

HOUSE BILL No. 2843

By Committee on Appropriations

3-18

1 AN ACT concerning postsecondary education; relating to scholarship
2 programs; establishing the scholarship task force; creating the Kansas
3 academic excellence scholarship program to replace the Kansas ethnic
4 minority scholarship program; amending K.S.A. 74-3284, 74-3285, 74-
5 3286, 74-3287, 74-3288 and 74-3289 and repealing the existing
6 sections.

7
8 *Be it enacted by the Legislature of the State of Kansas:*

9 New Section 1. (a) There is hereby established the scholarship task
10 force. The task force shall be composed of nine members as follows:

11 (1) The chairperson of the senate committee on education or the
12 chairperson's designee, who shall be a member of the senate;

13 (2) the ranking minority member of the senate committee on
14 education or the ranking member's designee, who shall be a member of the
15 senate;

16 (3) the chairperson of the house of representatives committee on
17 higher education budget or the chairperson's designee, who shall be a
18 member of the house of representatives;

19 (4) the ranking minority member of the house of representatives
20 committee on higher education budget or the ranking member's designee,
21 who shall be a member of the house of representatives;

22 (5) one member representing state educational institutions appointed
23 by the state board of regents;

24 (6) one member representing technical colleges appointed by the
25 Kansas technical college association;

26 (7) one member representing community colleges appointed by the
27 Kansas association of community colleges;

28 (8) one member representing independent colleges and universities
29 appointed by the Kansas independent colleges association; and

30 (9) one member of the state board of regents or an employee of the
31 state board of regents designated by the state board.

32 (b) Members shall be appointed to the task force on or before July 1,
33 2024. The chairperson of the house of representatives committee on higher
34 education budget shall call the first meeting of the task force. At the first
35 meeting of the task force, the members shall select a chairperson and vice
36 chairperson from the membership of the task force.

1 (c) Any vacancy in the membership of the task force shall be filled by
2 appointment in the same manner prescribed by this section for the original
3 appointment.

4 (d) The task force may meet at any time and at any place within the
5 state on the call of the chairperson.

6 (e) A quorum of the task force shall be five members. All actions of
7 the task force shall be by motion adopted by a majority of those members
8 present when there is a quorum.

9 (f) (1) If approved by the legislative coordinating council, members
10 of the task force attending meetings authorized by the task force shall be
11 paid amounts for expenses, mileage and subsistence as provided in K.S.A.
12 75-3223(e), and amendments thereto.

13 (2) In accordance with K.S.A. 46-1204, and amendments thereto, the
14 legislative coordinating council may provide for such professional services
15 as may be requested by the task force.

16 (3) The staff of the office of revisor of statutes, the legislative
17 research department and the division of legislative administrative services
18 shall provide such assistance as may be requested by the task force. The
19 state board of regents shall provide consultants and assistance when
20 requested by the task force. The state board of regents shall provide any
21 information or documentation requested by the task force.

22 (g) The task force shall:

23 (1) Study each scholarship and scholarship program that currently
24 exists in the state, including, but not limited to, those scholarships
25 available to Kansas residents who are first generation college students;

26 (2) make recommendations with regard to such scholarships; and

27 (3) report to the senate committee on ways and means and the house
28 of representatives committee on appropriations on any such
29 recommendations on or before January 15, 2025.

30 Sec. 2. K.S.A. 74-3284 is hereby amended to read as follows: 74-
31 3284. (a) *K.S.A. 74-3284 through 74-3289, and amendments thereto, shall
32 be known and may be cited as the Kansas academic excellence
33 scholarship program act.*

34 (b) As used in this act:

35 ~~(a)(1) "Kansas ethnic minority academic excellence scholarship~~
36 ~~program" means a program under which the state, in response to growing~~
37 ~~concerns over loss of talented ethnic minority students to institutions of~~
38 ~~postsecondary education in other states, the need to enhance the diversity~~
39 ~~of the student population at Kansas institutions of postsecondary~~
40 ~~education, and the barriers to ethnic minority student enrollment at Kansas~~
41 ~~institutions of postsecondary education and for the purpose of enabling~~
42 ~~and encouraging talented ethnic minority students to remain in Kansas for~~
43 ~~the attainment of educational goals and fulfillment of career aspirations,~~

1 provides financial assistance through the award of Kansas ~~ethnic minority~~
2 *academic excellence* scholarships to Kansas ~~ethnic minority~~ scholars *who*
3 *have demonstrated academic excellence.*

4 (b)(2) "~~Kansas ethnic minority academic excellence~~ scholarship"
5 means a financial award *made* by this state under this act to a Kansas
6 ~~ethnic minority academically talented~~ scholar.

7 (e)(3) "~~Kansas ethnic minority academically talented~~ scholar" means
8 a person who:

9 (1)(A) Is a resident of Kansas;

10 (2) is a member of an ethnic minority group;

11 (3)(B) has been accepted for admission to or is enrolled full time in
12 an educational program at an eligible institution;

13 (4)(C) has established financial need; and

14 (5)(D) has qualified for the award of a ~~Kansas ethnic minority~~
15 *academic excellence* scholarship on the basis of having demonstrated
16 educational ability, or who has previously so qualified and remains
17 qualified for the renewal of a ~~Kansas ethnic minority academic excellence~~
18 scholarship on the basis of maintaining full-time enrollment in an
19 educational program at an eligible institution, remaining in good standing,
20 and making satisfactory progress toward completion of the requirements
21 for the award of a degree or certificate of completion.

22 (d)(4) "Eligible institution" means ~~an institution of postsecondary~~
23 ~~education which maintains open enrollment, the main campus or principal~~
24 ~~place of operation of which is located in Kansas, and which qualifies as an~~
25 ~~eligible institution under the higher education act of 1965 (P.L. 89-329), as~~
26 ~~amended a state educational institution, as defined in K.S.A. 76-711, and~~
27 ~~amendments thereto, Washburn university or an accredited independent~~
28 ~~institution, as defined in K.S.A. 72-3222, and amendments thereto.~~

29 (e) "~~Ethnic minority group~~" means a group of persons categorized as:
30 (1) American Indian or Alaskan Native; (2) Asian or Pacific Islander; (3)
31 Black, non-Hispanic; or (4) Hispanic.

32 (f) "~~American Indian or Alaskan Native~~" means a person having
33 origins in any of the original peoples of North America and who maintains
34 cultural identification through tribal affiliation or community recognition.

35 (g) "~~Asian or Pacific Islander~~" means a person having origins in any
36 of the original peoples of the far east, southeast Asia, the Indian
37 subcontinent, or pacific islands. This includes, but not by way of
38 limitation, persons from China, Japan, Korea, the Philippine Islands,
39 Samoa, India and Vietnam.

40 (h) "~~Black, non-Hispanic~~" means a person having origins in any of
41 the black racial groups of Africa (except those of Hispanic origin).

42 (i) "~~Hispanic~~" means a person of Mexican, Puerto Rican, Cuban,
43 Central or South American or other Spanish culture or origin, regardless of

1 race:

2 ~~(j)~~(5) "Financial need" means the difference between the available
3 financial resources of a Kansas-~~ethnic minority~~ *academically talented*
4 scholar and the scholar's total anticipated expenses to attend an eligible
5 institution. A scholar's financial resources shall be determined on the basis
6 of criteria provided under the federal methodology of need analysis.
7 ~~Financial need shall be determined annually.~~

8 ~~(k)~~(6) "Semester" means one of two principal terms when there are
9 only two principal terms in the academic year of an eligible institution
10 whether or not there are other shorter terms during the same academic year
11 of the eligible educational institution.

12 ~~(l)~~(7) "Term" means one of two or more substantially equivalent
13 divisions of the academic year of an eligible institution.

14 ~~(m)~~(8) "Program period" means the duration of the period of time, or
15 any division thereof, required for completion of a vocational or technical
16 education program ~~which is given in~~ *at* an eligible institution.

17 ~~(n)~~ "Open enrollment" means the policy of an institution of
18 postsecondary education which provides the opportunity of enrollment for
19 any student who meets its academic and other reasonable enrollment
20 requirements, without regard for race, gender, religion, creed, ethnicity or
21 national origin.

22 Sec. 3. K.S.A. 74-3285 is hereby amended to read as follows: 74-
23 3285. (a) In each academic year, to the extent that appropriations are
24 available for the Kansas-~~ethnic minority~~ *academic excellence* scholarship
25 program and in accordance with the provisions of this act, the state board
26 of regents may select for designation as a Kansas-~~ethnic minority~~
27 *academically talented* scholar and for the award of a Kansas-~~ethnic~~
28 ~~minority~~ *academic excellence* scholarship any person who is qualified for
29 such designation and award ~~and~~. *The state board of regents* shall renew the
30 scholarship of each Kansas-~~ethnic minority~~ *academically talented* scholar
31 who remains qualified for a scholarship.

32 (b) In selecting persons for designation as Kansas-~~ethnic minority~~
33 *academically talented* scholars, the state board of regents shall provide,
34 insofar as possible and on the basis of a formulated procedure, for
35 equitable apportionment of Kansas-~~ethnic minority~~ *academic excellence*
36 scholarships ~~among the ethnic minority groups~~. The procedure formulated
37 by the board of regents shall take into account: ~~(1)~~ the differences among
38 applicants in level of financial need and availability of financial resources
39 so that scholarships are targeted to those applicants having the greatest
40 needs; ~~(2)~~ the proportion that the population of each ethnic minority group
41 bears to the population of all ethnic minority groups in the state; and ~~(3)~~
42 the differences across ethnic minority groups in the proportion of members
43 thereof who complete high school. *Financial need shall be determined*

1 *annually.*

2 (c) An applicant who fails to be awarded a Kansas-~~ethnic minority~~
3 *academic excellence* scholarship shall not be disqualified from applying
4 therefor in a later academic year so long as all requirements for eligibility
5 to apply for such award are met.

6 (d) The award or renewal of a Kansas-~~ethnic minority~~ *academic*
7 *excellence* scholarship shall be on an annual basis and shall be effective for
8 one academic year unless otherwise terminated.

9 Sec. 4. K.S.A. 74-3286 is hereby amended to read as follows: 74-
10 3286. (a) A Kansas-~~ethnic minority~~ *academic excellence* scholarship shall
11 provide for payment to a Kansas-~~ethnic minority~~ *academically talented*
12 scholar of an amount in each academic year not to exceed an amount equal
13 to 75% of the average amount of the total tuition and required fees of full-
14 time, in-state students. A Kansas-~~ethnic minority~~ *academically talented*
15 scholar may receive a Kansas-~~ethnic minority~~ *academic excellence*
16 scholarship for not more than eight semesters of undergraduate study or
17 the equivalent thereof, except that a Kansas-~~ethnic minority~~ *academically*
18 *talented* scholar may receive a Kansas-~~ethnic minority~~ *academic*
19 *excellence* scholarship for not more than an additional two semesters of
20 study or the equivalent thereof when the requirements of the program in
21 which the scholar is enrolled include the completion of a fifth year of
22 study. The state board of regents shall determine the equivalent of a
23 semester when any program period or all or part of the terms for which a
24 Kansas-~~ethnic minority~~ *academically talented* scholar is awarded a Kansas
25 ~~ethnic minority~~ *academic excellence* scholarship are not semesters.

26 (b) A Kansas-~~ethnic minority~~ *academically talented* scholar who is
27 also eligible to receive a Kansas comprehensive grant or a state
28 scholarship may be awarded such grant or scholarship, or both, in addition
29 to a Kansas-~~ethnic minority~~ *academic excellence* scholarship. In no event
30 shall the amount awarded to a Kansas-~~ethnic minority~~ *academically*
31 *talented* scholar under a Kansas-~~ethnic minority~~ *academic excellence*
32 scholarship or the total of any amounts awarded thereunder and under a
33 state scholarship or a Kansas comprehensive grant, or both, exceed an
34 amount equal to the amount of the scholar's financial need for the period.

35 Sec. 5. K.S.A. 74-3287 is hereby amended to read as follows: 74-
36 3287. The state board of regents shall adopt rules and regulations for
37 administration of the provisions of this act and shall:

38 (a) Publicize the Kansas-~~ethnic minority~~ *academic excellence*
39 scholarship program and the manner and method of qualifying for
40 designation as a Kansas-~~ethnic minority~~ *academically talented* scholar and
41 for the award of a Kansas-~~ethnic minority~~ *academic excellence*
42 scholarship;

43 (b) provide application forms;

1 (c) determine residence, as provided by law, of applicants for Kansas
2 ~~ethnic minority academic excellence~~ scholarships;

3 (d) ~~establish a system for identifying and categorizing members of~~
4 ~~ethnic minority groups;~~

5 ~~(e)~~ determine eligibility of applicants for Kansas ~~ethnic minority~~
6 ~~academic excellence~~ scholarships;

7 ~~(f)~~(e) determine the evidence deemed necessary to be submitted as
8 proof of educational ability;

9 ~~(g)~~(f) designate Kansas ~~ethnic minority academically talented~~
10 scholars;

11 ~~(h)~~(g) notify each person who qualifies for designation as a Kansas
12 ~~ethnic minority academically talented~~ scholar and for the award of a
13 Kansas ~~ethnic minority academic excellence~~ scholarship or who remains
14 qualified as a Kansas ~~ethnic minority academically talented~~ scholar for the
15 renewal of a Kansas ~~ethnic minority academic excellence~~ scholarship;

16 ~~(i)~~(h) approve and award or renew Kansas ~~ethnic minority academic~~
17 ~~excellence~~ scholarships;

18 ~~(j)~~(i) determine the equivalent of a semester for the purpose of
19 awarding Kansas ~~ethnic minority academic excellence~~ scholarships for any
20 program period or term that is not a semester;

21 ~~(k)~~(j) define ~~full-time~~ full-time enrollment;

22 ~~(l)~~(k) provide for apportionment of Kansas ~~ethnic minority academic~~
23 ~~excellence~~ scholarships if appropriations therefor are insufficient for
24 payment in full to all Kansas ~~ethnic minority academically talented~~
25 scholars;

26 ~~(m)~~(l) request any eligible institution to furnish any information
27 relating to and necessary for administration of this act;

28 ~~(n)~~(m) determine the average amount of tuition and fees required of
29 full-time, in-state students for enrollment at the state educational
30 institutions; and

31 ~~(o)~~(n) evaluate the Kansas ~~ethnic minority academic excellence~~
32 scholarship program annually, and make a report thereon to the governor
33 and legislature.

34 Sec. 6. K.S.A. 74-3288 is hereby amended to read as follows: 74-
35 3288. In accordance with the rules and regulations of the state board of
36 regents, each ~~person~~ individual who desires to be designated as a Kansas
37 ~~ethnic minority academically talented~~ scholar and to receive a Kansas
38 ~~ethnic minority academic excellence~~ scholarship shall:

39 (a) Complete and file an application for a Kansas ~~ethnic minority~~
40 ~~academic excellence~~ scholarship;

41 (b) submit the evidence required as proof of educational ability; and

42 (c) report promptly any information requested relating to
43 administration of this act.

1 Sec. 7. K.S.A. 74-3289 is hereby amended to read as follows: 74-
2 3289. (a) Kansas-~~ethnic minority~~ *academic excellence* scholarships may be
3 paid annually for two semesters or the equivalent thereof, and may be
4 allocated equally between the semesters or the equivalent of semesters, or
5 otherwise, as determined by the state board of regents. Kansas-~~ethnic~~
6 ~~minority~~ *academic excellence* scholarships shall be paid at a time or times
7 to be determined by the state board of regents upon certification by an
8 eligible institution that a Kansas-~~ethnic minority~~ *academically talented*
9 scholar is enrolled full time in an educational program. Payments of
10 Kansas-~~ethnic minority~~ *academic excellence* scholarships shall be made
11 upon vouchers approved by the administrative officer of the state board of
12 regents designated by the state board and upon warrants of the director of
13 accounts and reports. Payments of Kansas-~~ethnic minority~~ *academic*
14 *excellence* scholarships may be made by the issuance of a single warrant to
15 each eligible institution-~~at which where~~ a Kansas-~~ethnic minority~~
16 *academically talented* scholar is enrolled for the total amount of Kansas
17 ~~ethnic minority~~ *academic excellence* scholarships for all Kansas-~~ethnic~~
18 ~~minority~~ *academically talented* scholars enrolled at that institution. The
19 director of accounts and reports shall cause such warrant to be delivered to
20 the eligible institution-~~at which where~~ such scholar or scholars are
21 enrolled. Upon receipt of such warrant, the eligible institution shall credit
22 immediately the account of each Kansas-~~ethnic minority~~ *academically*
23 *talented* scholar enrolled at that institution by an amount specified by the
24 board of regents for each such scholar.

25 (b) If a Kansas-~~ethnic minority~~ *academically talented* scholar
26 discontinues attendance before the end of any semester or equivalent
27 thereof, after an eligible institution has received payment under this
28 section, the eligible institution shall pay to the state:

29 (1) The entire amount-~~which that~~ such scholar would otherwise
30 qualify to have refunded not to exceed the amount of the payment made
31 under a Kansas-~~ethnic minority~~ *academic excellence* scholarship for the
32 semester or equivalent thereof; or

33 (2) if a Kansas-~~ethnic minority~~ *academically talented* scholar has
34 received payments under any federal program of student assistance in the
35 semester, the state's pro rata share of the entire amount-~~which that~~ such
36 scholar would otherwise qualify to have refunded; not to exceed the
37 amount of the payment made under a Kansas-~~ethnic minority~~ *academic*
38 *excellence* scholarship for the semester or equivalent thereof.

39 (c) All amounts paid to the state by an eligible institution under
40 subsection (b) shall be deposited in the state treasury and credited to the
41 Kansas-~~ethnic minority~~ *academic excellence* scholarship discontinued
42 attendance fund-~~which~~. *The Kansas academic excellence scholarship*
43 *discontinued attendance fund* is hereby created. All expenditures from the

1 Kansas ~~ethnic minority~~ *academic excellence* scholarship discontinued
2 attendance fund shall be for Kansas ~~ethnic minority~~ *academic excellence*
3 scholarships.

4 Sec. 8. K.S.A. 74-3284, 74-3285, 74-3286, 74-3287, 74-3288 and 74-
5 3289 are hereby repealed.

6 Sec. 9. This act shall take effect and be in force from and after its
7 publication in the Kansas register.