

As Amended by House Committee

Session of 2012

HOUSE BILL No. 2435

By Legislative Educational Planning Committee

1-11

1 AN ACT concerning postsecondary technical education; relating to career  
2 technical education programs and workforce grants; amending K.S.A.  
3 72-4460, 72-4461, 72-4462, 72-4463, 72-4464 and 72-4465 and  
4 repealing the existing sections.

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

7 Section 1. K.S.A. 72-4460 is hereby amended to read as follows: 72-  
8 4460. As used in this act:

9 (a) *"Board of regents" means the state board of regents provided for*  
10 *in the constitution of this state.*

11 ~~(a) "Vocational education scholarship"~~(b) *"Career technical*  
12 *workforce grant" means the award of a financial grant-in-aid by this state*  
13 *under this act to a vocational education scholaran eligible student.*

14 ~~(b) "Vocational education scholar" means a person who: (1) Is a~~  
15 ~~resident of Kansas; (2) has been graduated from a high school accredited~~  
16 ~~by the state board of education or has received general educational~~  
17 ~~development credentials issued by the board of regents; (3) is enrolled in~~  
18 ~~or has been accepted for admission to a vocational education program~~  
19 ~~operated by a designated educational institution; and (4) has qualified on~~  
20 ~~the basis of a competitive examination of ability and aptitude for the award~~  
21 ~~of a vocational education scholarship or has previously so qualified and~~  
22 ~~remains qualified on the basis of satisfactory performance for the renewal~~  
23 ~~of the award of a vocational education scholarship.~~

24 ~~(c) "Vocational education program" means a vocational education~~  
25 ~~program operated at the postsecondary level by a designated educational~~  
26 ~~institution.~~

27 (c) *"Designated career technical education program" means an*  
28 *educational institution that has been identified by the Kansas board of*  
29 *regents, working in conjunction with the Kansas department of commerce,*  
30 *as delivering programs that are high cost, high demand or in a critical*  
31 *industry field.*

32 (d) ~~"Designated educational institution" means an educational~~  
33 ~~institution which qualifies as an eligible institution for the federal~~  
34 ~~guaranteed loan program under the higher education act of 1965 (P.L. 89-~~  
35 ~~329), as amended, that: (1) has been identified by the Kansas board of~~  
36 ~~regents, working in conjunction with the Kansas department of commerce,~~

1 *as delivering programs that are high cost, high demand or in a critical*  
 2 *industry field; (2) is eligible to receive federal title IV funding; and (3) has*  
 3 *its ~~and the~~ main campus or principal place of operation of which is located*  
 4 *in Kansas.*

5 *(e) "Eligible career technical education program" means a*  
 6 *designated career technical education program operated at the*  
 7 *postsecondary level by a designated educational institution.*

8 *(f) "Eligible student" means a person who: (1) Is a resident of*  
 9 *Kansas; (2) has graduated from a high school accredited by the state*  
 10 *board of education or has received general educational development*  
 11 *credentials issued by the board of regents, or has graduated from a home*  
 12 *school program or a nonaccredited private secondary school, as defined*  
 13 *and authorized pursuant to K.S.A. 72-53,100 et seq.; and (3) is enrolled in*  
 14 *or has been accepted for admission to an eligible career technical*  
 15 *education program operated by a designated Kansas educational*  
 16 *institution.*

17 ~~(e)~~(g) "Program term" means  $\frac{1}{2}$  the duration of the period of time  
 18 required for completion of a ~~vocational~~ career technical education program  
 19 when such period of time encompasses more than one school year.

20 *(h) "Satisfactory performance" means retaining admission in and*  
 21 *meeting the standards established by the Kansas educational institution*  
 22 *being attended by the eligible student.*

23 ~~(f)~~(i) "School year" means the period of time beginning on July 1 in  
 24 each calendar year and ending on June 30 in the succeeding calendar year.

25 ~~(g)~~ "Board of regents" means the state board of regents provided for  
 26 in the constitution of this state.

27 *(j) "State board of education" means the state board of education*  
 28 *provided for in the constitution of this state.*

29 Sec. 2. K.S.A. 72-4461 is hereby amended to read as follows: 72-  
 30 4461. ~~(a)~~ Within the limits of appropriations therefor and in accordance  
 31 with the provisions of this act:

32 ~~(+)~~ **(a)** The board of regents may: ~~(A)~~ **(1)** Award a ~~vocational~~  
 33 ~~education scholarship to every person who is~~ career technical workforce  
 34 ~~grant to persons~~ enrolled in or accepted for admission to a ~~vocational~~  
 35 ~~education~~ an eligible career technical education program at a designated  
 36 educational institution and who qualifies on the basis of the results of a  
 37 competitive examination of vocational education ability and aptitude for  
 38 designation as a vocational education scholar and for the award of a  
 39 ~~vocational education scholarship; and (B)~~ **(2)** renew the award of a  
 40 ~~vocational education scholarship~~ career technical workforce grants to  
 41 every person who is currently designated as a vocational education  
 42 ~~scholar~~ receiving a career technical workforce grant and who qualifies on  
 43 the basis of satisfactory performance in a vocational education program at

1 a designated educational institution for the renewal of the award of a  
2 vocational education scholarship; **and**

3 ~~(2) (b) in each school year, the board of regents may designate as~~  
4 ~~vocational education scholars and award vocational education~~  
5 ~~scholarships~~ *award career technical workforce grants* to those applicants  
6 who exhibit ~~the greatest ability and aptitude for vocational education~~  
7 *financial need as determined on the basis of criteria under the federal*  
8 *methodology of need analysis, with preference given to those who exhibit*  
9 *the greatest financial need.* An applicant who ~~fails to be designated as a~~  
10 ~~vocational education scholar and to be awarded a vocational education~~  
11 ~~scholarship~~ *is found to be ineligible for a career technical workforce grant*  
12 shall not be disqualified from applying therefor in a later school year so  
13 long as all requirements for eligibility to apply for such designation and  
14 award ~~are met~~ *subsequently applying in later school years*;

15 ~~(3) in each school year, the board of regents may renew the award of~~  
16 ~~vocational education scholarships to all vocational education scholars who~~  
17 ~~remain eligible and qualified.~~

18 ~~(b) A vocational education scholar who is eligible for the award of a~~  
19 ~~state scholarship under the provisions of article 68 of chapter 72 of Kansas~~  
20 ~~Statutes Annotated may be awarded such state scholarship in addition to a~~  
21 ~~vocational education scholarship. The amount received by a vocational~~  
22 ~~education scholar under a vocational education scholarship shall not be~~  
23 ~~considered in determining financial need under the state scholarship~~  
24 ~~program.~~

25 Sec. 3. K.S.A. 72-4462 is hereby amended to read as follows: 72-  
26 4462. (a) Subject to the other provisions of this section, a ~~vocational~~  
27 ~~education scholarship~~ *a career technical workforce grant* shall provide,  
28 upon certification by a designated educational institution that the  
29 ~~vocational education scholar is enrolled full time in a vocational~~  
30 ~~education~~ *eligible student is enrolled in an eligible career technical*  
31 *education* program, for payment to the ~~vocational education scholar~~  
32 *eligible student* of an amount not to exceed:

33 (1) ~~Five hundred~~ *One thousand* dollars when the period of time  
34 required for completion of the ~~vocational~~ *career technical* education  
35 program in which the ~~vocational education scholar~~ *eligible student* is  
36 enrolled is not more than one school year in duration; or

37 (2) ~~five hundred one thousand~~ dollars for each program term, not to  
38 exceed two program terms, when the duration of the period of time  
39 required for completion of the ~~vocational~~ *career technical* education  
40 program in which the ~~vocational education scholar~~ *eligible student* is  
41 enrolled encompasses more than one school year.

42 (b) In no event shall the amount awarded to a ~~vocational education~~  
43 ~~scholar under a vocational education scholarship~~ *an eligible student under*

1 *a career technical workforce grant* or the total of any amounts awarded  
2 thereunder ~~and under a state scholarship~~ exceed an amount equal to the  
3 amount of the total tuition and required fees for the ~~vocational career~~  
4 *technical* education program in which the ~~vocational education scholar~~  
5 *eligible student* is enrolled.

6 (c) *Eligible students who are enrolled as part-time students in a*  
7 *career technical education program at a designated educational*  
8 *institution may qualify for a career technical workforce grant, but shall*  
9 *receive a proportionate amount of the grant based upon the number of*  
10 *credit hours they are enrolled in per academic period, when compared and*  
11 *computed as a fraction of the total number of credit hours required for*  
12 *full-time enrollment.*

13 Sec. 4. K.S.A. 72-4463 is hereby amended to read as follows: 72-  
14 4463. (a) The board of regents ~~shall~~ *may* adopt rules and regulations for  
15 administration of the provisions of this act and shall:

16 (1) Publicize procedures for application for ~~vocational education~~  
17 ~~scholarships~~ *career technical workforce grants*;

18 (2) provide application forms;

19 (3) ~~determine residence, as provided by law, of applicants for~~  
20 ~~vocational education scholarships~~ *establish and prescribe the information*  
21 *and documentation that must be provided by each applicant in order to*  
22 *establish financial need*;

23 (4) ~~prescribe examinations of ability and aptitude for vocational~~  
24 ~~education and provide for administration of such examinations to~~  
25 ~~determine qualifications of applicants for vocational education~~  
26 ~~scholarships~~;

27 (5)(4) notify each person who qualifies for ~~designation as a~~  
28 ~~vocational education scholar and for the award of a vocational education~~  
29 ~~scholarship~~ *career technical workforce grant* and each ~~vocational~~  
30 ~~education scholar eligible student~~ who remains eligible and qualified for  
31 the renewal of the award of a ~~vocational education scholarship~~ *career*  
32 *technical workforce grant*;

33 (6) ~~designate vocational education scholars~~;

34 (7)(5) approve and award or renew the award of ~~vocational education~~  
35 ~~scholarships~~ *career technical workforce grants*;

36 (8)(6) determine full-time *or part-time* enrollment in a ~~vocational~~  
37 ~~career technical~~ education program;

38 (9)(7) provide for apportionment of ~~vocational education scholarships~~  
39 ~~career technical workforce grants~~ if appropriations therefor are  
40 insufficient for payment in full to all ~~vocational education scholars~~ *eligible*  
41 *students*;

42 (10)(8) evaluate the ~~vocational education scholarship~~ *career*  
43 *technical workforce grant* program for each school year and make a report

1 thereon to the governor and the legislature;

2 (H)(9) request any designated educational institution to furnish any  
3 information relating to and necessary for administration of this act.

4 (b) ~~In order to comply with the requirements of subsection (a)(4), the~~  
5 ~~board of regents shall prescribe an examination designed to measure the~~  
6 ~~basic ability and aptitude for vocational education of applicants for~~  
7 ~~designation as vocational education scholars and for the award of~~  
8 ~~vocational education scholarships and shall provide for administration and~~  
9 ~~validation of the examination. The examination shall be administered to~~  
10 ~~applicants at least two times each school year, commencing with the 1986-~~  
11 ~~87 school year, at various locations within the state. The board of regents~~  
12 ~~may establish and provide for the charging to and collection from~~  
13 ~~applicants for a vocational education scholarship of a fee to offset, in part~~  
14 ~~or in total, the expense of administration of the examination. The board of~~  
15 ~~regents shall remit all moneys received by or for it from fees collected~~  
16 ~~under this subsection to the state treasurer in accordance with the~~  
17 ~~provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of~~  
18 ~~each such remittance, the state treasurer shall deposit the entire amount in~~  
19 ~~the state treasury to the credit of the vocational education scholarship~~  
20 ~~examination fees fund, and shall be used only for the payment of expenses~~  
21 ~~connected with the administration of such examinations. All expenditures~~  
22 ~~from the vocational education scholarship examination fees fund shall be~~  
23 ~~made in accordance with appropriation acts upon warrants of the director~~  
24 ~~of accounts and reports issued pursuant to vouchers approved by the board~~  
25 ~~of regents or by a person or persons designated by it.~~

26 *(b) Upon the effective date of this act, the director of accounts and*  
27 *reports is directed to transfer all moneys in the vocational education*  
28 *scholarship examination fees fund to the career technical workforce grant*  
29 *discontinued attendance fund established in K.S.A. 72-4464, and*  
30 *amendments thereto. Upon the effective date of this act, all liabilities of*  
31 *the vocational education scholarship examination fees fund existing prior*  
32 *to such effective date are hereby imposed on the career technical*  
33 *workforce grant discontinued attendance fund established in K.S.A. 72-*  
34 *4464, and amendments thereto. The vocational education scholarship*  
35 *examination fees fund is hereby abolished.*

36 Sec. 5. K.S.A. 72-4464 is hereby amended to read as follows: 72-  
37 4464. (a) ~~Payments to vocational education scholars of vocational~~  
38 ~~education scholarships~~ *an eligible student of a career technical workforce*  
39 *grant shall be made at times specified by the board of regents upon*  
40 *vouchers approved by its designated administrative officer and upon*  
41 *warrants of the director of accounts and reports. Payments of vocational*  
42 ~~education scholarships~~ *a career technical workforce grant may be made by*  
43 *the issuance of a single warrant to each designated educational institution*

1 at which a ~~vocational education scholar~~ *an eligible student* is enrolled for  
2 the total amount of ~~vocational education scholarships~~ *career technical*  
3 *workforce grants* for all ~~vocational education scholars~~ *eligible students*  
4 enrolled at that institution. The director of accounts and reports shall cause  
5 such warrant to be delivered to the designated educational institution at  
6 which the ~~vocational education scholar or scholars~~ *eligible student* is  
7 enrolled. Upon receipt of such warrant, the designated educational  
8 institution shall credit immediately the account of each ~~vocational~~  
9 ~~education scholar~~ *eligible student* enrolled at that institution by an amount  
10 specified by the board of regents for each such ~~scholar~~ *eligible student*.

11 (b) If a ~~vocational education scholar~~ *an eligible student* discontinues  
12 attendance before the end of a ~~vocational~~ *an eligible career technical*  
13 education program or program term, after the designated educational  
14 institution has received payment under this section, the designated  
15 educational institution shall pay to the state: (1) The entire amount which  
16 the ~~vocational education scholar~~ *eligible student* would otherwise qualify to  
17 have refunded not to exceed the amount of the payment made under the  
18 ~~vocational education scholarship~~ *career technical workforce grant*; or (2)  
19 if the ~~vocational education scholar~~ *eligible student* has received payments  
20 under any federal program of student assistance, the state's pro rata share  
21 of the entire amount which the ~~vocational education scholar~~ *eligible*  
22 *student* would otherwise qualify to have refunded, not to exceed the  
23 amount of the payment made under the ~~vocational education scholarship~~  
24 *career technical workforce grant*.

25 (c) All amounts paid to the state by a designated educational  
26 institution under subsection (b) shall be deposited in the state treasury and  
27 credited to the ~~vocational education scholarship~~ *career technical*  
28 *workforce grant* discontinued attendance fund which is hereby established.  
29 All expenditures from the ~~vocational education scholarship~~ *career*  
30 *technical workforce grant* discontinued attendance fund shall be for  
31 ~~vocational education scholarships~~ *career technical workforce grants*. *On*  
32 *the effective date of this act, the vocational education scholarship*  
33 *discontinued attendance fund is hereby redesignated as the career*  
34 *technical workforce grant discontinued attendance fund*.

35 Sec. 6. K.S.A. 72-4465 is hereby amended to read as follows: 72-  
36 4465. Each applicant for a ~~vocational education scholarship~~ *career*  
37 *technical workforce grant*, in accordance with rules and regulations of the  
38 board of regents, shall:

39 (a) Complete and file an application for the award or renewal of a  
40 ~~vocational education scholarship~~ *career technical workforce grant*.

41 (b) ~~Be responsible for the payment of any fee required by the board~~  
42 ~~of regents for administration of the examination on the basis of which~~  
43 ~~qualification for the award of a vocational education scholarship is~~

1 ~~determined.~~

2     ~~(e)(b)~~ Report promptly to the board of regents any information  
3 requested relating to the administration of this act.

4     Sec. 7. K.S.A. 72-4460, 72-4461, 72-4462, 72-4463, 72-4464 and 72-  
5 4465 are hereby repealed.

6     Sec. 8. This act shall take effect and be in force from and after its  
7 publication in the statute book.