

SENATE BILL No. 212

By Senator Steineger

1-29

9 AN ACT enacting the Kansas youth civic service credit act.
10
11 *Be it enacted by the Legislature of the State of Kansas:*
12 Section 1. This act shall be known and may be cited as the Kansas
13 youth civic service credit act.
14 Sec. 2. As used in the Kansas youth civic service credit act:
15 (a) “Executive officer” means the chief executive officer of the state
16 board of regents appointed under K.S.A. 74-3203a, and amendments
17 thereto;
18 (b) “qualified student” means a person who: (1) Is a resident of the
19 state of Kansas; (2) is 25 years of age or younger; (3) has been accepted
20 for admission to or is enrolled in a course of instruction in a postsecondary
21 educational institution; and (4) has qualified for the award of a scholarship
22 under the Kansas youth civic service credit act on the basis of having
23 demonstrated scholastic ability, or who has previously so qualified and
24 remains qualified for renewal of the scholarship on the basis of remaining
25 in good standing and making satisfactory progress toward completion of
26 the requirements of the course of instruction in which enrolled;
27 (c) “state board” means the state board of regents;
28 (d) “postsecondary educational institution” has the meaning ascribed
29 thereto by K.S.A. 74-3201b, and amendments thereto;
30 (e) “military service” means any active service in any armed service
31 of the United States and any service as a member in good standing in the
32 Kansas army or air national guard;
33 (f) “volunteer service” means: (1) Any service as a part of volunteers
34 in service to America (VISTA); (2) any service in AmeriCorps; (3) any
35 service in the peace corps; or (4) any service commitment to the United
36 States public health service; and
37 (g) “service” means military or volunteer service.
38 Sec. 3. (a) There is hereby established the Kansas youth civic service
39 scholarship program. A scholarship may be awarded under the program
40 to any qualified student and may be renewed for each such student who
41 remains qualified for the scholarship. Determination of the students qual-
42 ified for such scholarships shall be made by the executive officer. Schol-
43 arships shall be awarded on a priority basis to qualified applicants who

1 have the greatest financial need.

2 (b) Within the limitations of appropriations therefor, the number of
3 scholarships awarded and the amount awarded to each applicant shall be
4 determined by the executive officer. The amount awarded shall be spec-
5 ified in the agreement. The amount awarded may vary depending upon
6 the number of hours and the program in which the applicant is enrolled.
7 A scholarship awarded under the program shall provide for payment to a
8 qualified student of an amount not to exceed the amount of the fees and
9 tuition for an academic year at the postsecondary educational institution
10 in which the qualified student is enrolled. A qualified student may be
11 awarded a scholarship for not more than two academic years of under-
12 graduate or postgraduate study.

13 (c) If a student is not enrolled on a full-time basis, a student shall
14 complete the course of study within the time period specified in the
15 agreement and shall receive a proportionate amount of the scholarship
16 allowed under subsection (b) based upon the number of hours enrolled
17 in an academic period, and computed as a fraction of the total number
18 of credit hours required for full-time enrollment.

19 Sec. 4. (a) An applicant for designation as a qualified student and for
20 the award of a scholarship under the Kansas youth civic service scholar-
21 ship program shall provide to the executive officer, on forms supplied by
22 the executive officer, information required by the executive officer.

23 (b) As a condition to awarding a scholarship under this act, the ex-
24 ecutive officer and the applicant shall enter into an agreement which shall
25 require the applicant to:

26 (1) Complete the required course of instruction;

27 (2) except as provided by subsection (c), within six months of com-
28 pletion of the course of instruction, commence service in accordance with
29 the agreement and continue such service on a full-time basis for a period
30 of not less than the length of the course of instruction for which the
31 scholarship was awarded or commence service on a part-time basis in
32 accordance with the agreement and continue such service on a part-time
33 basis for a period of time that is equivalent to full time, as determined by
34 the state board of regents, multiplied by the length of the course of in-
35 struction for which the scholarship was awarded;

36 (3) maintain records and make reports to the executive officer as re-
37 quired by the executive officer to document the satisfaction of the obli-
38 gations under this act and the agreement; and

39 (4) upon failure to satisfy an agreement, repay to the state amounts
40 as provided in section 5, and amendments thereto.

41 (c) The executive officer may award scholarships to qualified appli-
42 cants who have completed at least two years of service prior to submission
43 of an application for a scholarship. If an applicant has completed service

1 prior to the award of a scholarship, such applicant shall not be subject to
2 the service requirement of subsection (b).

3 Sec. 5. (a) Except as provided in section 6, and amendments thereto,
4 upon the failure of any person to satisfy the obligation under any agree-
5 ment entered into pursuant to the Kansas youth civic service scholarship
6 program, such person shall pay to the executive officer an amount equal
7 to the total amount of money received by such person pursuant to such
8 agreement plus accrued interest at a rate which is equivalent to the in-
9 terest rate applicable to loans made under the federal PLUS program at
10 the time such person first entered into an agreement plus five percentage
11 points. Amounts of payment under this section shall be adjusted propor-
12 tionately for full years of the obligation that have been satisfied. Install-
13 ment payments of any such amounts may be made in accordance with
14 the provisions of the agreement entered into by the scholarship recipient
15 or if no such provisions exist in such agreement, in accordance with rules
16 and regulations of the state board of regents, except that such installment
17 payments shall commence six months after the date of the action or cir-
18 cumstances that cause the failure of the person to satisfy the obligations
19 of such agreements, as determined by the executive officer based upon
20 the circumstances of each individual case. Amounts paid under this sec-
21 tion to the executive officer shall be deposited in the Kansas youth civic
22 service scholarship repayment fund in accordance with section 8, and
23 amendments thereto.

24 (b) The state board of regents is authorized to turn any repayment
25 account arising under the Kansas youth civic service scholarship program
26 over to a designated loan servicer or collection agency, the state not being
27 involved other than to receive payments from the loan servicer or collec-
28 tion agency at the interest rate prescribed under this section.

29 Sec. 6. (a) Except as otherwise specified in the agreement, an obli-
30 gation under any agreement entered into under the Kansas youth civic
31 service scholarship program shall be postponed: (1) During any required
32 period of active military service; (2) during any period of service as a part
33 of volunteers in service to America (VISTA); (3) during any period of
34 service in the peace corps; (4) during any period of service commitment
35 to the United States public health service; (5) during any period of time
36 the person obligated is unable because of temporary medical disability to
37 satisfy the terms of the service agreement; (6) during any period of time
38 the person obligated is enrolled and actively engaged on a full-time basis
39 in a course of study leading to a degree in a field of study which is higher
40 than that formerly attained; (7) during any period of time the person
41 obligated is on job-protected leave under the federal family and medical
42 leave act of 1993; or (8) during any period of time the state board of
43 regents determines that the person obligated is unable because of special

1 circumstances to satisfy the terms of the service agreement. Except for
2 clauses (5), (7) and (8), an obligation under any agreement entered into
3 as provided in the Kansas youth civic service scholarship program shall
4 not be postponed more than five years from the time the obligation was
5 to have been commenced under such agreement. An obligation under
6 any agreement entered into as provided in the Kansas youth civic service
7 scholarship program shall be postponed under clause (5) during the pe-
8 riod of time the medical disability exists. An obligation under any agree-
9 ment entered into as provided in the Kansas youth civic service scholar-
10 ship program shall be postponed under clause (7) during the period of
11 time the person obligated remains on FMLA leave. An obligation to serve
12 in accordance with an agreement under the Kansas youth civic service
13 scholarship program shall be postponed under clause (8) during the pe-
14 riod of time the state board of regents determines that the special cir-
15 cumstances exist. The state board of regents shall adopt rules and regu-
16 lations prescribing criteria or guidelines for determination of the existence
17 of special circumstances causing an inability to teach, and shall determine
18 the documentation required to prove the existence of such circumstances.

19 (b) An obligation under any agreement entered into as provided in
20 the Kansas youth civic service scholarship program shall be satisfied: (1)
21 If the obligation has been completed in accordance with the agreement;
22 (2) if the person obligated dies; (3) if, because of permanent physical
23 disability, the person obligated is unable to satisfy the obligation; (4) if
24 the person obligated fails to satisfy the requirements for a graduation from
25 the program in which enrolled after making the best effort possible; (5)
26 if the person obligated is unable to commence service after making the
27 best effort possible to obtain such service and the person obligated oth-
28 erwise completes the terms, conditions and obligations of the agreement.

29 Sec. 7. The state board of regents shall adopt rules and regulations
30 for administration of the Kansas youth civic service scholarship program
31 and shall establish terms, conditions and obligations which shall be in-
32 corporated into the provisions of any agreement entered into between
33 the executive officer and an applicant for the award of a scholarship under
34 the program. The terms, conditions and obligations shall be consistent
35 with the provisions of law relating to the program and shall include, but
36 not be limited to, the circumstances under which eligibility for financial
37 assistance under the program may be terminated, the amount of financial
38 assistance to be provided, the circumstances under which obligations may
39 be discharged or forgiven, the amount of money required to be repaid
40 because of failure to satisfy the obligations under an agreement and the
41 method of repayment.

42 Sec. 8. (a) There is hereby created in the state treasury the Kansas
43 youth civic service scholarship program fund. The executive officer shall

1 remit all moneys received under the Kansas youth civic service scholar-
2 ship program, which are paid because of nonattendance or discontinuance
3 by scholarship recipients, to the state treasurer in accordance with the
4 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
5 each such remittance, the state treasurer shall deposit the entire amount
6 in the state treasury to the credit of the Kansas youth civic service schol-
7 arship program fund. All expenditures from the Kansas youth civic service
8 scholarship program fund shall be for scholarships awarded under the
9 Kansas youth civic service scholarship program and shall be made in ac-
10 cordance with appropriation acts upon warrants of the director of ac-
11 counts and reports issued pursuant to vouchers approved by the executive
12 officer or by a person designated by the executive officer.

13 (b) There is hereby created in the state treasury the Kansas youth
14 civic service scholarship repayment fund. The executive officer shall remit
15 all moneys received under the Kansas youth civic service scholarship pro-
16 gram, which are for payment of amounts pursuant to section 5, and
17 amendments thereto, to the state treasurer in accordance with the pro-
18 visions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each
19 such remittance, the state treasurer shall deposit the entire amount in the
20 state treasury to the credit of the Kansas youth civic service scholarship
21 repayment fund. All expenditures from the Kansas youth civic service
22 scholarship repayment fund shall be for scholarships awarded under the
23 Kansas youth civic service scholarship program and shall be made in ac-
24 cordance with appropriation acts upon warrants of the director of ac-
25 counts and reports issued pursuant to vouchers approved by the executive
26 officer or by a person designated by the executive officer.

27 Sec. 9. This act shall take effect and be in force from and after its
28 publication in the statute book.