

2023 Kansas Statutes

74-32,286. Grant agreement; requirements; failure to satisfy; duties of eligible postsecondary educational institution; postponement; satisfaction of requirements by recipient. (a) As a condition to receiving a grant under this act, an eligible student shall enter into an agreement with the eligible postsecondary educational institution that awarded such grant. Such eligible postsecondary educational institution shall counsel each eligible student on the requirements and conditions of the agreement. Such agreement shall require any student who receives a grant award to:

- (1) Enroll as a full-time or part-time student at the eligible postsecondary educational institution that made the grant award and engage in and complete the adult learner grant eligible program;
- (2) within six months after graduation from the adult learner grant eligible program:
 - (A) Reside and commence work in the state of Kansas for at least two consecutive years following completion of such program. A scholarship recipient may use a W-2 wage and tax statement showing Kansas withholding or estimated income tax to the state of Kansas as proof of work in Kansas; or
 - (B) enroll as a full-time or part-time student in any public or private postsecondary educational institution with its primary location in Kansas and upon graduation or failure to re-enroll, reside in and commence work in Kansas for at least two consecutive years following the completion of such program;
- (3) maintain records and make reports to the state board of regents on such forms and in such manner as required by the state board of regents to document the satisfaction of the requirements of this act; and
- (4) upon failure to satisfy the requirements of an agreement entered into pursuant to this section, repay the amount of the grant award the student received under the program as provided in subsection (b) to the state board of regents.

(b) (1) Except as provided in subsection (c), if any student who receives a grant award fails to satisfy the requirements of the agreement entered into pursuant to this section, such student shall pay an amount equal to the total amount of money received by such student pursuant to such agreement plus accrued interest at a rate equivalent to the interest rate applicable to loans made under the federal PLUS program at the time such student's first course funded by a grant award began. Interest shall begin accruing on the date the student is determined to be out of compliance with the agreement. Monthly installment payments of such amounts may be made in accordance with rules and regulations of the state board of regents. Such installment payments shall begin six months after the date of the action or circumstances that cause such student to fail to satisfy the requirements of the agreement, as determined by the state board of regents upon the circumstances of each individual case. All moneys received pursuant to this subsection shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas adult learner grant program fund.

- (2) The state board of regents shall be the sole entity responsible for collecting or recouping any grant moneys required to be repaid by a student who fails to satisfy the requirements of an agreement entered into pursuant to this section.
- (3) The state board of regents is authorized to turn any repayment account arising under this act to a designated loan servicer or collection agency to collect on the state board's behalf. The state's involvement shall only be to receive payments from the loan servicer or collection agency at the interest rate prescribed under this subsection.
- (4) Eligible postsecondary educational institutions and each state agency are authorized to provide academic, employment, residency and contact information regarding students who received a grant award to the state board of regents for the purposes of:
 - (A) Determining whether or not a student satisfied the requirements of this act and the agreement entered into pursuant to this section; and
 - (B) aiding in the collection or recouping of any funds required to be repaid

pursuant to this section.

(5) Eligible postsecondary educational institutions shall:

(A) Provide annually to the state board of regents the last known contact information of each student who received a grant award until the requirements of the program and the agreement are complete; and

(B) notify the state board of regents when a student who received a grant award completes the program of study for which the student received the grant or has exhausted the benefits available under this act.

(6) Eligible postsecondary educational institutions shall not be considered a contractor of the state nor shall such institutions be required to participate in tracking, collecting or recouping any moneys required to be repaid by a student who fails to satisfy the requirements of an agreement entered into pursuant to this section.

(c) Any requirement of an agreement entered into pursuant to this section may be postponed for good cause in accordance with rules and regulations of the state board of regents.

(d) A scholarship recipient satisfies the requirements of the adult learner grant program if such recipient:

(1) Completes the requirements of the agreement entered into pursuant to this section;

(2) commences service as a military servicemember after receiving a grant award;

(3) fails to satisfy the requirements after making the best possible effort to do so as determined by the state board of regents;

(4) is unable to obtain employment or continue in employment after making the best possible effort to do so; or

(5) is unable to satisfy the requirements due to disability or death of the grant recipient.

History: L. 2023, ch. 64, § 6; May 4.