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6 **HOUSE BILL No. 2956**

7  
8 By Committee on Appropriations  
9 (By Request of the Joint Committee on Children's Issues)

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11 2-15

12  
13 AN ACT concerning Kansas educational institutions; requiring the pro-  
14 vision of educational benefits for certain students who have been  
15 placed in foster care; providing for payment of fees for such students.

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

18 Section 1. (a) As used in this section:

19 (1) "Kansas educational institution" means and includes area voca-  
20 tional schools, area vocational-technical schools, community colleges,  
21 state educational institutions and technical colleges.

22 (2) "State board" means the state board of regents.

23 (b) Subject to appropriations therefor **and except as otherwise pro-**  
24 **vided by this section**, every Kansas educational institution shall provide  
25 for enrollment without charge of tuition, undergraduate fees, including  
26 registration, matriculation and laboratory fees for any eligible applicant.  
27 **No Kansas educational institution shall be required by this section**  
28 **to provide for the enrollment of more than three new applicants**  
29 **in any academic year.** An applicant who was in the custody of social  
30 and rehabilitation services on the date such applicant reached 18 years of  
31 age and who is accepted to a Kansas educational institution ~~on or before~~  
32 ~~one year~~ **within two years** following the date such applicant reaches 18  
33 years of age **graduated from a high school or fulfilled the require-**  
34 **ments for a general educational development (GED) certificate**  
35 shall be eligible for enrollment at a Kansas educational institution without  
36 charge of tuition or such fees not to exceed eight semesters of under-  
37 graduate instruction, or the equivalent thereof, at all such institutions.

38 (c) Subject to appropriations therefor, any Kansas educational insti-  
39 tution which at the time of enrollment did not charge tuition or fees as  
40 prescribed by subsection (b), and amendments thereto, of the eligible  
41 applicant may file a claim with the state board for reimbursement of the  
42 amount of such tuition and fees. The state board shall be responsible for  
43 payment of reimbursements to Kansas educational institutions upon cer-

1 tification by each such institution of the amount of reimbursement to  
2 which the educational institution is entitled. Such payments to Kansas  
3 educational institutions shall be made upon vouchers approved by the  
4 state board and upon warrants of the director of accounts and reports.  
5 Payments may be made by issuance of a single warrant to each Kansas  
6 educational institution at which one or more eligible applicants are en-  
7 rolled for the total amount of tuition and fees not charged eligible appli-  
8 cants for enrollment at that institution. The director of accounts and re-  
9 ports shall cause such warrant to be delivered to the Kansas educational  
10 institution at which such eligible applicant or applicants are enrolled. If  
11 an eligible applicant discontinues attendance before the end of any se-  
12 mester, after the Kansas educational institution has received payment  
13 under this subsection, the institution shall pay to the state the entire  
14 amount which such eligible applicant would otherwise qualify to have  
15 refunded, not to exceed the amount of the payment made by the state  
16 on behalf of such applicant for the semester. All amounts paid to the state  
17 by Kansas educational institutions under this subsection shall be depos-  
18 ited in the state treasury and credited to the ~~state general~~ **[tuition waiver**  
19 **gifts, grants and reimbursements]** fund.

20 (d) The chief executive officer of the state board shall submit a report  
21 to the house and senate committees on education during the 2004 and  
22 2006 regular session of the legislature on the results, outcomes and ef-  
23 fectiveness of the tuition waiver program authorized by this section.

24 (e) The state board is authorized to receive any grants, gifts, contri-  
25 butions or bequests made for the purpose of supporting the tuition waiver  
26 program authorized by this section and to expend the same.

27 (f) There is hereby established in the state treasury the tuition waiver  
28 gifts ~~and grants~~, **[grants and reimbursements]** fund. Expenditures from  
29 the fund may be made for the purpose of ~~financing tuition waivers for~~  
30 ~~eligible applicants~~ **[payment of claims of Kansas educational insti-**  
31 **tutions]** pursuant to this section and for such purposes as may be spec-  
32 ified with regard to any grant, gift, contribution or bequest. All such ex-  
33 penditures shall be authorized by the chief executive officer of the state  
34 board, or such officer's designee and made upon warrants of the director  
35 of accounts and reports issued pursuant to vouchers approved by the chief  
36 executive officer of the state board, or such officer's designee.

37 **[(g) During each year, the chief executive officer of the state**  
38 **board shall make one or more certifications of the amount or**  
39 **amounts required to pay claims received from Kansas educational**  
40 **institutions for tuition and fees under this section to the director**  
41 **of accounts and reports and the secretary of social and rehabili-**  
42 **tation services. Upon receipt of each such certification, the direc-**  
43 **tor of accounts shall transfer the amount certified from moneys**

1 **received under the federal Chafee foster care independence grant**  
2 **and credited to the foster care assistance federal fund of the de-**  
3 **partment of social and rehabilitation services to the tuition waiver**  
4 **gifts, grants and reimbursements fund of the state board.]**

5 ~~(e)~~ [(h)] On or before the 10th of each month, the director of ac-  
6 counts and reports shall transfer from the state general fund to the tuition  
7 waiver gifts and grants fund interest earnings based on:

8 (1) The average daily balance of moneys in the tuition waiver gifts  
9 and grants fund for the preceding month; and

10 (2) the net earnings rate for the pooled money investment portfolio  
11 for the preceding month.

12 ~~(f)~~ [(i)] Applicants eligible for the benefits under this section shall  
13 be exempt from the provisions of K.S.A. 76-717, and amendments  
14 thereto.

15 ~~(g)~~ [(j)] The state board shall adopt rules and regulations requiring  
16 eligible applicants to be enrolled as a full-time undergraduate student in  
17 good academic standing and to maintain part-time employment to remain  
18 eligible and other rules and regulations, as appropriate, for administration  
19 of the applicable provisions of this section and shall determine the eligi-  
20 bility of applicants for the benefits provided under this section.

21 ~~(h)~~ [(k)] The provisions of this section shall expire on June 30, 2006,  
22 except that any eligible applicant who received a tuition waiver before  
23 June 30, 2006, and is deemed by the state board to be eligible pursuant  
24 to this section shall be allowed to remain eligible until such applicant  
25 completes such applicant's course of study or becomes ineligible pursuant  
26 to the provisions of this section.

27 Sec. 2. This act shall take effect and be in force from and after its  
28 publication in the statute book.

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