SENATE BILL No. 13

By Legislative Educational Planning Committee
1-13


Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2010 Supp. 71-201 is hereby amended to read as follows: 71-201. (a) The board of trustees, in accordance with the provisions of law and the rules and regulations of the state board of regents, shall have custody of and be responsible for the property of the community college and shall be responsible for the operation, management and control of the college. The board of trustees shall hold at least one regular meeting each month at a time prescribed by the board. The board shall make an annual report in the manner prescribed by the state board of regents. Members of the board of trustees shall be paid subsistence allowances, mileage and other actual and necessary expenses incurred in the performance of their official duties.

(b) For effectuation of the purposes of this act, the board of trustees in addition to such other powers expressly granted to it by law and subject to the rules and regulations of the state board of regents is hereby granted the following powers:

(1) To select its own chairperson and such other officers as it may deem desirable, from among its own membership. The secretary may be chief administrative officer of the college.

(2) To sue and be sued.

(3) To determine the educational program of the college subject to prior approval thereof as provided in this act and to grant certificates of completion of courses or curriculum.

(4) To appoint and fix the compensation and term of office of a president or chief administrative officer of the college.
(5) To appoint upon nomination of the president or the chief administrative officer members of the administrative and teaching staffs, to fix and determine within state adopted standards their specifications, define their duties; and to fix their compensation and terms of employment. No community college teacher shall be required to meet licensure requirements greater than those required in the state educational institutions.

(6) Upon recommendation of the chief administrative officer, to appoint or employ such other officers of the college, agents and employees as may be required to carry out the provisions of law and to fix and determine within state adopted standards their qualifications, duties, compensation, terms of office or employment and all other items and conditions of employment.

(7) To enter into contracts.

(8) To accept from any government or governmental agency, or from any other public or private body, or from any other source, grants or contributions of money or property which the board may use for or in aid of any of its purposes.

(9) To acquire by gift, purchase, lease-purchase, condemnation or otherwise, and to own, lease, use and operate property, whether real, personal, or mixed, or any interest therein, which is necessary or desirable for community college purposes. Any lease-purchase agreement entered into under authority of this subsection shall be subject to the conditions set forth in K.S.A. 10-1116c, and amendments thereto. The term of any lease entered into under authority of this subsection may be for not to exceed 10 years. Such lease may provide for annual or other payment of rent or rental fees and may obligate the community college to payment of maintenance or other expenses. Any lease or lease-purchase agreement entered into under authority of this subsection shall be subject to change or termination at any time by the legislature. Any assignment of rights in any lease or lease-purchase made under this subsection shall contain a citation of this section and a recitation that the lease or lease-purchase agreement and assignment thereof are subject to change or termination by the legislature. To the extent that the provisions of the cash-basis and budget laws conflict with this subsection in such a manner as to prevent the intention of this subsection from being made effective, the provisions of this subsection shall control. This provision is subject to the provisions of subsection (d).

(10) To enter into lease agreements as lessor of any property, whether real, personal, or mixed, which is owned or controlled by the community college. Any such agreement may specify the purposes for which the property may be used, require that the property be maintained and operated by the lessee, and may contain such restrictions or
limitations on the use of the property, be entered into for such period of
time, and include such other terms and conditions as the board of trustees
determines to be necessary and proper. Every such agreement shall be
subject to change or termination at any time by the legislature. Any
assignment of rights under any such agreement shall be subject to
approval by the board of trustees and shall contain a citation of this
section and a recitation that the lease agreement and assignment of rights
thereunder are subject to change or termination by the legislature.

(11) To determine that any property owned by the college is no
longer necessary for college purposes and to dispose of the same in such
manner and upon such terms and conditions as provided by law.

(12) To exercise the right of eminent domain, pursuant to chapter 26
of Kansas Statutes Annotated.

(13) To make and promulgate such rules and regulations, not
inconsistent with the provisions of law or with rules and regulations of
the state board of regents, that are necessary and proper for the
administration and operation of the community college, and for the
conduct of the business of the board of trustees.

(14) To exercise all other powers not inconsistent with the
provisions of law or with the rules and regulations of the state board of
regents which may be reasonably necessary or incidental to the
establishment, maintenance and operation of a community college.

(15) To appoint a member to fill any vacancy on the board of
trustees for the balance of the unexpired term. When a vacancy occurs,
the board shall publish a notice one time in a newspaper having general
circulation in the community college district stating that the vacancy has
occurred and that it will be filled by appointment by the board not sooner
than 15 days after such publication.

(16) To contract with one or more agencies, either public or private,
whether located within or outside the community college district or
whether located within or outside the state of Kansas for the conduct by
any such agencies of academic or vocational education for students of the
community college, and to provide for the payment to any such agencies
for their contracted educational services from any funds or moneys of the
community college, including funds or moneys received from student
tuition and fees, funds received from the state of Kansas or the United
States for academic or vocational education, or taxes collected under
K.S.A. 71-204, and amendments thereto. Any contract made under this
subsection with an institution of another state shall be subject to the
provisions of K.S.A. 71-202, and amendments thereto.

(17) To authorize by resolution the establishment of a petty cash
fund in an amount not to exceed $1,000, and to designate in such
resolution an employee to maintain such petty cash fund. The employee
designated in any resolution provided for in this subsection receiving such funds shall keep a record of all receipts and expenditures from the fund, and shall from time to time, and at the end of the fiscal year, prepare a statement for the board showing all receipts, expenditures, and the balance in the petty cash fund. The board of trustees may authorize the employee designated to maintain any petty cash fund to make a claim for replenishment of the fund to its original amount in advance of approval by the board of trustees if, at any time during the period between regular monthly meetings of the board of trustees, the balance remaining in the fund is insufficient to make needed expenditures for any purpose for which the petty cash fund is maintained. No petty cash fund may be replenished more than one time during each period between regular monthly meetings of the board of trustees. If a petty cash fund is replenished prior to the end of the fiscal year in accordance with the foregoing authorization, the employee authorized to maintain the petty cash fund shall keep an accurate record of all expenditures made therefrom, and the purpose therefor, and shall submit the record to the board of trustees at the next regular monthly meeting thereof. The petty cash fund shall be replenished by payment from the appropriate funds of the community college to the petty cash fund upon proper claim. The fund shall be kept separate from all other funds and shall be used only for authorized expenditures and itemized receipts shall be taken for each expenditure. No part of such fund may be loaned or advanced against the salary of an employee. All employees entrusted with such funds under this subsection shall be bonded by the community college district.

(c) Subject to the provisions of subsection (d), the board of trustees may purchase or otherwise acquire land or land and improvements and may acquire, construct, reconstruct, repair or remodel improvements thereon or additions thereto, including furnishings, equipment, and architectural and incidental expense related thereto, and for such purposes the board of trustees is authorized to issue and sell general obligation bonds, the cumulative total not to exceed the following amounts: Where the community college district has a taxable tangible valuation of less than $90,000,000 or is located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, not to exceed 5% of the taxable tangible property of the community college district, and where the community college district has a taxable tangible valuation of more than $90,000,000 not to exceed 3% except as provided above for any community college district located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, of the taxable tangible property of the community college district. If any increase in the valuation of a community college district results in an outstanding bonded indebtedness in excess of that provided in this
subsection, such increase shall not constitute a violation of this
subsection. No such bonds shall be issued until the question of their
issuance shall have been submitted to a vote of the electors of the
community college district at a regular election or at a special election
called for that purpose and the majority of the electors voting on the
proposition in such community college district shall have voted in favor
of the issuance of the bonds. Such election shall be called, noticed and
held and the bonds issued, sold, delivered and retired in accordance with
the provisions of the general bond law except as herein otherwise
expressly provided.

(d) The board of trustees of a community college may purchase or
otherwise acquire land or land and improvements within: (1) The
community college district; or (2) the service area of the community
college. Nothing in this subsection shall be construed or operate in any
manner to require a board of trustees to sell, convey or otherwise dispose
of land or land and improvements located outside the community college
district or the service area of the community college and owned or being
acquired by the community college on the effective date of this act.

For the purposes of this subsection, "service area" means a designated
geographic area of the state established pursuant to agreement of the
presidents of the community colleges and adopted in policy by the state
board of regents.

Sec. 2. K.S.A. 71-601 is hereby amended to read as follows: 71-601.
(a) "Credit hour" means the basic unit of collegiate level instruction, as
determined by the state board, in a subject or course offered at a level not
higher than those subjects or courses normally offered to freshmen and
sophomores in four-year institutions of postsecondary education which
subject or course is approved by the state board. Credit hour does not
include within its meaning instruction in a subject or course taken by a
student enrolled for audit or in any subject or course not approved by the
state board. The state board shall determine whether the subjects and
courses offered in the community colleges are at the level of freshmen
and sophomore subjects and courses offered in the state educational
institutions and shall not approve any subject or course offered at a higher
level.

(b) "Full-time equivalent enrollment" or "FTE enrollment" means
the quotient obtained by dividing by 30 the total credit hour enrollment in
a fiscal year of students of a community college who are residents of the
state of Kansas, or are considered residents of the state of Kansas
pursuant to the provisions of K.S.A. 71-407, and amendments thereto.

(c) "State operating grant" means the community college operating
grant provided for under subsection (a) of K.S.A. 71-620, and
amendments thereto, and if entitlement eligibility is determined, the
quality performance grant provided for under subsection (b) of K.S.A. 71-620, and amendments thereto.

Sec. 3. K.S.A. 71-604 is hereby amended to read as follows: 71-604.
(a) If the amount of any appropriation for state entitlement aid is insufficient to pay in full the amount each community college is entitled otherwise eligible to receive, the amount appropriated shall be prorated among all community colleges in proportion to the amount each is entitled eligible to receive.

(b) If any community college is paid more than the amount it is entitled eligible to receive, the state board shall notify the community college of the amount of the overpayment and the community college shall remit the same to the state board and the state board shall deposit the same in the state treasury to the credit of the general fund, and if any such community college fails so to remit, the state board shall deduct the excess amount so paid from future payments becoming due to such community college.

(c) If any community college is paid less than the amount it is entitled eligible to receive, the state board shall pay the additional amount due at any time within the fiscal year in which the underpayment was made or within 60 days after the end of such fiscal year.

Sec. 4. K.S.A. 71-609 is hereby amended to read as follows: 71-609.
(a) No amount of a state entitlement funding shall be based upon enrollment in any subject or course the principal part of which is taught at a location outside the county of the main campus of the community college, unless the location of such subject or course is specifically authorized by the state board of regents.

(b) (1) No amount of a state entitlement funding shall be based upon enrollment in any subject or course which is taught in a county in which the main campus of a state educational institution is located, unless the teaching of such subject or course is specifically authorized by the chief executive officer of the state educational institution or by a designee of the chief executive officer. The chief executive officer of each state educational institution may designate and authorize a person or committee to act on behalf of the chief executive officer in granting the authorizations required by this subsection.

(2) For the purposes of this subsection, the term "main campus of a state educational institution" as applied to Kansas state university of agriculture and applied science means and includes the campus of the university located in Riley county and the campus of the university's college of technology located in Saline county.

Sec. 5. K.S.A. 71-609a is hereby amended to read as follows: 71-609a. No amount of the state entitlement operating grant of a community college shall be based upon any course or program if such course or
program is taught in an area vocational school, an area vocational-technical school, or a technical college under an agreement with such community college and for which payments of state or federal moneys are made to the area vocational school, the area vocational-technical school, or the technical college under the provisions of article 44 of chapter 72 of Kansas Statutes Annotated. credit hour for which the community college is receiving or is eligible to receive postsecondary tiered technical education state aid.

Sec. 6. K.S.A. 71-613 is hereby amended to read as follows: 71-613. (a) The vocational education fund of a community college, established by K.S.A. 72-4424, and amendments thereto, which statutory section shall expire on June 30, 2000, is hereby continued in existence in each community college, and shall be known as the career technical education fund. All moneys received by a community college for establishing, conducting, maintaining and administering any vocational education career technical program authorized under article 44 of chapter 72 of Kansas Statutes Annotated approved by the state board of regents shall be deposited in the vocational career technical education fund, unless required to be deposited in the general fund. The expenses of a community college attributable to vocational career technical education shall be paid from the vocational career technical education fund.

(b) Community colleges shall maintain fund accounting procedures as may be necessary to assure proper accounting for federal funds for vocational career technical education special projects, whether received directly from the federal government or any of its agencies, or received through the state or any of its agencies.

Sec. 7. K.S.A. 71-614 is hereby amended to read as follows: 71-614. Any lawful transfer of money from the general fund of a community college to the vocational career technical education fund, adult education fund, adult supplementary education fund or motorcycle driver safety fund shall be an operating expense in the year the transfer is made. The board of trustees of any community college may transfer moneys from its general fund to its vocational career technical education fund, adult education fund, adult supplementary education fund or motorcycle driver safety fund. Expenditures for vocational career technical education, adult basic education, adult supplementary education and motorcycle driver safety shall not be made from the general fund of a community college.

Sec. 8. K.S.A. 71-620 is hereby amended to read as follows: 71-620. (a) In each fiscal year, commencing with the 2001 fiscal year, each community college is entitled eligible to receive an operating grant from the state general fund in an amount to be determined by the state board. The state board shall:

(1) Determine the average amount of moneys from the state general
fund expended per FTE lower division undergraduate student in the
preceding fiscal year at the regional state educational institutions;

(2) (A) in the 2001 fiscal year, compute 50% of the amount
determined under (1); (B) in the 2002 fiscal year, compute 55% of the
amount determined under (1); (C) in the 2003 fiscal year, compute 60%
of the amount determined under (1); (D) in the 2004 fiscal year and in
each fiscal year thereafter, compute 65% of the amount determined under
(1);

(3) determine the total number of FTE students of all the community
colleges;

(4) multiply the amount computed under (2) by the total number of
FTE students determined under (3). Subject to the provisions of
subsection (e) of K.S.A. 74-3202d, and amendments thereto, the product
is the total amount of operating grants the community colleges are
entitled to receive for the fiscal year.

(5) Each community college which is not an officially designated
area vocational school shall receive an amount equivalent to the
difference between credit hour state aid received in the 1999 fiscal year
for credit hours in any subject or course approved as a vocational
education subject or course and 1 1/6 times the amount of credit hour
state aid received in the 1999 fiscal year for credit hours in any subject or
course approved as a vocational education subject or course. The amount
determined under this provision shall be distributed in equal installments
in the 2001 through 2004 fiscal years as a part of the community college's
operating grant, but shall not be subject to the provisions of K.S.A. 71–
204, and amendments thereto.

(6) In each fiscal year, the state board, for the purpose of allocating
the amount determined under (4) to the community colleges, shall deduct
the total of the amounts determined under (5) from the amount
determined under (4).

(7) In the 2001 fiscal year, the remaining balance determined under
(6) shall be allocated to each community college according to the ratio the
total amount of state aid received by the community college in the 2000
fiscal year bears to the total amount of state aid received by all
community colleges in the 2000 fiscal year, subject to adjustments for
changes in each community college's FTE enrollment from the 2000
fiscal year to the 2001 fiscal year.

(8) In the 2002 fiscal year and in each fiscal year thereafter, the
remaining balance amount determined under (6) (4) shall be allocated to
each community college according to the ratio the amount of the
operating grant received by the community college in the prior fiscal year
bears to the total amount of operating grants received by all community
colleges in the prior fiscal year, subject to adjustments for changes in
each community college's FTE enrollment from the prior fiscal year to
the current fiscal year.

(b) In each fiscal year, commencing with the 2003 fiscal year, each
community college is eligible to receive a quality performance grant from
the state general fund. If the state board determines that the community
college has demonstrated effectiveness in complying with its role and
mission statement and has met or exceeded the core indicators of quality
performance for community colleges identified and approved by the state
board, the community college shall receive a quality performance grant in
an amount which shall be determined by the state board by computing
2% of the amount of the operating grant the community college received
in the preceding fiscal year. The computed amount is the amount of the
quality performance grant the community college shall receive for the
fiscal year.

(c) For the purposes of this section, the FTE enrollment of the
community college shall be based on: (1) Enrollment of students who are
residents of the state of Kansas, or are considered residents of the state of
Kansas pursuant to the provisions of K.S.A. 71-407, and amendments
thereto; and (2) the greater of FTE enrollment of the community college
in the current fiscal year or FTE enrollment in the preceding fiscal year.

(d) As used in this section, the term "regional state educational
institutions" means Emporia state university, Fort Hays state university
and Pittsburg state university and the term "lower division undergraduate
student" means a freshman or sophomore.

Sec. 9. K.S.A. 71-701 is hereby amended to read as follows: 71-701.
As used in this act:

(a) "Board of trustees" means the governing body of a community
college.

(b) "Campus" means the location of all or part of the buildings and
facilities of a community college.

(c) "Chief administrative officer" means the president or one so
appointed by the board of trustees.

(d) "Community college" means a public community college
established under the provisions of this act. The official name of a
community college shall be "the _____ community college" and the
blank shall be filled with the name of the city or county.

(e) "State board" means the state board of regents.

(f) "Community college district" means the taxing district of a
community college.

(g) "Board of trustees" means the governing body of a community
college.

(h) "State plan" means the plan adopted for community colleges as
provided by law, and such plan as it is from time to time amended by the
state board upon recommendation of the advisory council; such plan may include other matters listed in the community college act and acts amendatory thereof, or supplemental thereto.

(f) "Campus" means the location of all or part of the buildings and facilities of a community college.

(g) "Advisory council" means the advisory council provided for by K.S.A. 71-901, and amendments thereto.

(f) "State board" means the state board of regents.

(g) "Student tuition" means the charge made to and paid by students for the privilege of attending a community college and participating in the institutional program.

(i) "Chief administrative officer" means the president or one so appointed by the board of trustees.

Sec. 10. K.S.A. 71-802 is hereby amended to read as follows: 71-802. At any time, if the state board of regents finds that a community college previously approved or deemed approved has failed to comply with the provisions of this act or with any provision of a rule or regulation adopted pursuant to this act, or fails to meet the standards contained in this act, the state board of regents shall so advise the board of trustees. If after 12 calendar months after any such notification such board of trustees has failed to correct the deficiency noted, the state board of regents shall withdraw approval of the community college and it shall not be entitled to eligible for state aid during the continuance of any such period of withdrawal. Any action of the state board of regents in granting, denying or withdrawing approval of a community college shall be subject to review by the legislature.

Sec. 11. K.S.A. 71-1201 is hereby amended to read as follows: 71-1201. Territory may be added to any community college district which has been established under this act either by deemed approval or by election approval by one of the following methods:

(a) The board of education of any unified district a part of which is in the community college district or which touches and adjoins a community college district may petition the state board for attachment of the territory of such unified district to the community college district for community college purposes. Upon receiving any petition under this subsection, the same shall be submitted to the advisory council for its advice and recommendations which, together with the petition, shall be presented to the state board. After considering the petition, the state board may approve such attachment if the advisory council has so recommended. If the advisory council has not so recommended, the state board shall so inform the board of trustees of the community college involved and may request its recommendation as to such attachment. If such request is made and if
such board of trustees recommends such attachment, the same may be approved by the state board. Upon granting any approval for attachment of territory the state board shall so inform the county election officers of counties in which the territory to be attached is located, and such county election officers shall conduct an election for approval for such attachment in the area petitioned for attachment. Such election shall be conducted in accordance with the procedure for approval for establishment of a community college as specified in this act. The question submitted shall be: "Shall the proposed attachment of territory to the ________ community college district be approved?", and the blank shall be filled with the name of the community college. The expenses of the election shall be paid by the community college. In the event that such attachment is so approved by such election the state board shall issue an order attaching the same to the community college district. The provisions of subsection (b) of K.S.A. 71-1102, and amendments thereto, shall also apply to this subsection.

(b) Any board of trustees may petition the state board for the attachment of any adjoining territory to the community college district. Such petition shall be processed as set forth in subsection (a) of this section, except that in the event of disapproval by the advisory council the state board shall so inform the board of trustees and in such case such attachment shall not be made. If the advisory council state board approves such petition, the state board shall notify the county election officers of counties in which the territory to be attached is located, and such county election officers shall conduct an election for approval of such attachment in the area petitioned for attachment. No attachment of territory shall be made under this subsection unless such attachment has been approved by a majority of those voting in the territory to be attached. Such election shall be conducted in accordance with the procedure for approval of the establishment of community colleges as specified in this act. The question submitted shall be: "Shall the proposed attachment of territory to the ________ community college district be approved?", and the blank shall be filled with the name of the community college. In the event that such attachment is so approved by such election the state board shall issue an order attaching the same to the community college district. The expenses of the election shall be paid by the community college.

(c) No territory shall be attached to any community college district within 120 days prior to the general election of members of the board of trustees.

(d) If the community college attaching territory under subsection (a) or (b) has member district method of election, no approval thereof shall be given by the state board and no proposition for approval thereof shall
be submitted to any election until new proposed member districts for the community college territory as the same will exist after the addition of territory have been established by the state board.

Sec. 12. K.S.A. 2010 Supp. 71-1507 is hereby amended to read as follows: 71-1507. (a) The board of trustees of any community college and the board of any area vocational school or area vocational technical school technical college or the institute of technology at Washburn university, may make and enter into agreements providing for the transfer from the area vocational school or area vocational technical school technical college or the institute of technology to the community college of any approved career technical education program being offered and taught at the postsecondary level in the area vocational school or area vocational technical school technical college or the institute of technology.

(b) In the event the board of trustees of a community college and the board of an area vocational school or area vocational technical school any technical college or the institute of technology at Washburn university enter into an agreement authorized under subsection (a), the following conditions shall apply:

1. The state board of regents shall be notified of the agreement at the time the agreement is executed.
2. The agreement shall be effective only after approval by the state board of regents.
3. Any career technical education program transferred in accordance with the agreement shall be offered and taught in the community college only after approval of the program by the state board of regents.
4. The agreement shall be subject to change or termination by the legislature.
5. (A) The duration of the agreement shall be perpetual unless terminated in accordance with provision (B).
   (B) Termination of the agreement may be accomplished only upon approval by the state board of regents of a joint petition to it for termination by the contracting boards after adoption of a resolution to that effect by each such board. The state board of regents shall consider the petition and approve or disapprove termination of the agreement. Upon termination of the agreement, any program transferred thereunder shall be discontinued.

Sec. 13. K.S.A. 2010 Supp. 72-4412 is hereby amended to read as follows: 72-4412. As used in this act:
(a) "Associate of applied science degree program" means a program that is offered and maintained by a technical college, composed of career technical and general education courses of instruction for which
individuals may earn college credit, designed to prepare individuals for gainful employment in technical or technological occupations requiring other than a baccalaureate or advanced degree or to qualify individuals for transfer to another college or university and, after satisfactory completion of the requirements for graduation, results in the conferral of an associate of applied science degree. For the purpose of awarding college credit for completion of coursework leading to the conferral of an associate of applied science degree, the state board of regents shall determine the number of clock hours of instruction in general education courses or career technical education courses which shall be equivalent to a credit hour.

(a) (b) "Board" means the board of education of any school district, the board of trustees of any community college, the board of regents of any municipal university, the board of control of any area vocational-technical school, the governing body of any technical college, or the chief executive officer of any state educational institution.

(b) "Area vocational school" means any vocational education school established under authority of the laws of this state, approved and officially designated as an area vocational school by the state board, and operated under any board. Any area vocational school, except for purposes of the construction of this act, may retain and use the name given to such school prior to the effective date of this act, even though such name includes the words "area vocational technical school."

(c) "Area vocational-technical school" means any vocational education school which was classified as a type II area vocational-technical school under authority of former laws or which is established and classified as a type II area vocational-technical school under authority of this act. The school to which this definition applies is the Southeast Kansas area vocational-technical school.

The state board may adopt special rules and regulations applicable to the conduct, operation and administration of area vocational technical schools. Nothing in this act shall be construed to authorize the establishment or operation of any area vocational technical school not specifically designated in this subsection.

(c) "Career technical education" means organized educational programs offering a sequence of courses which are directly related to the preparation of individuals in paid or unpaid employment in current or emerging occupations requiring other than a baccalaureate or advanced degree. Such programs shall include competency-based applied learning which contributes to an individual's academic knowledge, higher-order reasoning, and problem-solving skills, work attitudes, general employability skills, and the occupational-specific skills necessary for economic independence as a productive and contributing member of
society. The term "career technical education" also includes technology education and career and technical education as referenced in the Carl D. Perkins career and technical education act of 2006.

(d) “School district” means any school district organized under the laws of this state.

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

(e) "Institute of technology" or "Washburn institute of technology" means the institute of technology at Washburn university.

(f) "Municipal university" means a municipal university established under the provisions of article 13a of chapter 13 of Kansas Statutes Annotated.

(g) "School district" means any school district organized under the laws of this state.

(h) "School year" means the 12-month period ending on June 30.

(i) "State board" means the state board of regents.

(g) (j) "State educational institution" means the university of Kansas, Kansas state university of agriculture and applied science, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university.

(k) "State plan" means a document or set of documents, together with attachments and supplements thereto, containing such provisions as are authorized by this act and required by the Carl D. Perkins career and technical education act of 2006, and acts amendatory thereof or supplemental thereto.

(h) (l) "Technical college" means an educational institution that formerly was an area vocational school or an area vocational-technical school and that has been converted to, established as, and officially designated a technical college under authority of this act.

(i) "State board" means the state board of regents.

(j) "School year" means the twelve month period ending on June 30.

(k) "Career—technical—education" means organized educational programs offering a sequence of courses which are directly related to the preparation of individuals in paid or unpaid employment in current or emerging occupations requiring other than a baccalaureate or advanced degree. Such programs shall include competency-based applied learning which contributes to an individual's academic knowledge, higher order reasoning, and problem solving skills, work attitudes, general employability skills, and the occupational specific skills necessary for economic independence as a productive and contributing member of society. The term "career technical education" also includes technology education and career and technical education as referenced in the Carl D. Perkins career and technical education act of 2006.
"Technology education" means an applied discipline designed to promote technological literacy which provides knowledge and understanding of the impacts of technology including its organizations, techniques, tools and skills to solve practical problems and extend human capabilities in technological areas.

"State plan" means a document or set of documents, together with attachments and supplements thereto, containing such provisions as are authorized by this act and required by the Carl D. Perkins career and technical education act of 2006, and acts amendatory thereof or supplemental thereto.

"Associate of applied science degree program" means a program that is offered and maintained by a technical college, composed of career technical and general education courses of instruction for which individuals may earn college credit, designed to prepare individuals for gainful employment in technical or technological occupations requiring other than a baccalaureate or advanced degree or to qualify individuals for transfer to another college or university and, after satisfactory completion of the requirements for graduation, results in the conferral of an associate of applied science degree. For the purpose of awarding college credit for completion of coursework leading to the conferral of an associate of applied science degree, the state board of regents shall determine the number of clock hours of instruction in general education courses or career technical education courses which shall be equivalent to a credit hour.

Sec. 14. K.S.A. 2010 Supp. 72-4415 is hereby amended to read as follows: 72-4415. The state board shall be responsible for the allocation and distribution of the state and federal funds for career and technical education provided for pursuant to the Carl D. Perkins career and technical education act of 2006 in accordance with the state plan. Moneys allocated and distributed under the provisions of this section shall be expended only in accordance with and for the purposes specified in federal or state law or the state plan. Payments under this act may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments. Federal funds for career and technical education shall be deposited in the state treasury.

Sec. 15. K.S.A. 72-4440 is hereby amended to read as follows: 72-4440. As used in this act:

(a) "Area vocational school," "area vocational-technical school," "Board," "state board," and "school year" and "technical college" have the meanings respectively ascribed thereto in K.S.A. 72-4412, and amendments thereto.

(b) "Operating budget" shall have the meaning ascribed thereto in...
K.S.A. 72-4430, and amendments thereto:

(e) "School" means any area vocational school and any area vocational-technical school.

(d) "Career technical education capital outlay aid" means state financial aid distributed under this act by the state board to an eligible institution for the purpose of construction, reconstruction, repair, remodeling, additions to, furnishing and equipping of school buildings, architectural expenses incidental thereto, the acquisition of buildings for school purposes and school building sites and the acquisition of equipment.

(c) "Eligible institution" or "institution" means any technical college, Coffeyville community college, Cowley county community college, Dodge City community college, Highland community college, Hutchinson community college, Johnson county community college, Kansas City, Kansas community college, Pratt community college, Seward county community college and the institute of technology at Washburn university.

Sec. 16. K.S.A. 72-4441 is hereby amended to read as follows: 72-4441. (a) There is hereby established in every area vocational-technical school eligible institution a fund which shall be called the "vocational career technical education capital outlay fund," which fund shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by an area vocational-technical school eligible institution from distributions made under this act shall be credited to the vocational career technical education capital outlay fund.

(b) Any moneys received, prior to or after the effective date of this act, by an area vocational-technical school eligible institution from donations, gifts, grants or bequests, subject to any terms or conditions to the contrary imposed by the donor thereof, may be transferred to or deposited in the vocational career technical education capital outlay fund and may be expended by the area vocational-technical school institution for any purpose for which vocational career technical education capital outlay aid may lawfully be expended.

Sec. 17. K.S.A. 72-4442 is hereby amended to read as follows: 72-4442. The amount of vocational career technical education capital outlay aid for each school eligible institution shall be determined by the state board on the basis of need and the condition of existing facilities and equipment and payments thereof shall be distributed on payment dates to be determined by the state board. The state board shall certify to the director of accounts and reports the amount due as vocational career technical education capital outlay aid to each school eligible institution five days before each payment date. The director of accounts and reports shall draw warrants on the state treasurer payable to the treasurer of each
school entitled to institution eligible for payment of vocational career technical education capital outlay aid, pursuant to vouchers approved by the state board or by a person or persons designated by the state board. Upon receipt of such warrant, the treasurer of each area vocational school shall deposit the amount thereof to the credit of the area vocational school fund. The treasurer of each area vocational technical school eligible institution shall deposit the amount of such warrant to the credit of the vocational career technical education capital outlay fund established by this act.

In the event any school eligible institution is paid more than it is entitled to receive under any distribution made under this act, the state board shall notify the school institution of the amount of such overpayment, and such school institution shall remit the same to the state board. The state board shall remit any moneys so received 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 state general fund. If any such school institution fails to remit, the state board shall deduct the excess amounts so paid from future payments becoming due to such school institution. In the event any school institution is paid less than the amount to which it is entitled under any distribution made under this act, the state board shall pay the additional amount due at any time within the school academic year in which the underpayment was made or within 60 days after the end of such school academic year.

Sec. 18. K.S.A. 2010 Supp. 72-4450 is hereby amended to read as follows: 72-4450. As used in this act:

(a) "Career technical education program" means a program of vocational or technical training or retraining which is operated at the postsecondary level and is designed to prepare persons for gainful employment.

(b) "Career technical education institution" means any area vocational school, area vocational-technical school, technical college, community college, municipal university, or any state educational institution which operates one or more career technical education programs.

(c) "Area vocational school," "area vocational-technical school," "Community college," "institute of technology," "municipal university," "state educational institution," "technical college," and "state board" have the meanings respectively ascribed thereto in K.S.A. 72-4412, and amendments thereto.

(d) "Private postsecondary educational institution" and "out-of-state postsecondary educational institution" have the meanings ascribed thereto

(e) "Program" means the Kansas training information program established by this act.

Sec. 19. K.S.A. 72-4453 is hereby amended to read as follows: 72-4453. (a) The board of trustees of every community college and the governing board of every area vocational school or area vocational-technical school and the institute of technology shall make and enter into agreements providing the transferability of substantially equivalent courses of study and programs which are offered at such educational institutions in order to facilitate the articulation of students to and among such educational institutions.

(b) The following conditions shall apply to the agreements required under subsection (a):

(1) The state board of regents shall be notified of the agreement at the time the agreement is executed; and

(2) the agreement shall be effective only after approval by the state board of regents.

(c) The state board of regents shall prescribe criteria or guidelines for the purpose of determining which courses of study and programs offered in the area vocational schools and area vocational-technical schools, technical colleges and the institute of technology are: (1) Substantially equivalent to courses of study and programs offered in the community colleges; and (2) transferable to the community colleges. A current, complete list of such courses of study and programs shall be maintained on file in the office of the state board of regents and shall be open for public inspection at any reasonable time.

Sec. 20. K.S.A. 72-4454 is hereby amended to read as follows: 72-4454. The state board of regents shall adopt a policy requiring articulation agreements among area vocational schools, area vocational-technical schools, community colleges, technical colleges, the institute of technology and state educational institutions providing for the transferability of substantially equivalent courses of study and programs which are offered at area vocational schools, area vocational-technical schools, community colleges, technical colleges, the institute of technology and state educational institutions in order to facilitate articulation of students in technical programs to and among area vocational schools, area vocational-technical schools, community colleges, technical colleges, the institute of technology and state educational institutions.

Sec. 21. K.S.A. 2010 Supp. 72-4466 is hereby amended to read as follows: 72-4466. As used in this act:

(a) "Area vocational school", "area vocational-technical school", and "Community college," "technical college" and "institute of technology"
have the meanings respectively ascribed thereto in K.S.A. 72-4412, and
amendments thereto.
(b) "Career technical education institution" means any area vocational school, area vocational-technical school or community college, technical college or the institute of technology.
(c) "Board" means the state board of regents.
(d) "Program" means Kansas technology innovation and internship program.
Sec. 22. K.S.A. 2010 Supp. 72-4470a is hereby amended to read as follows: 72-4470a. (a) On or before July 1, 2005, all technical college boards shall develop and present to the state board of regents a plan to replace the governing body described in K.S.A. 72-4470, and amendments thereto, with a new governing board, which shall be separate and independent of any board of education of any school district, to operate, control and manage the technical college. The plan shall include, but not be limited to, provisions relating to:
(1) The composition of the independent governing board;
(2) the territory of the technical college. If the territory of the technical college includes more than one county, the plan shall designate a home county;
(3) the method of election or appointment and the terms of service of the members of the independent governing board;
(4) the date upon which the independent governing board shall assume management and control of the technical college;
(5) the manner, terms upon which and extent to which the facilities, will be transferred to the independent governing board and the division of other assets and indebtedness and other liabilities; and
(6) the manner and terms upon which faculty, employees and students will be transferred to the independent governing board. Subject to the provisions of K.S.A. 2010 Supp. 72-4478, and amendments thereto, such provisions shall specify terms of employment and address other personnel matters.
(b) (1) Upon approval of the plan by the state board of regents and the governing body of the technical college which submitted the plan, and
On the date determined in the approved plan, the independent governing board established under subsection (a) of this section shall operate subject to the rules, regulations and supervision of the state board of regents in the same manner as other technical colleges, technical schools and area vocational-technical schools. Any amendments to the plan shall be submitted to the state board of regents for approval.
(2) After June 30, 2007, if the governing body of the technical college and the state board of regents have not approved a plan submitted
pursuant to subsection (a), the state board of regents shall have the power to approve the plan and upon such approval and on the date determined in the approved plan, the independent governing board established pursuant to subsection (a) shall operate subject to the rules, regulations and supervision of the state board of regents in the same manner as other technical colleges, technical schools and area vocational technical schools.

(c) In addition to such other powers expressly granted by law and subject to the provisions of subsection (b), the governing board shall have the power to:

(1) Determine the career technical and general education courses of instruction that will comprise the associate of applied science degree programs of the college;

(2) establish the requirements for satisfactory completion of the associate of applied science degree programs of the college;

(3) confer the associate of applied science degree upon students who successfully complete an associate of applied science degree program of the college and to award a certificate or diploma to students who successfully complete a career technical education program of the college;

(4) appoint teaching staff and fix and determine teacher qualifications, duties and compensation. No teacher appointed to teach courses comprising the associate of applied science degree programs of the college shall be required to meet licensure requirements greater than those required in the state educational institutions;

(5) have custody of, and be responsible for, the property of the college and be responsible for the operation, management and control of the college;

(6) select a chairperson and such other officers as it deems desirable, from its membership;

(7) sue and be sued;

(8) appoint and fix the compensation and term of office of a president or chief administrative officer of the college;

(9) fix and determine, within state adopted standards, all other employees' qualifications, duties, compensation and all other items and conditions of employment;

(10) enter into contracts;

(11) accept any gifts, grants or donations;

(12) acquire and dispose of real or personal property;

(13) enter into lease agreements as lessor of any property owned or controlled by the college;

(14) adopt any rules and regulations, not inconsistent with any law or any rules and regulations of the state board of regents, which are
necessary for the administration and operation of the college or for the
conduct of business of the governing board;
(15) contract with one or more agencies, either public or private,
whether located within or outside the territory of the college or whether
located within or outside the state of Kansas, for the conduct by any such
agency of academic or career technical education for students of the
college and to provide for the payment to any such agency for the
contracted educational services from any funds or moneys of the college,
including funds or moneys received from student tuition and fees;
(16) appoint as its resident agent for the purpose of service of
process, either the president of the technical college or the chairperson of
the governing board, or both;
(17) take any other action, not inconsistent with any law or any rules
and regulations of the state board of regents, which is necessary or
incidental to the establishment, operation and maintenance of the college;
(18) issue bonds for capital improvement projects, enter into bond
covenants and take such ancillary action as the governing board approves,
relating thereto, except that such bonds shall not be secured by a pledge
of any property tax revenues of the technical college; and
(19) enter into agreements with counties relating to funding for
capital improvement projects at technical colleges;
(20) fix different rates per hour of tuition, fees and charges for the
different postsecondary programs administered by such board.

Sec. 23. K.S.A. 72-4480 is hereby amended to read as follows: 72-
4480. (a) The state board of regents shall identify and approve core
indicators of quality performance for vocational education schools and
technical colleges and shall establish and implement a data management
system that includes a process and format for collecting, aggregating and
reporting common and institution-specific information documenting
effectiveness of the schools and colleges in meeting the role and mission
thereof.

(b) In each fiscal year, commencing with the 2003 fiscal year, each
vocational education school and technical college is eligible to receive a
quality performance grant from the state general fund. If the state board
determines that the school or college has demonstrated effectiveness in
complying with its role and mission statement and has met or exceeded
the core indicators of quality performance for vocational education
schools and technical colleges identified and approved by the state board,
the school or college shall receive a quality performance grant in an
amount which shall be determined by the state board by computing 2% of
the amount of postsecondary aid state aid the school or college received
in the preceding fiscal year. The computed amount is the amount of the
quality performance grant the school or college shall receive for the fiscal
(c) The distribution of the appropriation for quality performance grants to vocational education schools and technical colleges entitled to such grants shall be made at a time to be determined by the state board. The state board shall certify to the director of accounts and reports the amount due to each vocational education school and technical college entitled to a grant, and the director of accounts and reports shall draw a warrant upon the state treasurer in favor of the school or college for such amount. Upon receipt of the warrant, the treasurer of the school or college shall credit the amount of the warrant to the general fund.

Sec. 24. K.S.A. 72-6214 is hereby amended to read as follows: 72-6214. (a) As used in this section, the following terms shall have the meanings respectively ascribed to them unless the context requires otherwise:

(1) "Board" means the state board of regents, the state board of education, the board of trustees of any public community junior college, the board of regents of any municipal university, the board of control of any area vocational-technical school, the governing board of any technical college and the board of education of any school district.

(2) "Student" means a person who has attained eighteen (18) years of age, or is attending an institution of postsecondary education.

(3) "Pupil" means a person who has not attained eighteen (18) years of age and is attending an educational institution below the postsecondary level.

(b) Every board shall adopt a policy in accordance with applicable federal laws and regulations to protect the right of privacy of any student, or pupil and his or her such pupil's family regarding personally identifiable records, files and data directly related to such student or pupil. The board shall adopt and implement procedures to effectuate such policy by January 1, 1977. Such procedures shall provide for: (1) Means by which any student or parent of a pupil, as the case may be, may inspect and review any records or files directly related to the student or pupil; and (2) restricting the accessibility and availability of any personally identifiable records or files of any student or pupil and preventing disclosure thereof unless made upon written consent of such student or parent of such pupil, as the case may be. To the extent that any other provision of law conflicts with this section, this section shall control.

Sec. 25. K.S.A. 2010 Supp. 73-1217 is hereby amended to read as follows: 73-1217. The board of trustees of every community college, the board of regents of Washburn university of Topeka, the board of control of every area vocational school, governing board of every technical college and the governing body of every other institution of post-high
school education which is supported by any state moneys shall provide
for enrollment without charge of tuition or fees for any dependent of a
prisoner of war or a person missing in action, so long as such dependent
is eligible, but not to exceed 12 semesters of instruction or the equivalent
thereof at all such institutions for any person if the person started such
instruction prior to July 1, 2005, or 10 semesters if the person started such
instruction on or after July 1, 2005. Once a person qualifies as a
dependent under the terms and provisions of this act, no occurrence, such
as the return of the dependent's father or his reported death, shall disqualify the dependent from the provisions or benefits of
this act. The state board of regents, the board of trustees of any
community college, or the governing body of any other institution which
grants tuition for fees without charge to a dependent under this act may
file a claim with the Kansas veterans' commission Kansas commission on
veterans affairs for reimbursement of the amount of such tuition or fees.
The Kansas veterans' commission Kansas commission on veterans affairs
shall administer this act and qualifications of persons as dependents shall
be determined by such commission. Such commission may adopt rules
and regulations making more specific the definitions herein contained and
for the administration of this act.

Sec. 26. K.S.A. 73-1218 is hereby amended to read as follows: 73-
1218. The state board of regents, the board of trustees of every
community junior college, the board of regents of Washburn university of
Topeka, the board of every area vocational school, the board of control of
every area vocational-technical school, governing board of every
technical college and the governing body of every other institution of
post-high school education which is supported by any state moneys shall
provide for enrollment without charge of tuition or fees for any dependent
of a person who died as the result of a service-connected disability
suffered during the Vietnam conflict as a result of such conflict, so long
as such dependent is eligible, but not to exceed twelve (12) 12 semesters
of instruction or the equivalent thereof at all such institutions for any
person. Once a person qualifies as a dependent under the terms and
provisions of this act, no occurrence, such as the return of the dependent's
father or mother, shall disqualify the dependent from the provisions or
benefits of this act. The governing body of every institution of post-high
school education which is supported by any state moneys and which
grants tuition or fees without charge to a dependent under this act may
file a claim with the Kansas veterans' commission on veterans affairs for
reimbursement of the amount of such tuition or fees. The Kansas
veterans' commission on veterans affairs shall administer this act and the
qualification of persons as dependents shall be determined by such
commission. Such commission may adopt rules and regulations making
more specific the definition herein contained and for the administration of
this act.
"Dependent" as used in this act shall mean any child born to, legally
adopted by, or in the legal custody of a person who was a resident of the
state of Kansas at the time such person entered service of the United
States armed forces and who, while serving in said U.S. armed forces in
the geographical area of the Vietnam conflict, has been declared to be a
person who died as the result of a service-connected disability suffered
during the Vietnam conflict as a result of such conflict.

Sec. 27. K.S.A. 2010 Supp. 74-3201b is hereby amended to read as
follows: 74-3201b. As used in the Kansas higher education coordination
act:
(a) "Adult basic education program" and "adult supplementary
education program" have the meanings respectively ascribed thereto in
K.S.A. 72-4517, and amendments thereto.
(b) "Community college" means any community college established
under the laws of this state.
(c) "Institute of technology" or "Washburn institute of technology"
means the institute of technology at Washburn university.
(d) "Municipal university" means Washburn university of Topeka or
any other municipal university established under the laws of this state.
(e) "Postsecondary educational institution" means any public
university, municipal university, community college and technical
college, and includes any entity resulting from the consolidation or
affiliation of any two or more of such postsecondary educational
institutions.
(f) "Private postsecondary educational institution" and "out-of-state
postsecondary educational institution" have the meanings ascribed
(g) "Public university" means any state educational institution.
(h) "Representative of a postsecondary educational institution"
means any person who is the holder of an associate degree, a bachelor's
degree, or a certificate of completion awarded by a postsecondary
educational institution.
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under the laws of this state.

(e) (k) "Technical college" means any technical college established under the laws of this state.

(f) "Career technical education school" means any area vocational school or area vocational-technical school established under the laws of this state.

(g) "Public university" means any state educational institution.

(h) "Postsecondary educational institution" means any public university, municipal university, community college, technical college and career technical education school, and includes any entity resulting from the consolidation or affiliation of any two or more of such postsecondary educational institutions.

(i) "Private postsecondary educational institution" and "out-of-state postsecondary educational institution" have the meanings ascribed thereto in K.S.A. 2010 Supp. 74-32,163, and amendments thereto.

(j) "Adult basic education program" and "adult supplementary education program" have the meanings respectively ascribed thereto in K.S.A. 72-4517, and amendments thereto.

(k) "Representative of a postsecondary educational institution" means any person who is the holder of an associate degree, a bachelor's degree, or a certificate of completion awarded by a postsecondary educational institution.

Sec. 28. K.S.A. 2010 Supp. 74-32,146 is hereby amended to read as follows: 74-32,146. As used in the Kansas national guard educational assistance act:

(a) "Kansas educational institution" means and includes area vocational schools, area vocational-technical schools, community colleges, the municipal university, state educational institutions, technical colleges, the institute of technology at Washburn university and accredited independent institutions.

(b) "Eligible guard member" means a newly enlisted or reenlisted member of the Kansas national guard with not more than 20 years of service and who is enrolled at a Kansas educational institution. The term eligible guard member does not include within its meaning any member of the Kansas national guard who is the holder of a baccalaureate or higher academic degree, who does not hold a high school diploma or general educational development (GED) credentials, or who is entitled to federal educational benefits earned by membership in the Kansas national guard, except financial assistance under the federal education assistance program (FEAP) for members of the selected reserve.

(c) "Kansas national guard educational assistance program" or "program" means the program established pursuant to the provisions of the Kansas national guard educational assistance act.
(d) "Educational program" means a program which is offered and maintained by a Kansas educational institution and leads to the award of a certificate, diploma or degree upon satisfactory completion of course work requirements.

Sec. 29. K.S.A. 2010 Supp. 74-32,151 is hereby amended to read as follows: 74-32,151. (a) This section and K.S.A. 74-32,152 through 74-32,159, and amendments thereto, shall be known and may be cited as the workforce development loan program act.

(b) As used in the workforce development loan act, "postsecondary educational institution" shall have the meaning ascribed thereto by K.S.A. 74-3201b, and amendments thereto.

(c) Within the limits of appropriations and private contributions therefor, and in accordance with the provisions of this act, the state board of regents may award such loans to Kansas residents who are enrolled in or admitted to an area vocational technical school, a technical college, community college, vocational school coordinated under the state board of regents the institute of technology at Washburn university or associate degree programs at postsecondary educational institutions and who enter into a written agreement with the state board of regents as provided in K.S.A. 74-32,152, and amendments thereto.

(d) The board of regents may accept any private contributions to the program. The chief executive officer of the board of regents shall turn such contributions over to the state treasurer who shall deposit such moneys into the workforce development loan fund.

(e) After consultation with the secretaries of the departments of social and rehabilitation services and commerce, the board may establish a list of education programs in which an applicant must enroll to be eligible for a loan under this program.

(f) The loans shall be awarded on a priority basis to qualified applicants who have the greatest financial need with the highest priority given to those applicants with the greatest financial need who were in foster care on their 18th birthday or were released from foster care prior to their 18th birthday after having graduated from high school or completing the requirements for a general educational development (GED) certificate while in foster care. All loans shall be awarded to resident students attending area vocational technical schools, technical colleges, community colleges, area vocational schools the institute of technology at Washburn university or associate degree programs at postsecondary educational institutions. Special preference shall also be established for residents drawing unemployment compensation or such residents who were laid off from employment within the prior six months. The board may also establish preferences for workers deemed to be eligible for North American free trade agreement transition assistance
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under United States department of labor standards or the Kansas department of labor standards.

(g) Loans awarded under this program shall be awarded on an annual basis and shall be in effect for one year unless otherwise terminated before the expiration of such period of time. Such loans shall be awarded for the payment of tuition, fees, books, room and board and any other necessary school related expenses.

Sec. 30. K.S.A. 2010 Supp. 75-4364 is hereby amended to read as follows: 75-4364. (a) As used in this section:

(1) "Dependent" means (A) a birth child, adopted child or stepchild or (B) any child other than the foregoing who is actually dependent in whole or in part on the individual and who is related to such individual by marriage or consanguinity.

(2) "Emergency medical services attendant" means an attendant as defined by K.S.A. 65-6112, and amendments thereto.

(3) "Firefighter" means a person who is: (A) Employed by any city, county, township or other political subdivision of the state and who is assigned to the fire department thereof and engaged in the fighting and extinguishment of fires and the protection of life and property therefrom; or (B) a volunteer member of a fire district, fire department or fire company.

(4) "Kansas educational institution" means and includes area vocational schools, area vocational-technical schools, community colleges, the municipal university, state educational institutions, the institute of technology at Washburn university and technical colleges.

(5) "Law enforcement officer" means a person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for violation of the laws of the state of Kansas or ordinances of any municipality thereof or with a duty to maintain or assert custody or supervision over persons accused or convicted of crime, and includes wardens, superintendents, directors, security personnel, officers and employees of adult and juvenile correctional institutions, jails or other institutions or facilities for the detention of persons accused or convicted of crime, while acting within the scope of their authority.

(6) "Military service" means any active service in any armed service of the United States and any active state or federal service in the Kansas army or air national guard.

(7) "Prisoner of war" means any person who was a resident of Kansas at the time the person entered service of the United States armed forces and who, while serving in the United States armed forces, has been declared to be a prisoner of war, as established by the United States secretary of defense, after January 1, 1960.
"Public safety officer" means a law enforcement officer or a firefighter or an emergency medical services attendant.

"Law enforcement officer" means a person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for violation of the laws of the state of Kansas or ordinances of any municipality thereof or with a duty to maintain or assert custody or supervision over persons accused or convicted of crime, and includes wardens, superintendents, directors, security personnel, officers and employees of adult and juvenile correctional institutions, jails or other institutions or facilities for the detention of persons accused or convicted of crime, while acting within the scope of their authority.

"Firefighter" means a person who is: (1) Employed by any city, county, township or other political subdivision of the state and who is assigned to the fire department thereof and engaged in the fighting and extinguishment of fires and the protection of life and property therefrom; or (2) a volunteer member of a fire district, fire department or fire company.

"Emergency medical services attendant" means an attendant as defined by K.S.A. 65-6112, and amendments thereto.

"Dependent" means (A) a birth child, adopted child or stepchild or (B) any child other than the foregoing who is actually dependent in whole or in part on the individual and who is related to such individual by marriage or consanguinity.

"Resident of Kansas" means a person who is a domiciliary resident as defined by K.S.A. 76-729, and amendments thereto.

"Spouse" means the spouse of a deceased public safety officer or deceased member of the military service who has not remarried.

"State board" means the state board of regents.

"Military service" means any active service in any armed service of the United States and any active state or federal service in the Kansas army or air national guard.

"Prisoner of war" means any person who was a resident of Kansas at the time the person entered service of the United States armed forces and who, while serving in the United States armed forces, has been declared to be a prisoner of war, as established by the United States secretary of defense, after January 1, 1960.

"Resident of Kansas" means a person who is a domiciliary resident as defined by K.S.A. 76-729, and amendments thereto.

"Spouse" means the spouse of a deceased public safety officer or deceased member of the military service who has not remarried.

(b) Every Kansas educational institution shall provide for enrollment without charge of tuition or fees for: (1) Any dependent or spouse of a
public safety officer who died as the result of injury sustained while
performing duties as a public safety officer so long as such dependent or
spouse is eligible; (2) any dependent or spouse of any resident of Kansas
who died on or after September 11, 2001, while, and as a result of,
serving in military service; and (3) any prisoner of war. Any such
dependent or spouse and any prisoner of war shall be eligible for
enrollment at a Kansas educational institution without charge of tuition or
fees for not to exceed 10 semesters of undergraduate instruction, or the
equivalent thereof, at all such institutions.

(c) Subject to appropriations therefor, any Kansas educational
institution, at which enrollment, without charge of tuition or fees, of a
prisoner of war or a dependent or spouse is provided for under subsection
(b), may file a claim with the state board for reimbursement of the
amount of such tuition and fees. The state board shall include in its
budget estimates pursuant to K.S.A. 75-3717, and amendments thereto, a
request for appropriations to cover tuition and fee claims pursuant to this
section. The state board shall be responsible for payment of
reimbursements to Kansas educational institutions upon certification by
each such institution of the amount of reimbursement to which entitled.
Payments to Kansas educational institutions shall be made upon vouchers
approved by the state board and upon warrants of the director of accounts
and reports. Payments may be made by issuance of a single warrant to
each Kansas educational institution at which one or more eligible
dependents or spouses or prisoners of war are enrolled for the total
amount of tuition and fees not charged for enrollment at that institution.
The director of accounts and reports shall cause such warrant to be
delivered to the Kansas educational institution at which any such eligible
dependents or spouses or prisoners of war are enrolled. If an eligible
dependent or spouse or prisoner of war discontinues attendance before
the end of any semester, after the Kansas educational institution has
received payment under this subsection, the institution shall pay to the
state the entire amount which such eligible dependent or spouse or
prisoner of war would otherwise qualify to have refunded, not to exceed
the amount of the payment made by the state in behalf of such dependent
or spouse or prisoner of war for the semester. All amounts paid to the
state by Kansas educational institutions under this subsection shall be
deposited in the state treasury and credited to the state general fund.

(d) The state board shall adopt rules and regulations for
administration of the provisions of this section and shall determine the
qualification of persons as dependents and spouses of public safety
officers or United States military personnel and the eligibility of such
persons for the benefits provided for under this section.

Sec. 31. K.S.A. 2010 Supp. 75-53,112 is hereby amended to read as
follows: 75-53,112. As used in the Kansas foster child educational assistance act:

(a) "Kansas educational institution" means and includes any area vocational school, area vocational-technical school, community college, the municipal university, state educational institution, the institute of technology at Washburn university or technical college.

(b) "Eligible foster child" means anyone: (1) Who (A) is in the custody of the secretary and in a foster care placement on the date such child attained 18 years of age, (B) has been released from the custody of the secretary prior to attaining 18 years of age, after having graduated from a high school or fulfilled the requirements for a general educational development (GED) certificate while in foster care placement and the custody of the secretary, (C) is adopted from a foster care placement on or after such child's 16th birthday, or (D) left a foster care placement subject to a guardianship under chapter 38 or 59 of the Kansas Statutes Annotated on or after such child's 16th birthday; and

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

(c) "Kansas foster child educational assistance program" or "program" means the program established pursuant to the provisions of the Kansas foster child educational assistance act which shall provide for undergraduate enrollment of eligible foster children through the semester the eligible foster child attains 23 years of age.

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

(e) "Secretary" means the secretary of social and rehabilitation services.

Sec. 32. K.S.A. 2010 Supp. 75-6609 is hereby amended to read as follows: 75-6609. (a) When used in this section, "surplus real estate" means real estate which is no longer needed by the state agency which owns such real estate as determined in accordance with this section.

(b) (1) The secretary of administration shall develop criteria for the identification of surplus real estate, including but not limited to, a review of any legal restrictions associated with the real estate and the reasons for the state agency to keep the real estate. In accordance with such criteria, the secretary shall assist state agencies in the identification of surplus real estate. The secretary of administration shall periodically review the status of all real estate of state agencies subject to this section to determine if any of the real estate owned by state agencies is potentially surplus real estate. If any real estate owned by a state agency is determined by the secretary of administration, in consultation with the head of the state
agency, to be surplus real estate in accordance with the criteria developed under subsection (a), then the secretary of administration shall recommend to the governor that such real estate be sold under the procedures prescribed by this section.

(2) The secretary of administration shall develop guidelines for the sale of surplus real estate. In accordance with such guidelines and upon the approval of the governor, after consultation with the head of the state agency which owns such surplus real estate, after consultation with the joint committee on state building construction and after approval by the state finance council under subsection (c), the secretary may offer such property for sale by one of the following means: (A) Public auction; (B) by listing the surplus property with a licensed real estate broker or salesperson; or (C) by sealed bid. Subject to the approval of the state finance council as required by subsection (c), the secretary of administration may sell surplus real estate and any improvements thereon on behalf of the state agency which owns such property.

(c) Prior to the sale of any surplus real estate under subsection (b), the state finance council shall approve the sale, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711, and amendments thereto. The matter may be submitted to the state finance council for approval at any time, including periods of time during which the legislature is in session.

(d) Prior to offering any real estate for sale, such property shall be appraised pursuant to K.S.A. 75-3043a, and amendments thereto, unless the appraisal is waived as provided in this subsection. The secretary of administration may waive the requirement for appraisal for any parcel of surplus real estate that is to be sold at public auction under this section if the secretary of administration determines that it is in the best interests of the state to waive the requirement for appraisal for such parcel of surplus real estate. The costs of any such appraisal may be paid from the proceeds of the sale.

(e) Conveyance of title in surplus real estate offered for sale by the secretary of administration shall be executed on behalf of the state agency by the secretary of administration. The deed for the conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the secretary of administration in consultation with the head of the state agency which owns the surplus real estate.

(f) (1) Any proceeds from the sale of surplus real estate and any improvements thereon, after deduction of the expenses of such sale and any cost of appraisal of the surplus real estate, shall be deposited in the state treasury as prescribed by this subsection, unless otherwise authorized by law. On and after the effective date of this act, 20% of the
proceeds from each such sale deposited in the state treasury shall be
credited to the surplus real estate fund or another appropriate special
revenue fund of the state agency which owned the surplus real estate, as
is prescribed by law or as may be determined by the state agency, unless
otherwise required by state or federal law or by the limitations or
restrictions of the state's title to the real estate being sold. In the case of
proceeds from the sale of surplus real estate at a state mental health
institution or a state mental retardation institution, such portion of the
proceeds shall be credited to the client benefit fund of such institution or
to another special revenue fund of such institution for (A) rehabilitation
and repair or other capital improvements for such institution, or (B) one-
time expenditures for community mental health organizations if the real
estate sold was at a state mental health institution or for community
developmental disabilities organizations if the real estate sold was at a
state mental retardation institution, and, in any such case, shall be
expended in accordance with the provisions of appropriation acts. The
remaining 80% of the proceeds from each such sale deposited in the state
treasury shall be credited to the state general fund.

(2) The amount of expenses and the cost of appraisal for each sale of
surplus real estate pursuant to this section shall be transferred and
credited to the property contingency fund created under K.S.A. 75-3652,
and amendments thereto, and may be expended for any operations of the
department of administration.

(3) Any state agency owning real estate may apply to the director of
accounts and reports to establish a surplus real estate special revenue fund
in the state treasury. Subject to the provisions of appropriation acts,
moneys in a surplus real estate special revenue fund may be expended for
the operating expenditures of the state agency.

(g) Any sale of property by the secretary of transportation pursuant
to K.S.A. 68-413, and amendments thereto, shall not be subject to the
provisions of this section. The provisions of this section shall not be
applicable to real estate given as an endowment, bequest, or gift to a state
educational institution as defined in subsection (g) of K.S.A. 72-4412,
and amendments thereto, or to the university of Kansas medical center.

(h) Sale of the Olathe travel information center shall not be subject
to the provisions of this section.

Sec. 33. K.S.A. 2010 Supp. 75-7222 is hereby amended to read as
follows: 75-7222. As used in this act, unless the context requires
otherwise:

(a) "Board" means the state board of regents.

(b) "Hospital" means a licensed hospital, as defined in K.S.A. 65-
425, and amendments thereto.

(c) "Library" means: (1) The state library; (2) any public library
established and operating under the laws of this state; or (3) any regional
system of cooperating libraries, as defined in K.S.A. 75-2548, and
amendments thereto.
(d) "Network" means the KAN-ED network created pursuant to this
act.
(e) "School" means: (1) Any unified school district, school district
interlocal cooperative, school district cooperative or nonpublic school
accredited by the state board of education; or (2) any community college,
technical college, area vocational school, area vocational-technical school
the institute of technology at Washburn university or Kansas educational
institution, as defined in K.S.A. 74-32,120, and amendments thereto.
Sec. 34. K.S.A. 76-6a13 is hereby amended to read as follows: 76-
6a13. As used in this act, unless the context otherwise requires:
(a) "Board" means the state board of regents or the board of regents
of a municipal university or the board of control of the Northwest Kansas
area vocational-technical school governing board of the northwest
Kansas technical college or the board of control of the North Central
Kansas area vocational-technical school governing board of the north
central Kansas technical college or the board of trustees of any
community college.
(b) "Institution" means and includes any state educational institution
operated and managed under the control and supervision of the state
board of regents, any municipal university organized under the laws of
Kansas, any community college, the Northwest Kansas area vocational-
technical school, and the North Central Kansas area vocational-technical
school. northwest Kansas technical college and the north central Kansas
technical college.
(c) "Building," when heretofore or hereafter acquired or constructed
by the state board of regents for any state educational institution under the
control and supervision of the state board of regents, means and includes
one or more dormitories, kitchens, dining halls, student union buildings,
field houses, student hospitals, libraries, on-campus parking, hospital
buildings or facilities for the university of Kansas medical center,
including outpatient treatment or support facilities and acquisition of any
real estate therefor, additions heretofore or hereafter erected in connection
therewith, or rehabilitation or renovation of an existing building, or any
combination thereof, or any stadium, structure or facility when the same
is deemed necessary by the state board of regents to carry out the
purposes of the institution, or additions heretofore or hereafter erected in
connection with such stadium, structure or facility. The state board of
regents shall not issue any revenue bonds for acquisition or construction
of any building, structure or facility or additions erected in connection
therewith, or for rehabilitation or renovation of an existing building, as
authorized by this section, unless such acquisition, construction or
rehabilitation or renovation has been authorized by appropriation or other
act of the legislature and the state board of regents has first advised and
consulted on such acquisition, construction or rehabilitation or renovation
with the joint committee on state building construction.

(d) "Revenue bonds" means bonds issued by a board under authority
of K.S.A. 76-6a13 et seq., and amendments thereto, and payable as to
both principal and interest solely and only out of (1) the income and
revenues arising from the operation of the building for which such bonds
are issued, or (2) in the case of a building to be constructed for an
institution under the control and supervision of the state board of regents
and upon a determination by the state board of regents that the best
interests of the state and the institution will be served thereby, the
revenues derived from student fees levied for this purpose or for other
bonds after such other bonds are retired, or both, (3) any combination of
the revenues described in clause (1) or (2), and (4) in addition to the
revenues described in clauses (1), (2) or (3), in the discretion of the
board, out of one or both of the following additional sources: (A) The
proceeds of any grant in aid of such project which may be received from
any source, and (B) the net income and revenues arising from the
operation of another building already owned and operated by the board
and located on the same campus of the institution where the building for
which bonds are to be issued will be located.

(e) "Net income and revenue" means the income arising from the
operation of a building remaining after providing for the costs of
operation of such building and the costs of maintenance thereof.

(f) "Building," when heretofore or hereafter acquired or constructed
by a board other than the state board of regents, means and includes one
or more dormitories, kitchens, dining halls, student union buildings, field
houses, student hospitals, libraries, on-campus parking or additions
heretofore or hereafter erected in connection therewith, or any
combination thereof.

Sec. 35. K.S.A. 2010 Supp. 76-768 is hereby amended to read as
follows: 76-768. (a) On and after July 1, 2006:

(1) No postsecondary educational institution shall print or encode a
person's social security number on or into the person's identification card.

(2) Any distinguishing identifier assigned to the person's
identification card shall be a combination of numbers or letters or both,
which is unique to such person.

(3) A person's distinguishing identifier shall not, in any way, be
based on or depend on the person's social security number.

(b) As used in this section:

(1) "Person" means an employee of or a student enrolled at a
postsecondary educational institution.

(2) "Postsecondary educational institution" means and includes area vocational schools, area vocational-technical schools, community colleges, the municipal university, state educational institutions, technical colleges, the Institute of Technology at Washburn University and private institutions of postsecondary education.


Sec. 37. This act shall take effect and be in force from and after its publication in the Kansas register.