

## 2020 Kansas Statutes

**74-32,163. Definitions.** As used in the Kansas private and out-of-state postsecondary educational institution act:

- (a) "Academic degree" means any associate, bachelor's, professional, master's, specialist or doctoral degree.
- (b) "Accreditation" means an accreditation by an agency recognized by the United States department of education.
- (c) "Branch campus" means any subsidiary place of business maintained within the state of Kansas by an institution at a site which is separate from the site of the institution's principal place of business and at which the institution offers a course or courses of instruction or study identical to the course or courses of instruction or study offered by the institution at its principal place of business.
- (d) "Distance education" means any course delivered primarily by use of correspondence study, audio, video or computer technologies.
- (e) "Out-of-state postsecondary educational institution" means a postsecondary educational institution chartered, incorporated or otherwise organized under the laws of any jurisdiction other than the state of Kansas.
- (f) "Institution" means an out-of-state or private postsecondary educational institution.
- (g) "Institution employee" means any person, other than an owner, who directly or indirectly receives compensation from an institution for services rendered.
- (h) "Owner of an institution" means:
  - (1) In the case of an institution owned by an individual, that individual;
  - (2) in the case of an institution owned by a partnership, all full, silent and limited partners;
  - (3) in the case of an institution owned by a corporation, the corporation, its directors, officers and each shareholder owning shares of issued and outstanding stock aggregating at least 10% of the total of the issued and outstanding shares; and
  - (4) in the case of an institution owned by a limited liability company, the company, its managers and all its members.
- (i) "Person" means an individual, firm, partnership, association or corporation.
- (j) "Physical presence" means:
  - (1) The employment in Kansas of a Kansas resident for the purpose of administering, coordinating, teaching, training, tutoring, counseling, advising or any other activity on behalf of the institution; or
  - (2) The delivery of, or the intent to deliver, instruction in Kansas with the assistance from any entity within the state in delivering the instruction including, but not limited to, a cable television company or a television broadcast station that carries instruction sponsored by the institution.
- (k) "Private postsecondary educational institution" means an entity which:
  - (1) Is a business enterprise, whether operated on a profit or not-for-profit basis, which has a physical presence within the state of Kansas or which solicits business within the state of Kansas;
  - (2) offers a course or courses of instruction or study through classroom contact or by distance education, or both, for the purpose of training or preparing persons for a field of endeavor in a business, trade, technical or industrial occupation or which offers a course or courses leading to an academic degree; and
  - (3) is not specifically exempted by the provisions of this act.
- (l) "Representative" means any person employed by an institution to act as an agent, solicitor or broker to procure students or enrollees for the institution.
- (m) "State board" means the state board of regents or the board's designee.
- (n) "Support" or "supported" means the primary source and means by which an institution derives revenue to perpetuate operation of the institution.
- (o) "University" means a postsecondary educational institution authorized to offer any degree including a bachelor, graduate or professional degree.
- (p) "State educational institution" means any state educational institution as defined by K.S.A. 76-711, and amendments thereto.

**History:** L. 2004, ch. 185, § 3; L. 2010, ch. 150, § 2; L. 2016, ch. 74, § 5; July 1.