any other municipal university established under the laws of this state.*

17 (e) *"State educational institution" means the university of Kansas,*  
18 *Kansas state university, Wichita state university, Emporia state university,*  
19 *Pittsburg state university and Fort Hays state university.*

20 Sec. 5. K.S.A. 76-712 is hereby amended to read as follows: 76-712.  
21 Except as otherwise provided by act of the legislature, the state  
22 educational institutions are separate state agencies and state institutions  
23 and shall be controlled by and operated and managed under the  
24 supervision of the board of regents. For such control, operation,  
25 management or supervision, the board of regents may make contracts and  
26 adopt orders, policies or rules and regulations and do or perform such  
27 other acts as are authorized by law or are appropriate for such purposes,  
28 except that no state educational institution, or campus thereof, shall be  
29 closed, combined or merged with any other state educational institution,  
30 for administrative or management or other purposes, except as *authorized*  
31 *in section 1, and amendments thereto, or specifically authorized by*  
32 *appropriations or other act of the legislature.*

33 Sec. 6. K.S.A. 71-1802, 72-3810, 74-32,413 and 76-712 are hereby  
34 repealed.

35 Sec. 7. This act shall take effect and be in force from and after its  
36 publication in the statute book.