

HOUSE BILL No. 2642

AN ACT concerning financial assistance for higher education; relating to the teacher service scholarship program and the Kansas national guard educational assistance program; amending K.S.A. 2001 Supp. 48-276, 48-277, 48-278, 48-279 and 74-32,102 and repealing the existing sections.

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

Section 1. K.S.A. 2001 Supp. 48-276 is hereby amended to read as follows: 48-276. 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, and accredited independent institutions.

(b) “Eligible guard member” means a newly enlisted or reenlisted member of the Kansas national guard who is a resident of Kansas, ~~who has been a member of the Kansas national guard for~~ *with* not more than 15 years, ~~who has had military service prior to membership in the national guard or has completed basic military training,~~ *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 coursework requirements.

Sec. 2. K.S.A. 2001 Supp. 48-277 is hereby amended to read as follows: 48-277. The ~~adjutant general~~ *state board of regents* shall adopt rules and regulations for administration of the Kansas national guard educational assistance act and shall:

(a) Establish a mechanism to ensure distribution of funds for tuition and fee reimbursement ~~throughout the Kansas national guard organization~~ *to Kansas educational institutions;*

(b) enter into a cooperative relationship with the ~~state board of regents and the state department of education~~ *adjutant general* to ensure efficient operation of the program;

(c) develop and effectuate a system of accountability for all disbursements under the program and provide written reports as prescribed; and

(d) ~~establish~~ *coordinate with the adjutant general* a procedure to ensure initial and on-going eligibility of all guard members who are program participants.

Sec. 3. K.S.A. 2001 Supp. 48-278 is hereby amended to read as follows: 48-278. (a) Subject to the availability of appropriations for the Kansas national guard educational assistance program and within the limits of any such appropriations, every eligible guard member who is enrolled at a Kansas educational institution and who is participating in the program shall be paid the amount of tuition and required fees charged by the Kansas educational institution for enrollment in courses necessary to satisfy the requirements of an educational program.

(b) Notwithstanding the provisions of subsection (a), eligible guard members shall not be paid the amount of tuition and required fees charged for any course repeated or taken in excess of the requirements for completion of the educational program in which the eligible guard member is enrolled. The amount of tuition and required fees paid an eligible guard member pursuant to subsection (a) shall be at a rate not to exceed the maximum rate that would be charged by the state educational institutions for enrollment of the eligible guard member.

(c) *Amounts of assistance for which an eligible guard member is eligible to receive under this act shall be offset by the aggregate amount of federal financial assistance received by such guard member, as a result of active national guard membership, to pay costs of tuition and fees for enrollment at Kansas educational institutions.*

Sec. 4. K.S.A. 2001 Supp. 48-279 is hereby amended to read as follows: 48-279. (a) In order to qualify for participation in the Kansas national guard educational assistance program, an eligible guard member must agree in writing to ~~continue service in the Kansas national guard for a period of not less than four years after receiving a final payment under this act~~ *complete such member's current service obligation in the Kansas national guard, plus three months service for each semester, or part thereof, of assistance received.*

(b) In order to remain eligible for participation in the program, an eligible guard member must remain in good standing at the Kansas educational institution where enrolled, make satisfactory progress toward completion of the requirements of the educational program in which enrolled, and maintain satisfactory participation in the Kansas national guard. It shall be the responsibility of the eligible guard member to obtain a certificate from the member's commanding officer attesting to the member's satisfactory participation in the Kansas national guard and to present the certificate to the ~~adjutant general, or a designee thereof~~ *educational institution*, in order to obtain a payment under this act. The certificate shall be presented at the time payment is requested for completed courses.

(c) Upon failure of any person, who as an eligible guard member received payments under the Kansas national guard educational assistance act, to satisfy the agreement to continue service in the Kansas national guard ~~for the required four-year period as provided by subsection (a)~~, such person shall pay to the state of Kansas an amount equal to the total amount received. All amounts paid to the state under this subsection shall be deposited in the state treasury and credited to the ~~state general~~ *Kansas national guard educational assistance program repayment fund created by section 5, and amendments thereto.*

New Sec. 5. There is hereby created in the state treasury the Kansas national guard educational assistance program repayment fund. The state board of regents shall remit all moneys received under K.S.A. 2001 Supp. 48-279, and amendments thereto, to the state treasurer at least monthly. Upon receipt of each such remittance the state treasurer shall deposit the entire amount thereof in the state treasury, and such amount shall be credited to the Kansas national guard educational assistance program repayment fund. All expenditures from the Kansas national guard educational assistance program repayment fund shall be for payments of assistance under the Kansas national guard educational assistance act, and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive officer of the state board of regents or a person designated by the executive officer.

Sec. 6. K.S.A. 2001 Supp. 74-32,102 is hereby amended to read as follows: 74-32,102. (a) There is hereby established the teacher service scholarship program. A scholarship may be awarded under the teacher service scholarship program to any qualified student and may be renewed for each such student who remains qualified for the scholarship. ~~The number of new scholarships awarded under the program in each year shall not exceed 50.~~ Determination of the students qualified for such scholarships shall be made by the executive officer. Scholastic ability shall be determined on the basis of any one or more of the following: (1) High ACT or SAT score; (2) rank in high school graduation class; (3) cumulative high school or college grade point average; or (4) any other indicator of scholastic ability which the state board of regents determines to be demonstrative of potential for successful completion of a course of instruction leading to certification as a teacher. To the extent practicable and consistent with qualification factors, consideration shall be given to students who are members of ethnic minority groups.

(b) A scholarship awarded under the program shall provide for payment to a qualified student of (1) an amount not to exceed 70% of the cost of attendance for an academic year at the teacher education school in which the qualified student is enrolled if such teacher education school is maintained by a state educational institution or (2) an amount not to exceed 70% of the average amount of the cost of attendance for an academic year at the teacher education schools maintained by the state educational institutions if the teacher education school in which the quali-

fied student is enrolled is not a state educational institution. A qualified student may be awarded a scholarship for not more than four academic years of undergraduate study, except that a qualified student who is enrolled full time in a course of instruction leading to certification in a teaching discipline for which graduate study is required may be awarded a scholarship for the duration of the course of instruction.

Sec. 7. K.S.A. 2001 Supp. 48-276, 48-277, 48-278, 48-279 and 74-32,102 are hereby repealed.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body

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HOUSE concurred in  
SENATE amendments \_\_\_\_\_

\_\_\_\_\_  
*Speaker of the House.*

\_\_\_\_\_  
*Chief Clerk of the House.*

Passed the SENATE  
as amended \_\_\_\_\_

\_\_\_\_\_  
*President of the Senate.*

\_\_\_\_\_  
*Secretary of the Senate.*

APPROVED \_\_\_\_\_

\_\_\_\_\_  
*Governor.*