

HOUSE BILL No. 2182

By Committee on Commerce, Labor and Economic Development

1-28

1 AN ACT concerning workforce development; relating to education;
2 establishing the Kansas promise scholarship act; authorizing payment
3 of tuition for students who are dually or concurrently enrolled in high
4 school and postsecondary school; requiring school districts to insure
5 against injury or loss during work-based learning programs; amending
6 K.S.A. 72-18,101, 72-18,102, 72-3220, 72-3221, 72-3222, 72-3223,
7 72-3224 and 75-53,112 and repealing the existing sections.

8
9 *Be it enacted by the Legislature of the State of Kansas:*

10 New Section 1. (a) The provisions of section 1 et seq., and
11 amendments thereto, shall be known and may be cited as the Kansas
12 promise scholarship act.

13 (b) As used in the Kansas promise scholarship act:

14 (1) "Eligible postsecondary educational institution" means:

15 (A) Any community college established pursuant to chapter 71 of the
16 Kansas Statutes Annotated, and amendments thereto;

17 (B) any technical college established under the laws of this state;

18 (C) the Washburn institute of technology; or

19 (D) any two-year associate degree program or career and technical
20 education program offered by a private postsecondary educational
21 institution accredited by the higher learning commission with its primary
22 location in Kansas.

23 (2) "Military servicemember" means the same as defined in K.S.A.
24 2020 Supp. 48-3406, and amendments thereto.

25 New Sec. 2. (a) There is hereby established the Kansas promise
26 scholarship program. The state board of regents shall administer the
27 program.

28 (b) On or before March 1, 2022, the state board of regents shall adopt
29 rules and regulations to implement and administer the Kansas promise
30 scholarship program. Such rules and regulations shall establish:

31 (1) Scholarship application deadlines;

32 (2) appeal procedures for denial or revocation of a Kansas promise
33 scholarship;

34 (3) guidelines to ensure as much as is practicable that, if a student
35 who received a Kansas promise scholarship graduates from a career and
36 technical education program or transfer associate degree program pursuant

1 to this act and subsequently enrolls in a state educational institution, as
2 defined in K.S.A. 76-711, and amendments thereto, or municipal
3 university any courses taken by such student shall be transferred to the
4 state educational institution or municipal university and qualify toward the
5 student's baccalaureate degree;

6 (4) procedures for a student who receives a Kansas promise
7 scholarship to record and report proof of community service and
8 community service hours;

9 (5) the terms, conditions and requirements that shall be incorporated
10 into each Kansas promise scholarship agreement;

11 (6) procedures for requesting and approving medical, military and
12 personal absences from an eligible postsecondary educational institution
13 while receiving a Kansas promise scholarship;

14 (7) criteria for determining whether any student who received a
15 Kansas promise scholarship fulfilled the employment and repayment
16 requirements included in a Kansas promise scholarship agreement as
17 provided in section 5, and amendments thereto; and

18 (8) criteria for determining when a student who received a Kansas
19 promise scholarship may be released from the requirements of a Kansas
20 promise scholarship, if there are special circumstances that caused such
21 student to be unable to complete such requirements.

22 (c) The state board of regents shall:

23 (1) Work with community partners, such as community foundations,
24 school districts, postsecondary educational institutions, Kansas business
25 and industry and Kansas economic development organizations to publicize
26 Kansas promise scholarships, including, but not limited to, publicizing
27 eligible postsecondary educational institutions, approved scholarship-
28 eligible educational programs, application procedures and application
29 deadlines;

30 (2) allocate funds to each eligible postsecondary educational
31 institution for the purpose of awarding Kansas promise scholarships;

32 (3) request information from eligible postsecondary educational
33 institutions necessary for the administration of this act;

34 (4) annually collaborate with the department of commerce and
35 Kansas business and industry to identify up to 10 job fields and pathways
36 that currently have the highest need for skilled employees;

37 (5) designate scholarship-eligible career and technical programs and
38 transfer education programs that correspond to the job fields and pathways
39 identified in paragraph (4);

40 (6) ensure that any student who received a Kansas promise
41 scholarship fulfills the requirements of a scholarship agreement entered
42 into pursuant to section 5, and amendments thereto; and

43 (7) beginning in January 2022, annually evaluate the Kansas promise

1 scholarship program and prepare and submit a report to the senate standing
2 committee on education and the house of representatives standing
3 committee on education.

4 New Sec. 3. (a) Subject to appropriations, the amount of a Kansas
5 promise scholarship for a student for each semester shall be the aggregate
6 amount of tuition, required fees and the cost of books and required
7 materials for the educational program at the eligible postsecondary
8 educational institution for the academic year in which the student is
9 enrolled and receiving the scholarship minus the aggregate amount of all
10 other aid awarded to such student for such semester. Aid includes any
11 grant, scholarship or financial assistance awards that do not require
12 repayment. During any fiscal year, the appropriation pursuant to this
13 section shall not exceed \$10,000,000.

14 (b) If a student is enrolled in an eligible postsecondary education
15 program offered by a four-year eligible postsecondary educational
16 institution, the aggregate amount of tuition, mandatory fees and the cost of
17 books and materials for such eligible postsecondary education program
18 shall be the average cost of tuition, mandatory fees and the cost of books
19 and materials for such eligible postsecondary education program when
20 offered by an eligible public postsecondary educational institution that is
21 not a four-year institution.

22 New Sec. 4. (a) To be eligible for a Kansas promise scholarship, a
23 student shall:

24 (1) Be a Kansas resident;

25 (2) be enrolled in grade 12 in an eligible high school, be a graduate of
26 a Kansas public or private secondary school, have been in the custody of
27 the secretary for children and families as a minor pursuant to the revised
28 Kansas code for care of children at any time while enrolled in any of the
29 grades six through 12 or have obtained a high school equivalency
30 certificate within the preceding 12 months. This paragraph shall not apply
31 to a student who is a dependent child of a military servicemember
32 permanently stationed in another state who graduates from a secondary
33 school or obtains a high school equivalency certificate within the
34 preceding 12 months;

35 (3) complete the required scholarship application on such forms and
36 in such manner as established by the state board of regents;

37 (4) enter into a Kansas promise scholarship agreement pursuant to
38 section 5, and amendments thereto;

39 (5) complete the free application for federal student aid for the
40 academic year in which the student applies to receive a Kansas promise
41 scholarship; and

42 (6) enroll in an eligible postsecondary educational institution in a
43 scholarship-eligible career and technical education program or associate

1 degree program with coursework in an identified job field that corresponds
2 to a baccalaureate degree program.

3 (b) To continue to receive a Kansas promise scholarship, a student
4 shall:

5 (1) Annually complete 100 hours of community service or be verified
6 by the eligible postsecondary educational institution to be employed part-
7 time throughout the time period in which the student is receiving a Kansas
8 promise scholarship;

9 (2) maintain a minimum cumulative grade point average of 2.0; and

10 (3) satisfy any other requirements of a Kansas promise scholarship
11 agreement as provided in section 5, and amendments thereto.

12 (c) Nothing in this act shall prohibit a student who received
13 postsecondary course credit while enrolled in high school from qualifying
14 for a Kansas promise scholarship.

15 New Sec. 5. (a) As a condition to receiving a Kansas promise
16 scholarship, an eligible student shall enter into a Kansas promise
17 scholarship agreement with the eligible postsecondary educational
18 institution making the scholarship award to such student. Such agreement
19 shall require such student who receives a Kansas promise scholarship to:

20 (1) Enroll as a full-time student at the eligible postsecondary
21 educational institution for which the student is receiving a Kansas promise
22 scholarship and engage in and complete the required career and technical
23 education program or associate degree program with coursework in an
24 identified job field that corresponds to a baccalaureate degree program;

25 (2) within six months after graduation from the career and technical
26 education program or associate degree program with coursework in an
27 identified job field that corresponds to a baccalaureate degree program:

28 (A) Reside in and commence work in the state of Kansas for at least
29 three consecutive years following completion of such program; or

30 (B) enroll as a full-time student in any public or private
31 postsecondary educational institution with its primary location in Kansas
32 and upon graduation or failure to re-enroll as a full-time student at such
33 institution, reside in and commence work in Kansas for at least three
34 consecutive years following the completion of such program;

35 (3) maintain records and make reports to the state board of regents on
36 such forms and in such manner as required by the state board of regents to
37 document the satisfaction of the requirements of this act; and

38 (4) upon failure to satisfy the requirements of a Kansas promise
39 scholarship agreement, repay the amount of the Kansas promise
40 scholarship the student received under the program as provided in
41 subsection (b).

42 (b) (1) Except as provided in subsection (c), if any student who
43 receives a Kansas promise scholarship fails to satisfy the requirements of a

1 Kansas promise scholarship agreement entered into pursuant to this
2 section, such student shall pay an amount equal to the total amount of
3 money received by such student pursuant to such agreement that is
4 financed by the state of Kansas plus accrued interest at a rate equivalent to
5 the interest rate applicable to loans made under the federal PLUS program
6 at the time such person first entered into an agreement. Installment
7 payments of such amounts may be made in accordance with rules and
8 regulations of the state board of regents. Such installment payments shall
9 begin six months after the date of the action or circumstances that cause
10 such student to fail to satisfy the requirements of a Kansas promise
11 scholarship agreement, as determined by the state board of regents upon
12 the circumstances of each individual case. All moneys received pursuant to
13 this subsection shall be remitted to the state treasurer in accordance with
14 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt
15 of each such remittance, the state treasurer shall deposit the entire amount
16 in the state treasury to the credit of the state general fund.

17 (2) The state board of regents is authorized to turn any repayment
18 account arising under this act to a designated loan servicer or collection
19 agency, the state not being involved other than to receive payments from
20 the loan servicer or collection agency at the interest rate prescribed under
21 this subsection.

22 (c) Any requirement under a Kansas promise scholarship agreement
23 entered into pursuant to this section may be postponed for good cause in
24 accordance with rules and regulations of the state board of regents.

25 (d) A student who received a Kansas promise scholarship and entered
26 into a Kansas promise scholarship agreement satisfies the requirements
27 under such agreement when such student:

28 (1) Completes the requirements in accordance with such agreement;

29 (2) fails to satisfy the requirements for completion of the educational
30 requirements after making the best effort possible to do so;

31 (3) is unable to obtain employment and continue in such employment
32 after making the best effort possible to do so;

33 (4) is unable to satisfy the requirements due to permanent physical
34 disability; or

35 (5) dies.

36 New Sec. 6. On and after July 1, 2026, no Kansas promise
37 scholarship shall be awarded to any student who has not previously been
38 awarded a Kansas promise scholarship prior to July 1, 2025.

39 New Sec. 7. (a) Each eligible postsecondary educational institution
40 that accepts students for enrollment pursuant to the Kansas challenge to
41 secondary school students act shall submit a report annually to the state
42 board of regents. Such report shall include, but not be limited to, the
43 following:

1 (1) The number of students from each school district enrolled in the
2 eligible postsecondary educational institution, including the number of
3 students in the custody of the secretary for children and families;

4 (2) the number of students who successfully complete the courses in
5 which such students are enrolled at the eligible postsecondary educational
6 institution;

7 (3) the tuition rate charged for students compared to the tuition rate
8 charged to individuals who are regularly enrolled and attending the eligible
9 postsecondary educational institution; and

10 (4) the amount and percentage of tuition each school district is paying
11 pursuant to K.S.A. 72-3223, and amendments thereto.

12 (b) The state board of regents shall compile and prepare a summary
13 report of the reports submitted pursuant to subsection (a) and shall submit
14 such report to the house standing committee on education and the senate
15 standing committee on education on or before February 15 of each year
16 commencing in 2022.

17 New Sec. 8. (a) An employer who accepts a secondary student in a
18 work-based learning program shall not be subject to civil liability for any
19 claim arising from the student's negligent act or omission.

20 (b) An employer who accepts a secondary student in a work-based
21 learning program shall not be subject to civil liability for any claim arising
22 from the employer's negligent act or omission.

23 (c) Nothing in this section shall provide immunity for gross
24 negligence or willful misconduct.

25 (d) As used in this section, "work-based learning program" means a
26 learning program in a secondary curriculum that:

27 (1) Includes, but is not limited to, work study, on-the-job training, job
28 shadowing, internships, clinicals, practicums, apprenticeships, co-ops and
29 industry-led service-learning projects;

30 (2) is incorporated into coursework or related to a specific field of
31 study;

32 (3) integrates knowledge and theory learned in the classroom with the
33 practical application and development of technical skills and proficiencies
34 in a professional work setting; and

35 (4) may or may not include wages, salary or other compensation to
36 the secondary student.

37 Sec. 9. K.S.A. 72-18,101 is hereby amended to read as follows: 72-
38 18,101. The board of education of any school district may purchase
39 insurance contracts to insure against loss resulting from sickness or bodily
40 injury or death by accident, on the part of students who are injured on
41 school premises, or during school sponsored activities. *For purposes of*
42 *this section, school-sponsored activity shall include travel to and from or*
43 *participation in a work-based learning program involving training or*

1 *work activities conducted at the premises of or under the direction of an*
2 *employer participating in the program. For purposes of this section,*
3 *"work-based learning program" has the meaning as provided in section 8,*
4 *and amendments thereto.*

5 Sec. 10. K.S.A. 72-18,102 is hereby amended to read as follows: 72-
6 18,102. The board of education of any school district may purchase
7 insurance contracts for the benefit of students, to insure against loss
8 resulting from loss, theft of, or damage to, the personal property of
9 students while on school premises, or during school sponsored activities.
10 *For purposes of this section, school-sponsored activity shall include*
11 *participation in a work-based learning program involving training or*
12 *work activities conducted at the premises of or under the direction of an*
13 *employer participating in the program. For purposes of this section,*
14 *"work-based learning program" has the meaning as provided in section 8,*
15 *and amendments thereto.*

16 Sec. 11. K.S.A. 72-3220 is hereby amended to read as follows: 72-
17 3220. ~~(a)~~ K.S.A. 72-3220 through 72-3224, and amendments thereto, *and*
18 *section 7, and amendments thereto*, shall be known and may be cited as the
19 Kansas challenge to secondary school ~~pupils~~ *students act*.

20 ~~(b) The provisions of this section shall take effect and be in force~~
21 ~~from and after July 1, 1993.~~

22 Sec. 12. K.S.A. 72-3221 is hereby amended to read as follows: 72-
23 3221. ~~(a)~~ The legislature hereby declares that secondary school ~~pupils~~
24 *students* should be challenged continuously in order to maintain their
25 interests in the pursuit of education and skills critical to success in the
26 modern world. Therefore, it is the purpose and intention of the Kansas
27 challenge to secondary school ~~pupils~~ *students act* to provide a means
28 ~~whereby~~ *that* school districts, in cooperation with institutions of
29 postsecondary education, may provide new and exciting challenges to
30 secondary school ~~pupils~~ *students* by encouraging ~~them~~ *such students* to
31 take full advantage of the wealth of postsecondary ~~education~~ *educational*
32 opportunities available in this state.

33 ~~(b) The provisions of this section shall take effect and be in force~~
34 ~~from and after July 1, 1993.~~

35 Sec. 13. K.S.A. 72-3222 is hereby amended to read as follows: 72-
36 3222. As used in the Kansas challenge to secondary school ~~pupils~~ *students*
37 act:

38 (a) ~~"Concurrent enrollment pupil"~~ *"Student"* means a person who: (1)
39 Is enrolled in grades 10, 11 or 12 maintained by a school district, or a
40 gifted child who is enrolled in any of the grades 9 through 12 maintained
41 by a school district; (2) *has an individualized plan of study or an*
42 *individualized education program*; (3) has demonstrated the ability to
43 benefit from participation in the regular curricula of eligible postsecondary

1 ~~education~~ educational institutions; (4) has been authorized by the
 2 principal of the school attended to apply for enrollment at an eligible
 3 postsecondary-~~education~~ educational institution; and (5) is acceptable or
 4 has been accepted for enrollment at an eligible postsecondary-~~education~~
 5 educational institution.

6 (b) "Eligible postsecondary-~~education~~ educational institution" means
 7 any state educational institution, community college, municipal university,
 8 technical college or accredited independent institution.

9 (c) "State educational institution" ~~has the meaning ascribed thereto~~
 10 *means the same as defined* in K.S.A. 76-711, and amendments thereto.

11 (d) "Community college" means any community college organized
 12 and operating under the laws of this state.

13 (e) "Municipal university" means a municipal university established
 14 under the provisions of article 13a of chapter 13 of *the* Kansas Statutes
 15 Annotated, *and amendments thereto*.

16 (f) "Accredited independent institution" means ~~an~~ a not-for-profit
 17 institution of postsecondary education the main campus of which is
 18 located in Kansas and ~~which~~ that: (1) Is operated independently and not
 19 controlled or administered by any state agency or any subdivision of the
 20 state; (2) maintains open enrollment; and (3) is accredited by ~~the north~~
 21 ~~central association of colleges and secondary schools accrediting agency~~
 22 ~~based on its requirements as of April 1, 1985 a nationally recognized~~
 23 *accrediting agency for higher education in the United States*.

24 (g) "Technical college" ~~has the meaning ascribed thereto~~ *means the*
 25 *same as defined* in K.S.A. 74-32,407, and amendments thereto.

26 (h) "Gifted child" ~~has the meaning ascribed thereto~~ *means the same*
 27 *as defined* in K.S.A. 72-3404, and amendments thereto, or in rules and
 28 regulations adopted pursuant thereto.

29 Sec. 14. K.S.A. 72-3223 is hereby amended to read as follows: 72-
 30 3223. (a) The board of education of any school district and any eligible
 31 postsecondary-~~education~~ educational institution may enter into a
 32 cooperative agreement regarding the *dual or concurrent* enrollment of
 33 ~~concurrent enrollment~~ *pupils students* in courses of instruction for college
 34 credit at the eligible postsecondary-~~education~~ educational institution. The
 35 agreement shall include, but need not be limited to, the following:

36 (1) The academic credit to be granted for course work successfully
 37 completed by the ~~pupil~~ *student* at the institution, which credit shall qualify
 38 ~~as college credit and may qualify~~ as both high school and college credit;

39 (2) the requirement that such course work qualify as credit applicable
 40 toward the award of a degree or certificate at the institution;

41 (3) *except as otherwise provided in subsection (b)*, the requirement
 42 ~~that the pupil shall pay to the institution~~ *the student shall pay* the
 43 negotiated amount of tuition *and related costs* charged by the institution

1 for the student's enrollment of the pupil; and

2 (4) the requirement that the eligible postsecondary educational
3 institution shall notify the student or the student's parent or guardian if the
4 course the student enrolled in at the eligible postsecondary educational
5 institution is not a systemwide transfer course approved by the state board
6 of regents and, as a result, the student may not receive credit for such
7 course if the student transfers to or attends another postsecondary
8 educational institution.

9 ~~(b) The provisions of this section shall take effect and be in force~~
10 ~~from and after July 1, 1993~~ The board of education of a school district, in
11 its discretion, may pay all or a portion of the negotiated amount of tuition
12 and related costs, including fees, books, materials and equipment, charged
13 by an eligible postsecondary educational institution for a student's
14 enrollment in such institution. As part of any agreement entered into
15 pursuant to this section, the board of education of a school district shall
16 not be required to pay any amount of tuition and required fees that are
17 waived for an eligible foster child pursuant to the foster child educational
18 assistance act, K.S.A. 75-53,111 et seq., and amendments thereto, except
19 that the board, in its discretion, may pay any related costs that are not
20 waived pursuant to such act, including fees, books, materials and
21 equipment, charged by an eligible postsecondary educational institution
22 for the student's enrollment in such institution. Any such payment shall be
23 paid directly to the eligible postsecondary educational institution and
24 shall be credited to such student's account.

25 Sec. 15. K.S.A. 72-3224 is hereby amended to read as follows: 72-
26 3224. (a) ~~No school district shall be responsible for the payment of tuition~~
27 ~~charged to concurrent enrollment pupils by eligible education institutions~~
28 ~~or for the provision of transportation for such pupils~~ Except as otherwise
29 provided in K.S.A. 72-3223(b), and amendments thereto, each student
30 dually or concurrently enrolled in an eligible postsecondary educational
31 institution pursuant to K.S.A. 72-3220 et seq., and amendments thereto,
32 shall be responsible for the payment of the negotiated tuition and related
33 costs, including fees, books, materials and equipment, charged by such
34 institution for the student's enrollment.

35 (b) The board of education of a school district, in its discretion, may
36 provide for the transportation of a student to or from any eligible
37 postsecondary education educational institution.

38 ~~(b) Each concurrent enrollment pupil shall be responsible for~~
39 ~~payment of tuition for enrollment at an eligible postsecondary education~~
40 ~~institution and for payment of the costs of books and equipment and any~~
41 ~~other costs of enrollment.~~

42 (c) ~~Each concurrent enrollment pupil~~ student dually or concurrently
43 enrolled in an eligible postsecondary educational institution pursuant to

1 *K.S.A. 72-3220 et seq., and amendments thereto*, who satisfactorily
 2 completes course work at ~~an eligible postsecondary education~~ *such*
 3 institution shall be granted appropriate credit toward fulfillment of the
 4 requirements for graduation from high school ~~unless such credit is denied~~
 5 ~~by the school district in which the pupil is enrolled on the basis that high~~
 6 ~~school credit is inappropriate for such course work.~~

7 ~~(d) The provisions of this section shall take effect and be in foree-~~
 8 ~~from and after July 1, 1993~~ *In order to remain eligible for participation in*
 9 *the program, a student shall remain in good standing at the eligible*
 10 *postsecondary educational institution or shall show satisfactory progress*
 11 *as determined by the school district.*

12 *(e) The provisions of the Kansas challenge to secondary school*
 13 *students act shall not apply to any enrollment in career technical*
 14 *education courses or programs pursuant to K.S.A. 72-3810 et seq., and*
 15 *amendments thereto, or the career technical education incentive program*
 16 *established pursuant to K.S.A. 72-3819, and amendments thereto.*

17 Sec. 16. K.S.A. 75-53,112 is hereby amended to read as follows: 75-
 18 53,112. As used in the Kansas foster child educational assistance act:

19 (a) "Kansas educational institution" means and includes any
 20 community college, the municipal university, state educational institution,
 21 the institute of technology at Washburn university or technical college.

22 (b) "Eligible foster child" means anyone who:

23 (1) (A) (i) Is in the custody of the secretary and in a foster care
 24 placement on the date such child attained 18 years of age; ~~(B)~~ (ii) has been
 25 released from the custody of the secretary prior to attaining 18 years of
 26 age, after having graduated from a high school or fulfilled the
 27 requirements for a general educational development (GED) certificate
 28 while in foster care placement and the custody of the secretary; ~~(C)~~ (iii) is
 29 adopted from a foster care placement on or after such child's 16th birthday;
 30 or ~~(D)~~ (iv) left a foster care placement subject to a guardianship under
 31 chapter 38 or 59 of the Kansas Statutes Annotated, and amendments
 32 thereto, on or after such child's 16th birthday; or

33 *(B) is a student as defined under the Kansas challenge to secondary*
 34 *school students act, K.S.A. 72-3220 et seq., and amendments thereto, and*
 35 *was in the custody of the secretary and in foster care placement at any*
 36 *time such child was enrolled in grades nine through 12 at a school of a*
 37 *school district; and*

38 (2) enrolls in a Kansas educational institution ~~on or after July 1, 2006.~~

39 (c) "Kansas foster child educational assistance program" or
 40 "program" means the program established pursuant to the provisions of the
 41 Kansas foster child educational assistance act, which shall provide for: (1)
 42 Undergraduate enrollment of eligible foster children *pursuant to*
 43 *subsection (b)(1)(A) through the semester the eligible foster child attains*

1 23 years of age; or (2) undergraduate enrollment of eligible foster
2 children pursuant to subsection (b)(1)(B) through the Kansas challenge to
3 secondary schools act, K.S.A. 72-3220 et seq., and amendments thereto.

4 (d) "Educational program" means a program ~~which~~ that is offered and
5 maintained by a Kansas educational institution and leads to the award of a
6 certificate, diploma or degree upon satisfactory completion of course work
7 requirements.

8 (e) "Secretary" means the secretary for children and families.

9 Sec. 17. K.S.A. 72-18,101, 72-18,102, 72-3220, 72-3221, 72-3222,
10 72-3223, 72-3224 and 75-53,112 are hereby repealed.

11 Sec. 18. This act shall take effect and be in force from and after its
12 publication in the statute book.