

SENATE BILL No. 231

By Committee on Ways and Means

2-10

1 AN ACT concerning postsecondary education; relating to tuition;
2 providing for the waiver of tuition for certain children of qualifying
3 public school teachers; deeming certain children of qualifying public
4 school teachers as residents for tuition purposes; amending K.S.A. 76-
5 729 and repealing the existing section.
6

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

8 New Section 1. (a) This section shall be known and may be cited as
9 the children of public school teachers educational assistance act.

10 (b) As used in this section:

11 (1) "Act" means the children of public school teachers educational
12 assistance act.

13 (2) "Educational program" means a program that is offered and
14 maintained by a Kansas educational institution and leads to the award of a
15 certificate, diploma or degree upon satisfactory completion of coursework
16 requirements.

17 (3) "Eligible student" means a child whose parent is a teacher who
18 meets the requirements of subsection (d) and who is eligible to enroll at a
19 Kansas educational institution.

20 (4) "Kansas educational institution" means any community college,
21 municipal university or state educational institution as defined in K.S.A.
22 76-711, and amendments thereto.

23 (5) "Parent" means a Kansas resident who is the parent, stepparent,
24 legal guardian or custodian of an eligible student.

25 (c) (1) The children of public school teachers educational assistance
26 act shall be administered by the state board of regents to provide tuition
27 assistance for up to two eligible students per family whose parent meets
28 the requirements of subsection (d).

29 (2) Tuition assistance shall be provided from undergraduate
30 enrollment in a Kansas educational institution through the semester the
31 eligible student attains 23 years of age so long as the eligible student meets
32 requirements of this act.

33 (d) To receive tuition assistance pursuant to this act, the parent of an
34 eligible student shall:

35 (1) Hold a valid Kansas teaching license;

36 (2) have been a teacher employed by a school district in this state for

1 at least:

2 (A) Eight years for the first eligible student in a family to receive
3 tuition assistance; or

4 (B) 10 years for the second eligible student in a family to receive
5 tuition assistance. Years of service as a teacher employed by a school
6 district may be non-consecutive but shall be met within a 16-year time
7 period; and

8 (3) (A) if residing in any Kansas county other than Johnson county,
9 have a household income of less than \$120,000 for a family of four; or

10 (B) if residing in Johnson county, have a household family income of
11 less than \$170,000 for a family of four.

12 (e) No eligible student who meets the requirements of subsections (d)
13 and (f) and is enrolled at a Kansas educational institution pursuant to this
14 act shall be charged the amount of tuition or required fees charged by such
15 Kansas educational institution for enrollment in courses necessary to
16 satisfy the requirements of an educational program, except that no eligible
17 student shall have the amount of tuition or required fees waived for any
18 course repeated or taken in excess of the requirements for completion of
19 the educational program in which such student is enrolled. Each eligible
20 student enrolled in a Kansas educational institution pursuant to this act
21 shall be responsible for all fees charged by such institution that are not
22 directly related to and required for the courses in the educational program
23 in which such student is enrolled.

24 (f) To remain eligible for tuition assistance, an eligible student shall
25 remain in good standing at the Kansas educational institution where such
26 student is enrolled and make satisfactory progress toward completion of
27 the requirements of the educational program in which such student is
28 enrolled.

29 (g) No Kansas educational institution shall delay enrollment of an
30 eligible student who is receiving tuition assistance pursuant to this act
31 because appropriations are not available therefor.

32 (h) The state board of regents may adopt rules and regulations for the
33 implementation and administration of this act.

34 (i) Beginning in January 2024, the state board of regents shall publish
35 an annual report on this act and present such report to the legislature.

36 (j) On and after July 1, 2028, any individual who was not receiving
37 tuition assistance pursuant to this act prior to July 1, 2028, shall not
38 receive tuition assistance.

39 New Sec. 2. (a) Up to two individuals in a family who have a parent
40 who is a teacher and are enrolled or have been accepted for admission at a
41 postsecondary educational institution as a postsecondary student shall be
42 deemed to be residents of Kansas for purposes of tuition and fees for
43 attendance at such postsecondary educational institution.

1 (b) As used in this section:

2 (1) "Postsecondary educational institution" means the same as
3 defined in K.S.A. 74-3201b, and amendments thereto.

4 (2) "Teacher" means an individual who:

5 (A) Holds or held a valid Kansas teaching license; and

6 (B) was employed by a school district as a teacher in this state for at
7 least four years but not more than seven years prior to moving to another
8 state.

9 (c) This section shall not apply on and after July 1, 2028, to any
10 individual who was not deemed a resident pursuant to this section and
11 enrolled in a postsecondary educational institution prior to July 1, 2028.

12 Sec. 3. K.S.A. 76-729 is hereby amended to read as follows: 76-729.

13 (a) (1) Persons enrolling at the state educational institutions under the
14 control and supervision of the state board of regents who, if such persons
15 are adults, have been domiciliary residents of the state of Kansas or, if
16 such persons are minors, whose parents have been domiciliary residents of
17 the state of Kansas for at least 12 months prior to enrollment for any term
18 or session at a state educational institution are residents for fee purposes. A
19 person who has been a resident of the state of Kansas for fee purposes and
20 who leaves the state of Kansas to become a resident of another state or
21 country shall retain status as a resident of the state of Kansas for fee
22 purposes if the person returns to domiciliary residency in the state of
23 Kansas within 60 months of departure. All other persons are nonresidents
24 of the state of Kansas for fee purposes.

25 (2) The provisions of this subsection shall not apply to a person who
26 is deemed a resident for fee purposes pursuant to K.S.A. 76-731a, and
27 amendments thereto, *and section 2, and amendments thereto.*

28 (b) The state board of regents may authorize the following persons, or
29 any class or classes thereof, and their spouses and dependents to pay an
30 amount equal to resident fees:

31 (1) Persons who are employees of a state educational institution;

32 (2) persons having special domestic relations circumstances;

33 (3) persons who have lost their resident status within six months of
34 enrollment;

35 (4) persons who are not domiciliary residents of the state, who have
36 graduated from a high school accredited by the state board of education
37 within six months of enrollment, who were domiciliary residents of the
38 state at the time of graduation from high school or within 12 months prior
39 to graduation from high school, and who are entitled to admission at a
40 state educational institution pursuant to K.S.A. 76-717b, and amendments
41 thereto; *or*

42 (5) persons who are domiciliary residents of the state, whose
43 domiciliary residence was established in the state for the purpose of

1 accepting, upon recruitment by an employer, or retaining, upon transfer
2 required by an employer, a position of full-time employment at a place of
3 employment in Kansas, but the domiciliary residence of whom was not
4 timely enough established to meet the residence duration requirement of
5 subsection (a), and who are not otherwise eligible for authorization to pay
6 an amount equal to resident fees under this subsection.

7 (c) Pursuant to K.S.A. 2022 Supp. 48-3601, and amendments thereto,
8 a veteran, an active duty member of the armed forces and the spouse and
9 dependent child of such veteran or active duty member of the armed forces
10 shall be deemed residents of the state for fee purposes.

11 (d) As used in this section:

12 (1) "Parents" means and includes natural parents, adoptive parents,
13 stepparents, guardians and custodians.

14 (2) "Guardian" ~~has the meaning ascribed thereto by~~ *means the same*
15 *as defined in K.S.A. 59-3051, and amendments thereto.*

16 (3) "Custodian" means a person, agency or association granted legal
17 custody of a minor under the revised Kansas code for care of children.

18 (4) "Domiciliary resident" means a person who has present and fixed
19 residence in Kansas where the person intends to remain for an indefinite
20 period and to which the person intends to return following absence.

21 (5) "Full-time employment" means employment requiring at least
22 1,500 hours of work per year.

23 (6) "Dependent" means:

24 (A) A birth child, adopted child or stepchild; or

25 (B) any child other than the foregoing who is actually dependent in
26 whole or in part on the person in military service and who is related to
27 such individual by marriage or consanguinity.

28 (7) "Academic year" means the ~~twelve-month~~ *12-month* period
29 ending June 30.

30 Sec. 4. K.S.A. 76-729 is hereby repealed.

31 Sec. 5. This act shall take effect and be in force from and after its
32 publication in the statute book.