

SENATE BILL No. 438

AN ACT concerning education; making and concerning appropriations for the fiscal year ending June 30, 2025, for the state board of regents; establishing the Kansas blueprint for literacy and the literacy advisory committee; directing the state board of regents to appoint a director of literacy education and develop a comprehensive assessment system; requiring the state board of regents and the state board of education to collaborate on a literacy micro-credential and professional development; providing university presidents and deans of education oversight over postsecondary literacy courses; requiring a plan to establish centers of excellence in reading; requiring the state board of education to submit annual reports to the legislature on certain statistics of students who take the statewide assessments; establishing the Kansas education opportunity scholarship program to replace the Kansas ethnic minority scholarship program; removing limits on Kansas nursing service scholarship awards and modifying the interest rate terms and repayment obligations for such awards; abolishing the nursing service scholarship review committee; eliminating the requirement to subtract other aid from the state payment for the AO-K program; modifying financial limitations on Kansas hero's scholarship awards and broadening eligibility requirements for such awards; amending K.S.A. 74-3284, 74-3285, 74-3286, 74-3287, 74-3288, 74-3289, 74-3292, 74-3293, 74-3294, 74-3295, 74-3296, 74-3297 and 74-3298 and K.S.A. 2023 Supp. 72-5170, 74-32,267 and 75-4364 and repealing the existing sections; also repealing K.S.A. 74-3299.

WHEREAS, Kansas is experiencing unprecedented economic growth. By the year 2030, Kansas will add 54,000 new jobs, 80% of which will require a bachelor's degree or higher. At the same time, the state is at a crucial moment when a comprehensive approach to equipping Kansas educators with training in the science of reading, structured literacy and literacy screening and assessment tools is essential; and

WHEREAS, It is imperative that we leverage our strengths and ensure that we lead the nation in producing highly literate talent to lead our communities and state forward; and

WHEREAS, Making literacy a priority is without a doubt one of the most important and impactful investments that we can make to help families, support businesses and continue to advance economic prosperity for all Kansans.

Now, therefore:

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

New Section 1.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Kansas blueprint for literacy.....\$10,000,000

Provided, That expenditures shall be made by the above agency from such account in accordance with the Kansas blueprint for literacy:

Provided further; That on or before September 1, 2024, the executive officer of the state board of regents shall certify to the director of the budget that each of the following research educational institutions has implemented two three-credit hour applied application courses and included such courses within the approved graduation requirements to earn a degree in elementary education and has implemented a common performance-based assessment for such courses on or before August 2024: The university of Kansas, Kansas state university and Wichita state university: *Provided, however*; That if the executive officer does not certify that the university of Kansas, Kansas state university and Wichita state university have implemented such courses and assessment on or before August 2024, then on September 1, 2024, of the \$10,000,000 appropriated for the above agency from the state general fund in the Kansas blueprint for literacy account, the sum of \$1,000,000 per institution that did not implement such courses and assessment is hereby lapsed: *And provided further*; That on or before September 1, 2024, the executive officer shall certify to the director of the budget that each of the following regional educational institutions

has implemented two three-credit hour applied application courses and included such courses within the approved graduation requirements to earn a degree in elementary education and has implemented a common performance-based assessment for such courses on or before August 2024: Emporia state university, Fort Hays state university and Pittsburg state university: *And provided, however*; That if the executive officer does not certify that Emporia state university, Fort Hays state university and Pittsburg state university have implemented such courses and assessment on or before August 2024, then on September 1, 2024, of the \$10,000,000 appropriated for the above agency from the state general fund in the Kansas blueprint for literacy account, the sum of \$500,000 per institution that did not implement such courses and assessment is hereby lapsed: *And provided, however*; That no expenditures shall be made by the above agency or any university from such account for the development of such courses or assessments: *And provided further*; That, at the same time as the executive officer transmits a copy of such certifications to the director of the budget, the executive officer shall transmit a copy of such certifications to the director of legislative research.

New Sec. 2. (a) Sections 2 through 8, and amendments thereto, shall be known and may be cited as the Kansas blueprint for literacy.

(b) Each provision of sections 2 through 8, and amendments thereto, that requires the expenditure of moneys shall be subject to legislative appropriations therefor.

(c) As used in sections 2 through 8, and amendments thereto:

(1) "In-service" means a licensed individual who is employed by a school district or accredited nonpublic school as a teacher.

(2) "Postsecondary educational institution" means:

(A) A state educational institution as defined in K.S.A. 76-711, and amendments thereto;

(B) a municipal university; and

(C) any not-for-profit institution of postsecondary education that has its main campus or principal place of operation in Kansas, is operated independently and not controlled or administered by a state agency or subdivision of this state, maintains open enrollment and is accredited by a nationally recognized accrediting agency for higher education in the United States.

(3) "Pre-service" means an individual who is receiving the education and training to become a licensed teacher but is not yet licensed.

(4) "Science of reading" means the teaching of reading using evidence-based research that includes phonemic awareness, phonics, fluency, vocabulary and comprehension.

(5) "Structured literacy" means the application of knowledge from the science of reading that teaches reading in an evidence-based and systematic way.

New Sec. 3. (a) There is hereby established a literacy advisory committee. The committee shall be composed of:

(1) 15 voting members as follows:

(A) The director of literacy education, appointed pursuant to section 4, and amendments thereto, who shall serve as chairperson of the committee;

(B) one member appointed by the governor;

(C) one member of the house of representatives or a literacy expert appointed by the speaker of the house of representatives;

(D) one member of the house of representatives or a literacy expert appointed by the minority leader of the house of representatives;

(E) one member of the senate or a literacy expert appointed by the president of the senate;

(F) one member of the senate or a literacy expert appointed by the minority leader of the senate;

(G) one member appointed by and representing the Kansas national education association;

(H) one member appointed by and representing a school of education from Emporia state university, Fort Hays state university or Pittsburg state university;

(I) one member appointed by and representing a school of education from the university of Kansas, Kansas state university or Wichita state university;

(J) one member appointed by and representing Washburn university school of education;

(K) one member appointed by the Kansas association of community colleges to represent community colleges;

(L) one member appointed by the Kansas independent colleges association to represent a not-for-profit institution of postsecondary education school or college of education;

(M) one member appointed by the state board of education;

(N) one member of the state board of regents appointed by the state board of regents; and

(O) one member who is an English for speakers of other languages literacy expert appointed by the united school administrators of Kansas; and

(2) nonvoting members as follows:

(A) The commissioner of education or the commissioner's designee; and

(B) any number of members appointed by the director of literacy education pursuant to section 4, and amendments thereto.

(b) (1) Members shall be appointed on or before July 1, 2024.

(2) Except for the director of literacy education, voting members shall serve for a term of four years.

(3) Any vacancy in the membership of the committee shall be filled by appointment in the same manner prescribed by this section for the original appointment.

(4) A quorum of the committee shall be a majority of the voting members. All actions of the committee may be taken by a majority of the voting members present when there is a quorum.

(5) The committee may meet at any time and at any place within the state upon the call of the chairperson.

(6) If any member of the committee fails to attend three meetings of the committee within any 12-month period, such member's appointment shall terminate and a new member shall be appointed in the same manner prescribed by this section for the original appointment.

(c) The literacy advisory committee shall:

(1) Monitor progress of literacy training for in-service and pre-service teachers and literacy education of elementary and secondary students;

(2) designate best practices for literacy training for in-service and pre-service teachers and literacy education of elementary and secondary students;

(3) be responsible for the attainment of the transformational goal to have 100% of the Kansas special education, English for speakers of other languages and elementary teacher workforce achieve a micro-credential in the science of reading and structured literacy by 2030, leading to at least 50% of students in each of the grades three through eight achieving level 3 or above and at least 90% of students in each of the grades three through eight achieving level 2 or above on the English language arts state assessment by 2033;

- (4) make recommendations to the director of literacy education;
 - (5) make recommendations to the state board of education, the state board of regents and the postsecondary educational institution presidents or chancellors on:
 - (A) Literacy training for in-service and pre-service teachers and literacy education of elementary and secondary students; and
 - (B) reading instruction methods based on the science of reading;
 - (6) make recommendations to the house of representatives standing committee on education and the senate standing committee on education on the implementation of the goals of the Kansas blueprint for literacy and any changes necessary to achieve such goals;
 - (7) (A) submit a progress report to the legislature on:
 - (i) English language arts state assessment scores for each grade level and all defined subgroups, including, but not limited to, English language learners, students receiving free meals pursuant to the national school lunch act, students in the custody of the secretary for children and families and race and ethnicity subgroups;
 - (ii) literacy training for in-service and pre-service teachers; and
 - (iii) the literacy advisory committee's goals and requirements provided in the Kansas blueprint for literacy;
 - (B) Such progress report shall be provided at the following times each calendar year:
 - (i) Once on or before February 1 to the senate committee on education and the house of representatives committee on education;
 - (ii) once on or before May 1 to the senate committee on education and the house of representatives committee on education; and
 - (iii) once on or before December 1 to any interim, special, or select committee, task force or commission that has membership that includes legislators, is related to education, has been approved by the legislative coordinating council and requests such report; and
 - (8) submit a plan to the state board of regents and the legislature, including the house of representatives standing committee on education and the senate standing committee on education, on the establishment of centers of excellence in reading pursuant to section 8, and amendments thereto, on or before January 1, 2025.
 - (d) The committee shall be subject to the Kansas open records act, K.S.A. 45-419 et seq., and amendments thereto, and the Kansas open meetings act, K.S.A. 75-4317 et seq., and amendments thereto. The committee shall publish each meeting agenda and any available meeting documents online prior to each scheduled meeting of the committee.
 - (e) (1) Legislative members of the committee and members appointed by a member of the legislature who attend meetings of the committee shall be paid for expenses, mileage and subsistence as provided in K.S.A. 75-3223(e), and amendments thereto.
 - (2) Members of the committee who are not members of the legislature may be paid for expenses, mileage and subsistence by the entity each such member was appointed by and represents.
 - (f) (1) The director of literacy education shall provide executive support to the committee.
 - (2) The staff of the state board of regents, office of revisor of statutes, the legislative research department and the division of legislative administrative services shall provide such assistance as may be requested by the committee.
- New Sec. 4. (a) On or before July 1, 2024, the executive officer of the state board of regents shall appoint a director of literacy education.
- (b) The director of literacy education shall be an employee of the state board of regents in the unclassified service who serves at the pleasure of the state board of regents. The compensation of the director

shall be determined by the executive officer of the state board of regents.

(c) The director of literacy education shall:

(1) Serve as chairperson of the literacy advisory committee established in section 3, and amendments thereto;

(2) implement and administer the Kansas blueprint for literacy;

(3) provide executive support to the literacy advisory committee;

(4) appoint nonvoting members of the literacy advisory committee as the director deems necessary;

(5) work with the state board of education and the state board of regents to ensure:

(A) Progress on the initiatives, objectives and desired outcomes in the Kansas blueprint for literacy;

(B) the development and utilization of the comprehensive assessment system; and

(C) state educational institutions and elementary and secondary schools are using tier I literacy methodologies;

(6) encourage independent institutions referred to in section 2(c)(2)(C), and amendments thereto, to use such tier I methodologies;

(7) establish a program to track the science of reading and structured literacy training progression of in-service and pre-service early childhood and elementary teachers, special education teachers and paraprofessionals, reading specialists and early childhood and elementary administrators for all school districts in the state;

(8) on or before January 15 of each year, prepare and present a report to the senate standing committee on education and the house of representatives standing committee on education, or any successor committees, on the implementation and administration of the Kansas blueprint for literacy, including, but not limited to, an implementation timeline, progress of initiatives, development and utilization of the comprehensive assessment system, progress toward the goal established in section 3(c), and amendments thereto, use of tier I methodologies, outcomes and any proposed changes; and

(9) report to the house of representatives standing committee on education and the senate standing committee on education on or before January 31, 2025, on the progress of the state board of regents on utilization of the science of reading, elimination of discredited methodologies, use of universal screening measures and assessments in elementary and secondary schools in the state.

New Sec. 5. (a) Postsecondary educational institutions shall designate practices based on the science of reading through structured literacy as the official tier I literacy methodology and shall prohibit the use or teaching of any discredited methodologies, such as the three-cueing system.

(b) (1) The state board of regents, in collaboration with postsecondary educational institutions and research experts, shall establish a comprehensive reading and literacy assessment system with universal screening measures, diagnostic, formative and summative assessments to be used in teacher preparation programs in the state. Such assessment system shall allow teachers to adjust instruction to meet the specific needs of students, including with regard to reading difficulties and the remediation of reading and literacy skill gaps. The state board of regents shall make recommendations to the state board of education on such assessment system and ensure that such assessment system is available on or before May 1, 2025. Nothing in this paragraph shall be construed to include the English language arts statewide assessment.

(2) The state board of regents shall:

(A) Develop training modules for the assessments on or before

July 1, 2025;

(B) support state board of education action to officially designate the science of reading as the official tier I literacy methodology;

(C) support elementary and secondary schools as necessary to eliminate any discredited methodologies;

(D) recommend literacy-specific universal screening measures and diagnostic, formative and summative assessments to the state board of education; and

(E) approve reading instruction methodologies recommended by the literacy advisory committee for state educational institutions.

(3) On and after July 1, 2025, no school district shall use any textbooks or instructional materials that utilize:

(A) The three-cueing system model of reading as the primary basis for teaching word recognition;

(B) visual memory as the primary basis for teaching word recognition; or

(C) the three-cueing system model of reading based on meaning, structure and syntax and visual cues, commonly known as MVS.

(c) The director of literacy education shall report to the house of representatives standing committee on education and the senate standing committee on education on or before January 31, 2025, on the progress of the state board of regents on utilization of the science of reading, elimination of discredited methodologies, use of universal screening measures and assessments in elementary and secondary schools in the state.

New Sec. 6. The state board of regents and the state board of education shall collaborate to:

(a) Jointly approve micro-credential requirements for in-service teachers or certification requirements for pre-service teachers at state educational institutions in the science of reading and structured literacy;

(b) develop or make accessible professional development programs and micro-credential courses for all in-service early childhood teachers, general education teachers and special education teachers at low or no cost to such teachers. Such programs and courses shall be delivered by national online learning programs or accredited Kansas postsecondary educational institutions;

(c) ensure all pre-service teacher preparation programs at state educational institutions are based on the science of reading and structured literacy;

(d) publish standards and course progressions to achieve transparency of Kansas reading education programs; and

(e) provide data for the program to the director of literacy education that tracks the science of reading and structured literacy training progression of in-service and pre-service early childhood and elementary teachers, special education teachers and paraprofessionals, reading specialists and early childhood and elementary administrators for all school districts in the state.

New Sec. 7. The president or chancellor, provost and dean of the college or school of education of each postsecondary educational institution shall jointly have oversight and supervision of undergraduate and graduate level reading and literacy courses at their respective institution and shall:

(a) Ensure explicit courses in the science of reading and structured literacy, including the five pillars of reading for all undergraduate early childhood and elementary teacher preparation programs at state educational institutions;

(b) appoint one representative from each postsecondary educational institution to conduct an annual systemwide analysis of the curriculum maps across all literacy courses. Such analysis shall include

identifying clear evidence of instructional approaches and the core components of reading development;

(c) present a report on such systemwide analysis and any results from such analysis to the literacy advisory committee;

(d) design and implement two three-credit hour applied application courses that shall be included within the approved graduation requirements to earn a degree in elementary education on or before August 2024;

(e) implement a common performance-based assessment for such courses to be used by all postsecondary educational institutions on or before August 2024;

(f) assist in the development of a science of reading and structured literacy micro-credential for early childhood teachers, elementary education teachers, English for speakers of other languages teachers, reading specialists, special education teachers and paraprofessionals, early childhood and elementary administrators that focuses on research-based fundamentals of reading instruction; and

(g) provide information, advice and recommendations to the literacy advisory committee.

New Sec. 8. The literacy advisory committee shall develop a plan to establish six regional centers of excellence in reading. The plan shall:

(a) Require postsecondary educational institutions to collaborate with colleges or schools of education, the center for reading at Pittsburg state university and community-based literacy organizations;

(b) include options that would allow centers for excellence in reading to be co-located in an existing building or school of a school district, postsecondary educational institution, community facility or other facility or building, as appropriate; and

(c) require such centers to:

(1) Provide evaluation and identification of reading difficulties and reading disabilities, including, but not limited, dyslexia;

(2) collaborate with school districts to develop strategic literacy plans for individual students;

(3) collaborate with the state department of education, state board of regents and postsecondary educational institutions to support pre-service and in-service teacher training;

(4) support the professional development and training of school-based instructional coaches;

(5) pilot structured reading applied learning simulation laboratories for pre-service and in-service teachers;

(6) pilot a literacy education simulation training laboratory for pre-service elementary teachers as a controlled environment for the application of the science of reading;

(7) identify projected cost, staffing and budget impacts to develop, expand and sustain the centers for excellence and reading simulation laboratories; and

(8) make recommendations and provide progress reports to the literacy advisory committee.

Sec. 9. K.S.A. 2023 Supp. 72-5170 is hereby amended to read as follows: 72-5170. (a) (1) In order to accomplish the mission for Kansas education, the state board shall design and adopt a school district accreditation system based upon improvement in performance that equals or exceeds the educational goal set forth in K.S.A. 72-3218(c), and amendments thereto, and is measurable. The state board shall hold all school districts accountable through the Kansas education systems accreditation rules and regulations, or any successor accreditation system and accountability plan adopted by the state board. The state board also shall ensure that all school districts and the public schools

operated by such districts have programs and initiatives in place for providing those educational capacities set forth in K.S.A. 72-3218(c), and amendments thereto. On or before January 15 of each year, the state board shall prepare and submit a report on the school district accreditation system to the governor and the legislature.

(2) The accountability measures established pursuant to paragraph (1) shall be applied both at the district level and at the school level. Such accountability measures shall be reported by the state board for each school district and each school. All reports prepared pursuant to this section shall be published in accordance with K.S.A. 2023 Supp. 72-1181, and amendments thereto.

(3) If a school district is not fully accredited and a corrective action plan is required by the state board, such corrective action plan, and any subsequent reports prepared by the state board regarding the progress of such school district in implementing and executing such corrective action plan, shall be published on the state department of education's internet website and such school district's internet website in accordance with K.S.A. 2023 Supp. 72-1181, and amendments thereto.

(4) If a school district is not accredited, the superintendent, or the superintendent's designee, shall appear before the committee on education of the house of representatives and the committee on education of the senate during the regular legislative session that occurs during the same school year in which such school district is not accredited. Such school district shall provide a report to such committees on the challenges and obstacles that are preventing such school district from becoming accredited.

(b) The state board shall establish curriculum standards that reflect high academic standards for the core academic areas of mathematics, science, reading, writing and social studies. The curriculum standards shall be reviewed at least every seven years. Nothing in this subsection shall be construed in any manner so as to impinge upon any school district's authority to determine its own curriculum.

(c) (1) The state board shall provide for statewide assessments in the core academic areas of mathematics, science, reading, writing and social studies. The board shall ensure compatibility between the statewide assessments and the curriculum standards established pursuant to subsection (b). Such assessments shall be administered at three grade levels, as determined by the state board. The state board shall determine performance levels on the statewide assessments, the achievement of which represents high academic standards in the academic area at the grade level to which the assessment applies. The state board should specify high academic standards both for individual performance and school performance on the assessments.

(2) (A) *On or before January 15 of each year, the state board shall prepare and submit to the legislature a report on students who take the statewide assessments. Such report shall include:*

(i) The number of students and such number expressed as a percentage of the total number of students who took the statewide assessments during the immediately preceding school year disaggregated by core academic area and by grade level; and

(ii) the percentage of students who took the statewide assessments in grade 10 who, two years after graduating from high school, obtained some postsecondary education disaggregated by statewide assessment achievement level.

(B) *When such information becomes available, or as soon thereafter as practicable, the state board shall publish the information required for the report under subparagraph (A) on the website of the state department of education and incorporate such information in the*

performance accountability reports and longitudinal achievement reports required under K.S.A. 2023 Supp. 72-5178, and amendments thereto.

(C) *The provisions of this paragraph shall expire on July 1, 2029.*

(d) Each school year, on such date as specified by the state board, each school district shall submit the Kansas education system accreditation report to the state board in such form and manner as prescribed by the state board.

(e) Whenever the state board determines that a school district has failed either to meet the accreditation requirements established by rules and regulations or standards adopted by the state board or provide curriculum based on state standards and courses required by state law, the state board shall so notify the school district. Such notice shall specify the accreditation requirements that the school district has failed to meet and the curriculum that it has failed to provide. Upon receipt of such notice, the board of education of such school district is encouraged to reallocate the resources of the school district to remedy all deficiencies identified by the state board.

(f) Each school in every school district shall establish a school site council composed of the principal and representatives of teachers and other school personnel, parents of students attending the school, the business community and other community groups. School site councils shall be responsible for providing advice and counsel in evaluating state, school district, and school site performance goals and objectives and in determining the methods that should be employed at the school site to meet these goals and objectives. Site councils may make recommendations and proposals to the school board regarding budgetary items and school district matters, including, but not limited to, identifying and implementing the best practices for developing efficient and effective administrative and management functions. Site councils also may help school boards analyze the unique environment of schools, enhance the efficiency and maximize limited resources, including outsourcing arrangements and cooperative opportunities as a means to address limited budgets.

Sec. 10. K.S.A. 74-3284 is hereby amended to read as follows: 74-3284. (a) *K.S.A. 74-3284 through 74-3289, and amendments thereto, shall be known and may be cited as the Kansas education opportunity scholarship program act.*

(b) As used in this act:

~~(a)(1) "Kansas-ethnic minority education opportunity scholarship program" means a program under which the state, in response to growing concerns over loss of talented ethnic minority students to institutions of postsecondary education in other states, the need to enhance the diversity of the student population at Kansas institutions of postsecondary education, and the barriers to ethnic minority student enrollment at Kansas institutions of postsecondary education and for the purpose of enabling and encouraging talented ethnic minority students to remain in Kansas for the attainment of educational goals and fulfillment of career aspirations, provides financial assistance through the award of Kansas-ethnic minority education opportunity scholarships to Kansas-ethnic minority education opportunity scholars.~~

~~(b)(2) "Kansas-ethnic minority education opportunity scholarship" means a financial award made by this state under this act to a Kansas ethnic minority education opportunity scholar.~~

~~(e)(3) "Kansas-ethnic minority education opportunity scholar" means a person who:~~

~~(1)(A) (i) Is a resident of Kansas;~~

~~(2) is a member of an ethnic minority group;~~

~~(3)(ii) has been accepted for admission to or is enrolled full time~~

in an educational program at an eligible institution;

~~(4)(iii)~~ has established financial need; and

~~(5)~~ has qualified for the award of a Kansas ethnic minority scholarship on the basis of having demonstrated educational ability, or who

~~(iv)~~ is a first generation student or has a parent who is employed in Kansas as a teacher or paraprofessional for any of the grades pre-K through 12; or

~~(B)~~ has previously so qualified and remains qualified for the renewal of a Kansas ethnic minority education opportunity scholarship on the basis of maintaining full-time enrollment in an educational program at an eligible institution, remaining in good standing; and making satisfactory progress toward completion of the requirements for the award of a degree or certificate of completion.

~~(d)(4)~~ "Eligible institution" means an institution of postsecondary education which maintains open enrollment, the main campus or principal place of operation of which is located in Kansas, and which qualifies as an eligible institution under the higher education act of 1965 (P.L. 89-329), as amended postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, or an accredited independent institution, as defined in K.S.A. 72-3222, and amendments thereto.

~~(e)~~ "Ethnic minority group" means a group of persons categorized as: (1) American Indian or Alaskan Native; (2) Asian or Pacific Islander; (3) Black, non-Hispanic; or (4) Hispanic.

~~(f)~~ "American Indian or Alaskan Native" means a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.

~~(g)~~ "Asian or Pacific Islander" means a person having origins in any of the original peoples of the far east, southeast Asia, the Indian subcontinent, or pacific islands. This includes, but not by way of limitation, persons from China, Japan, Korea, the Philippine Islands, Samoa, India and Vietnam.

~~(h)~~ "Black, non-Hispanic" means a person having origins in any of the black racial groups of Africa (except those of Hispanic origin).

~~(i)~~ "Hispanic" means a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

~~(j)(5)~~ "Financial need" means the difference between the available financial resources of a Kansas ethnic minority education opportunity scholar and the scholar's total anticipated expenses to attend an eligible institution. A scholar's financial resources shall be determined on the basis of criteria provided under the federal methodology of need analysis. Financial need shall be determined annually.

~~(k)(6)~~ "First generation student" means an individual who does not have a parent or guardian who has completed a baccalaureate degree.

~~(7)~~ "Semester" means one of two principal terms when there are only two principal terms in the academic year of an eligible institution whether or not there are other shorter terms during the same academic year of the eligible educational institution.

~~(l)(8)~~ "Term" means one of two or more substantially equivalent divisions of the academic year of an eligible institution.

~~(m)(9)~~ "Program period" means the duration of the period of time, or any division thereof, required for completion of a vocational or technical education program which is given in at an eligible institution.

~~(n)~~ "Open enrollment" means the policy of an institution of postsecondary education which provides the opportunity of enrollment

~~for any student who meets its academic and other reasonable enrollment requirements, without regard for race, gender, religion, creed, ethnicity or national origin.~~

Sec. 11. K.S.A. 74-3285 is hereby amended to read as follows: 74-3285. (a) In each academic year, to the extent that appropriations are available for the Kansas ~~ethnic minority~~ *education opportunity* scholarship program and in accordance with the provisions of this act, the state board of regents may select for designation as a Kansas ~~ethnic minority~~ *education opportunity* scholar and for the award of a Kansas ~~ethnic minority~~ *education opportunity* scholarship any person who is qualified for such designation and award ~~and. The state board of regents shall renew the scholarship of each Kansas ethnic minority education opportunity scholar who remains qualified for a scholarship.~~

(b) In selecting persons for designation as Kansas ~~ethnic minority~~ *education opportunity* scholars, the state board of regents shall provide, insofar as possible and on the basis of a formulated procedure, for equitable apportionment of Kansas ~~ethnic minority~~ *education opportunity* scholarships ~~among the ethnic minority groups. The procedure formulated by the board of regents shall take into account: (1) the differences among applicants in level of financial need and availability of financial resources so that scholarships are targeted to those applicants having the greatest needs; (2) the proportion that the population of each ethnic minority group bears to the population of all ethnic minority groups in the state; and (3) the differences across ethnic minority groups in the proportion of members thereof who complete high school. Financial need shall be determined annually.~~

(c) An applicant who fails to be awarded a Kansas ~~ethnic minority~~ *education opportunity* scholarship shall not be disqualified from applying therefor in a later academic year so long as all requirements for eligibility to apply for such award are met.

(d) The award or renewal of a Kansas ~~ethnic minority~~ *education opportunity* scholarship shall be on an annual basis and shall be effective for one academic year unless otherwise terminated.

Sec. 12. K.S.A. 74-3286 is hereby amended to read as follows: 74-3286. (a) A Kansas ~~ethnic minority~~ *education opportunity* scholarship shall provide for payment to a Kansas ~~ethnic minority~~ *education opportunity* scholar of an amount in each academic year not to exceed an amount equal to 75% of the average amount of the total tuition and required fees of full-time, in-state students. A Kansas ~~ethnic minority~~ *education opportunity* scholar may receive a Kansas ~~ethnic minority~~ *education opportunity* scholarship for not more than eight semesters of undergraduate study or the equivalent thereof, except that a Kansas ~~ethnic minority~~ *education opportunity* scholar may receive a Kansas ~~ethnic minority~~ *education opportunity* scholarship for not more than an additional two semesters of study or the equivalent thereof when the requirements of the program in which the scholar is enrolled include the completion of a fifth year of study. The state board of regents shall determine the equivalent of a semester when any program period or all or part of the terms for which a Kansas ~~ethnic minority~~ *education opportunity* scholar is awarded a Kansas ~~ethnic minority~~ *education opportunity* scholarship are not semesters.

(b) A Kansas ~~ethnic minority~~ *education opportunity* scholar who is also eligible to receive a Kansas comprehensive grant or a state scholarship may be awarded such grant or scholarship, or both, in addition to a Kansas ~~ethnic minority~~ *education opportunity* scholarship. In no event shall the amount awarded to a Kansas ~~ethnic minority~~ *education opportunity* scholar under a Kansas ~~ethnic minority~~ *education opportunity* scholarship or the total of any amounts awarded thereunder and under a state scholarship or a Kansas comprehensive

grant, or both, exceed an amount equal to the amount of the scholar's financial need for the period.

Sec. 13. K.S.A. 74-3287 is hereby amended to read as follows: 74-3287. The state board of regents shall adopt rules and regulations for administration of the provisions of this act and shall:

(a) Publicize the Kansas ~~ethnic minority~~ *education opportunity* scholarship program and the manner and method of qualifying for designation as a Kansas ~~ethnic minority~~ *education opportunity* scholar and for the award of a Kansas ~~ethnic minority~~ *education opportunity* scholarship;

(b) provide application forms;

(c) determine residence, as provided by law, of applicants for Kansas ~~ethnic minority~~ *education opportunity* scholarships;

(d) establish a system for identifying and categorizing members of ethnic minority groups;

~~(e)~~ determine eligibility of applicants for Kansas ~~ethnic minority~~ *education opportunity* scholarships;

~~(f)~~(e) determine the evidence deemed necessary to be submitted as proof of educational ability;

~~(g)~~(f) designate Kansas ~~ethnic minority~~ *education opportunity* scholars;

~~(h)~~(g) notify each person who qualifies for designation as a Kansas ~~ethnic minority~~ *education opportunity* scholar and for the award of a Kansas ~~ethnic minority~~ *education opportunity* scholarship or who remains qualified as a Kansas ~~ethnic minority~~ *education opportunity* scholar for the renewal of a Kansas ~~ethnic minority~~ *education opportunity* scholarship;

~~(i)~~(h) approve and award or renew Kansas ~~ethnic minority~~ *education opportunity* scholarships;

~~(j)~~(i) determine the equivalent of a semester for the purpose of awarding Kansas ~~ethnic minority~~ *education opportunity* scholarships for any program period or term that is not a semester;

~~(k)~~(j) define ~~full-time~~ *full-time* enrollment;

~~(l)~~(k) provide for apportionment of Kansas ~~ethnic minority~~ *education opportunity* scholarships if appropriations therefor are insufficient for payment in full to all Kansas ~~ethnic minority~~ *education opportunity* scholars;

~~(m)~~(l) request any eligible institution to furnish any information relating to and necessary for administration of this act;

~~(n)~~(m) determine the average amount of tuition and fees required of full-time, in-state students for enrollment at the state educational institutions; and

~~(o)~~(n) evaluate the Kansas ~~ethnic minority~~ *education opportunity* scholarship program annually, and make a report thereon to the governor and legislature.

Sec. 14. K.S.A. 74-3288 is hereby amended to read as follows: 74-3288. In accordance with the rules and regulations of the state board of regents, each ~~person~~ *individual* who desires to be designated as a Kansas ~~ethnic minority~~ *education opportunity* scholar and to receive a Kansas ~~ethnic minority~~ *education opportunity* scholarship shall:

(a) Complete and file an application for a Kansas ~~ethnic minority~~ *education opportunity* scholarship;

(b) submit the evidence required as proof of educational ability; and

(c) report promptly any information requested relating to administration of this act.

Sec. 15. K.S.A. 74-3289 is hereby amended to read as follows: 74-3289. (a) Kansas ~~ethnic minority~~ *education opportunity* scholarships may be paid annually for two semesters or the equivalent thereof, and

may be allocated equally between the semesters or the equivalent of semesters, or otherwise, as determined by the state board of regents. Kansas-~~ethnic minority~~ *education opportunity* scholarships shall be paid at a time or times to be determined by the state board of regents upon certification by an eligible institution that a Kansas-~~ethnic minority~~ *education opportunity* scholar is enrolled full time in an educational program. Payments of Kansas-~~ethnic minority~~ *education opportunity* scholarships shall be made upon vouchers approved by the administrative officer of the state board of regents designated by the state board and upon warrants of the director of accounts and reports. Payments of Kansas-~~ethnic minority~~ *education opportunity* scholarships may be made by the issuance of a single warrant to each eligible institution-~~at which~~ *where* a Kansas-~~ethnic minority~~ *education opportunity* scholar is enrolled for the total amount of Kansas-~~ethnic minority~~ *education opportunity* scholarships for all Kansas-~~ethnic minority~~ *education opportunity* scholars enrolled at that institution. The director of accounts and reports shall cause such warrant to be delivered to the eligible institution-~~at which~~ *where* such scholar or scholars are enrolled. Upon receipt of such warrant, the eligible institution shall credit immediately the account of each Kansas-~~ethnic minority~~ *education opportunity* scholar enrolled at that institution by an amount specified by the board of regents for each such scholar.

(b) If a Kansas-~~ethnic minority~~ *education opportunity* scholar discontinues attendance before the end of any semester or equivalent thereof, after an eligible institution has received payment under this section, the eligible institution shall pay to the state:

(1) The entire amount-~~which~~ *that* such scholar would otherwise qualify to have refunded not to exceed the amount of the payment made under a Kansas-~~ethnic minority~~ *education opportunity* scholarship for the semester or equivalent thereof; or

(2) if a Kansas-~~ethnic minority~~ *education opportunity* scholar has received payments under any federal program of student assistance in the semester, the state's pro rata share of the entire amount-~~which~~ *that* such scholar would otherwise qualify to have refunded; not to exceed the amount of the payment made under a Kansas-~~ethnic minority~~ *education opportunity* scholarship for the semester or equivalent thereof.

(c) All amounts paid to the state by an eligible institution under subsection (b) shall be deposited in the state treasury and credited to the Kansas-~~ethnic minority~~ *education opportunity* scholarship discontinued attendance fund; ~~which~~. *The Kansas education opportunity scholarship discontinued attendance fund* is hereby created. All expenditures from the Kansas-~~ethnic minority~~ *education opportunity* scholarship discontinued attendance fund shall be for Kansas-~~ethnic minority~~ *education opportunity* scholarships.

Sec. 16. K.S.A. 74-3292 is hereby amended to read as follows: 74-3292. As used in this act:

(a) "~~Committee~~" ~~means the nursing service scholarship review committee established under K.S.A. 74-3299, and amendments thereto.~~

(~~b~~)—"Executive officer" means the chief executive officer of the state board of regents appointed under K.S.A. 74-3203a, and amendments thereto.

(~~e~~)(b) "Mental health or treatment facility" means:

(1) Any private treatment facility as ~~such term~~ is defined in K.S.A. 59-29b46, and amendments thereto;

(2) any public treatment facility as ~~such term~~ is defined in K.S.A. 59-29b46, and amendments thereto;

(3) any community mental health center organized pursuant to ~~the provisions~~ of K.S.A. 19-4001 through 19-4015, and amendments

thereto, and licensed pursuant to K.S.A. 39-2001 et seq., and amendments thereto;

(4) any mental health clinic organized pursuant to ~~the provisions of~~ K.S.A. 65-211 through 65-215, and amendments thereto, and licensed pursuant to K.S.A. 39-2001 et seq., and amendments thereto;

(5) any psychiatric hospital, psychiatric residential treatment facility or residential care facility as such terms are defined in K.S.A. 39-2002, and amendments thereto;

(6) any hospital as defined in K.S.A. 65-425, and amendments thereto, ~~provided if:~~

(A) The hospital has a psychiatric unit; and

(B) the scholarship recipient is required to fulfill the nursing service scholarship's employment obligations as an employee in the psychiatric unit of the hospital; or

(7) Osawatomie state hospital, Rainbow mental health facility, Larned state hospital, Parsons state hospital and training center or the Kansas neurological institute.

~~(d) "Rural area" means any county of this state other than Douglas, Johnson, Sedgwick, Shawnee and Wyandotte counties.~~

~~(e)(c)~~ "School of nursing" means a school within the state of Kansas ~~which~~ *that* is approved by the state board of nursing to grant an associate degree or a baccalaureate degree in professional nursing or a certificate of completion in practical nursing and is:

(1) Under the control and supervision of the state board of regents;

(2) a municipal university; or

(3) a not-for-profit independent institution of higher education that has its main campus or principal place of operation in Kansas, maintains open enrollment as ~~such term is~~ defined in K.S.A. 74-32,120, and amendments thereto, and is operated independently and not controlled or administered by the state or any agency or subdivision thereof.

~~(f)(d)~~ "Sponsor" means *any of the following that is located in a rural opportunity zone as defined in K.S.A. 74-50,222, and amendments thereto:*

(1) *An adult care home licensed under the adult care home licensure act, ~~any~~ K.S.A. 39-923 et seq., and amendments thereto;*

(2) *a medical care facility licensed under K.S.A. 65-425 et seq., and amendments thereto, ~~any;~~*

(3) *a home health agency licensed under K.S.A. 65-5101 et seq., and amendments thereto, ~~any;~~*

(4) *a local health department as defined in K.S.A. 65-241, and amendments thereto, ~~any;~~*

(5) *a mental health or treatment facility; and ~~any~~*

(6) *a state agency ~~which~~ that employs licensed practical nurses or licensed professional nurses.*

Sec. 17. K.S.A. 74-3293 is hereby amended to read as follows: 74-3293. (a) There is hereby established the nursing service scholarship program. A scholarship may be awarded under the nursing service scholarship program to any qualified nursing student enrolled in or admitted to a school of nursing in a course of instruction leading to licensure as a licensed professional nurse or licensed practical nurse. A nursing student shall not be required to be a resident of Kansas to qualify for a scholarship under the nursing service scholarship program. ~~The number of new scholarships awarded under the nursing service scholarship program in each year shall not exceed 250. Of this number, except as otherwise provided in this section, 100 scholarships shall be awarded to nursing students whose sponsors are located in rural areas and who are enrolled in a course of instruction leading to licensure as a registered professional nurse, 50 scholarships shall be awarded to~~

~~nursing students enrolled in a course of instruction leading to licensure as a licensed practical nurse and the remaining 100 scholarships shall be awarded to any nursing students who have a sponsor and who are enrolled in a course of instruction leading to licensure as a registered professional nurse. If all scholarships authorized to be awarded under this section to nursing students whose sponsors are located in rural areas have not been awarded by a date established by the state board of regents, the scholarships which have not been awarded by that date may be awarded to nursing students who have a sponsor and who are otherwise qualified to be awarded a scholarship under the nursing service scholarship program. The determination of the individuals qualified for such scholarships shall be made by the executive officer after seeking advice from the committee. Within each scholarship category prescribed by this subsection, Scholarships shall be awarded on a priority basis to qualified applicants: (1) Whose sponsor is a mental health or treatment facility; and (2) who have the greatest financial need for such scholarships. To the extent practicable and consistent with the other provisions of this section, consideration shall be given to minority applicants.~~

(b) Scholarships awarded under the nursing service scholarship program shall be awarded for the length of the course of instruction leading to licensure as a licensed professional nurse or licensure as a licensed practical nurse *in* which the student is enrolled ~~in~~ or admitted to unless otherwise terminated before the expiration of such period of time. ~~Such scholarships shall provide to a nursing student:~~

~~(1) If the nursing student is enrolled in a school of nursing operated by a state educational institution, an amount not to exceed 70% of the in-state tuition cost of attendance for an academic year at the school of nursing in which the nursing student is enrolled; or~~

~~(2) if the nursing student is enrolled in a school of nursing not operated by a state educational institution, the lesser of: (A) An amount not to exceed 70% of the in-state tuition cost of attendance for a year at the school of nursing in which the nursing student is enrolled; or (B) an amount not to exceed 70% of the average amount of the in-state tuition cost of attendance for a year at the schools of nursing operated by the state educational institutions.~~

(c) ~~(1) Except as provided in paragraph (2), the amount of each scholarship shall be established annually by the executive officer and shall be financed equally by the sponsor of the nursing student and by the state of Kansas except if:~~

~~(1) The sponsor is located in a rural area or is a health care facility which has less than 100 beds, and is not a mental health or treatment facility pursuant to K.S.A. 74-3292(e)(1), (e)(5) or (e)(6), and amendments thereto, the total amount of the scholarship financed by such sponsor shall not exceed \$1,000 and the balance of such amount shall be paid by the state of Kansas; or~~

~~(2) the sponsor is a mental health or treatment facility pursuant to K.S.A. 74-3292(e)(2), (e)(3), (e)(4) or (e)(7), and amendments thereto, the amount of the scholarship shall be paid by the state and such sponsor shall not finance any amount of the scholarship.~~

~~(2) If the nursing student has a sponsor, then the amount of the scholarship for such nursing student shall not exceed the amount established under paragraph (1) multiplied by 125%.~~

Sec. 18. K.S.A. 74-3294 is hereby amended to read as follows: 74-3294. (a) An applicant for a scholarship under the nursing service scholarship program shall provide to the executive officer, on forms supplied by the executive officer, the following information:

- (1) The name and address of the applicant;
- (2) the name and address of the school of nursing in which the

applicant is enrolled or to which the applicant has been admitted;

(3) the name and address of the sponsor of the applicant and a verified copy of the agreement entered into by the applicant and the sponsor ~~in accordance with the provisions of the nursing service scholarship program~~; and

(4) any additional information ~~which~~ *that* may be required by the executive officer.

(b) As a condition to awarding a scholarship under the nursing service scholarship program, the executive officer and the applicant for a scholarship shall enter into an agreement ~~which~~ *that* shall require that the scholarship recipient:

(1) Complete the required course of instruction and, *within six months after completion*, attain licensure with the Kansas state board of nursing as a licensed professional nurse or a licensed practical nurse;

(2) *complete the free application for federal student aid for each academic year for which scholarship funds are awarded under the agreement*;

(3) *within six months after attaining licensure*, engage in the full-time practice of nursing, or the equivalent to full-time practice, ~~in the employment of the sponsor in accordance with the agreement entered into by the scholarship recipient and the sponsor~~ *Kansas* and continue such full-time practice, or the equivalent to full-time practice, for the total amount of time required under the agreement, which shall be for a period of not less than the length of the course of instruction for which scholarship assistance was provided, or engage in the part-time practice of nursing ~~in the employment of the sponsor in accordance with the agreement entered into by the scholarship recipient and the sponsor~~ *Kansas* and continue such part-time practice for the total amount of time required under the agreement, which shall be for a period of time that is equivalent to full time, as determined by the state board of regents, multiplied by the length of the course of instruction for which scholarship assistance was provided. *If the scholarship recipient has a sponsorship agreement, then the scholarship recipient shall engage in the practice of nursing in the employment of such sponsor in accordance with such sponsorship agreement for the period of time required under this paragraph, except as provided in K.S.A. 74-3296, and amendments thereto*;

~~(3)(4) commence the full-time practice of nursing, or the equivalent to full-time practice, or the part-time practice of nursing, within six months after registration in accordance with the agreement entered into by the scholarship recipient and the sponsor, continue such practice for the total amount of time required under the agreement, and comply with such other terms and conditions as may be specified by such agreement;~~

~~(4)(5) maintain records and make reports to the executive officer as may be required by the executive officer to document the satisfaction of the obligations under the nursing service scholarship program and under agreements entered into with the sponsor pursuant thereto and with the sponsor, if any; and~~

~~(5)(6) upon failure to satisfy an agreement to engage in the full-time practice of nursing, or the equivalent to full-time practice, or the part-time practice of nursing, for the required period of time under any such agreement, the requirements of the agreement with the state board of regents, repay to the state and to the sponsor the amounts as provided in K.S.A. 74-3295, and amendments thereto.~~

~~(e) Upon the awarding of a scholarship under the nursing service scholarship program, the sponsor shall pay to the executive officer the amount of such scholarship to be financed by the sponsor, if any. Each such amount shall be deposited in the nursing service scholarship~~

~~program fund in accordance with K.S.A. 74-3298, and amendments thereto.~~

~~(d) The sponsorship by a scholarship recipient may be transferred from one sponsor to another upon the agreement of the original sponsor, the scholarship recipient and the sponsor to which the sponsorship is to be transferred. The terms, conditions and obligations of the transferred agreement shall be substantially similar to the terms, conditions and obligations of the original agreement. No sponsorship shall be transferred unless the agreement transferring such sponsorship provides for service in a rural area or in a mental health or treatment facility and is approved by the executive officer as consistent with the provisions of the nursing service scholarship program and as consistent with any rules and regulations relating thereto adopted by the state board of regents in accordance with the provisions of K.S.A. 74-3297, and amendments thereto.~~

Sec. 19. K.S.A. 74-3295 is hereby amended to read as follows: 74-3295. (a) Except as provided in K.S.A. 74-3296, and amendments thereto, upon the failure of any person to satisfy the obligation under any agreement entered into pursuant to the nursing service scholarship program, such person shall pay to the executive officer an amount equal to the total amount of money received by such person pursuant to such agreement ~~which that~~ was financed by the state of Kansas plus accrued interest at a rate ~~which is equivalent to the interest rate applicable to loans made under the federal PLUS program at the time such person first entered into an agreement plus five percentage points~~ and shall pay to the sponsor an amount equal to the total amount of money received by such person pursuant to such agreement which was financed by the sponsor plus accrued interest at a rate which is equivalent to the interest rate applicable to loans made under the federal PLUS program at the time such person first entered into an agreement ~~plus five percentage points of 5% per annum. Interest shall begin to accrue on the date of the action or circumstances that cause such person to fail to satisfy the obligations of such agreement, as determined by the executive officer based upon the circumstances of each individual case.~~ Installment payments of any such amounts may be made in accordance with ~~the provisions of agreements entered into by the scholarship recipient and the sponsor or if no such provisions exist in such agreements, in accordance with~~ rules and regulations of the state board of regents, ~~except that.~~ Such installment payments shall commence six months after the date of the action or circumstances that cause the failure of the person to satisfy the obligations of such agreements, as determined by the executive officer based upon the ~~circumstances of each individual case on which interest begins to accrue.~~ Amounts paid under this section to the executive officer shall be deposited in the nursing service scholarship repayment fund in accordance with K.S.A. 74-3298, and amendments thereto.

(b) The state board of regents is authorized to turn any repayment account arising under the nursing service scholarship program over to a designated loan servicer or collection agency, the state not being involved other than to receive payments from the loan servicer or collection agency at the interest rate prescribed under this section.

Sec. 20. K.S.A. 74-3296 is hereby amended to read as follows: 74-3296. (a) (1) Except as otherwise specified in the agreement with the sponsor, an obligation under any agreement entered into under the nursing student scholarship program shall be postponed:

- ~~(1)~~(A) During any required period of active military service;
- ~~(2)~~(B) during any period of service as a part of volunteers in service to America (VISTA);
- ~~(3)~~(C) during any period of service in the peace corps;

~~(4)(D)~~ during any period of service commitment to the United States public health service;

~~(5)(E)~~ during any period of religious missionary work conducted by an organization exempt from tax under section 501(c)(3) of the federal internal revenue code as in effect on ~~December 31, 2000~~ *July 1, 2024*;

~~(6)(F)~~ during any period of time the person obligated is unable because of temporary medical disability to practice nursing;

~~(7)(G)~~ during any period of time the person obligated is enrolled and actively engaged on a full-time basis in a course of study leading to a degree in the field of nursing ~~which~~ *that* is higher than that attained formerly by the person obligated;

~~(8)(H)~~ during any period of time *that* the person obligated is on job-protected leave under the federal family and medical leave act of 1993; or

~~(9)(I)~~ during any period of time the state board of regents determines that the person obligated is unable because of special circumstances to practice nursing.

(2) Except for ~~clauses (6), (8) and (9) paragraphs (1)(F), (1)(H) and (1)(I)~~, an obligation under any agreement entered into as provided in the nursing service scholarship program shall not be postponed more than five years from the time the obligation was to have been commenced under any such agreement.

(3) An obligation under any agreement entered into as provided in the nursing service scholarship program shall be postponed under ~~clause (6) paragraph (1)(F)~~ during the period of time the medical disability exists.

(4) An obligation under any agreement entered into as provided in the nursing service scholarship program shall be postponed under ~~clause (8) paragraph (1)(H)~~ during the period of time the person obligated remains on FMLA leave.

(5) An obligation under any agreement entered into as provided in the nursing service scholarship program shall be postponed under ~~clause (9) paragraph (1)(I)~~ during the period of time the state board of regents determines that the special circumstances exist.

(6) The state board of regents shall adopt rules and regulations prescribing criteria or guidelines for determination of the existence of special circumstances causing an inability to satisfy an obligation under any agreement entered into as provided in the nursing service scholarship program, and shall determine the documentation required to prove the existence of such circumstances. Except for ~~clauses (1), (6), (8) and (9) paragraphs (1)(A), (1)(F), (1)(H) and (1)(I)~~, an obligation under any agreement entered into as provided in the nursing service scholarship program shall not be postponed unless the postponement is approved by the *scholarship recipient's* sponsor, *if any*, or is otherwise provided for in ~~the~~ *an* agreement with the sponsor.

(b) An obligation under any agreement entered into as provided in the nursing service scholarship program shall be satisfied *if*:

(1) ~~if~~ The obligation has been completed in accordance with the agreement;

(2) ~~if~~ the person obligated dies;

(3) ~~if~~ because of permanent physical disability, the person obligated is unable to satisfy the obligation;

(4) ~~if~~ the person obligated fails to satisfy the requirements for graduation from the school of nursing after making the best effort possible to do so; *and*

(5) ~~if~~ the person obligated fails to satisfy all requirements for a permanent license to practice nursing in Kansas or has been denied a license after applying for a license and making the best effort possible

to obtain such license; ~~(6) if, because of bankruptcy, loss of licensure or certification or other failure in the operations of the sponsor, the sponsor cannot or will not employ the person obligated; or (7) if the sponsor releases the person obligated from employment with the sponsor and the person obligated otherwise completes the terms, conditions and obligations of the agreement by engaging in the practice of nursing in Kansas.~~

(c) (1) An obligation under any sponsorship agreement shall be satisfied if:

(A) Because of bankruptcy, loss of licensure or certification or other failure in the operations of the sponsor, such sponsor cannot or will not employ the person obligated; or

(B) the sponsor releases the person obligated from employment with such sponsor.

(2) Notwithstanding the provisions of paragraph (1), the person obligated shall still be required to complete the terms, conditions and obligations of the agreement with the state board of regents by engaging in the practice of nursing in Kansas.

Sec. 21. K.S.A. 74-3297 is hereby amended to read as follows: 74-3297. ~~(a) The state board of regents, after consultation with the committee, may adopt rules and regulations establishing minimum terms, conditions and obligations which shall be incorporated into the provisions of any agreement entered into between a sponsor and the recipient of a scholarship under the nursing service scholarship program. The terms, conditions and obligations shall be consistent with the provisions of law relating to the nursing service scholarship program. The terms, conditions and obligations so established shall include, but not be limited to, the terms of eligibility for financial assistance under the nursing service scholarship program, the amount of financial assistance to be offered, the length of employment with the sponsor required as a condition to the receipt of such financial assistance, the circumstances under which the employment obligation may be discharged or forgiven, the amount of money required to be repaid because of failure to satisfy the obligations under an agreement and the method of repayment and such other additional provisions as may be necessary to carry out the provisions of the nursing service scholarship program. The state board of regents, after consultation with the committee, shall adopt rules and regulations as necessary to administer the nursing service scholarship program.~~

~~(b) The state board of regents shall provide an annual written report on the nursing service scholarship program to the senate and house committees on education.~~

Sec. 22. K.S.A. 74-3298 is hereby amended to read as follows: 74-3298. ~~(a) There is hereby created in the state treasury the nursing service scholarship program fund. The executive officer shall remit all moneys received from sponsors, which are paid under K.S.A. 74-3294, and amendments thereto, pursuant to scholarship awards, or from a school of nursing, which that are paid because of nonattendance or discontinued attendance by scholarship recipients, 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 nursing service scholarship program fund. All expenditures from the nursing service scholarship program fund shall be for scholarships awarded under the nursing service scholarship program or refunds to sponsors 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 or by a person designated by the executive officer.~~

(b) The nursing student scholarship discontinued attendance fund is hereby abolished. On the effective date of this act, the director of accounts and reports shall transfer all moneys remaining in the nursing student scholarship discontinued attendance fund to the nursing service scholarship program fund.

(c) There is hereby created in the state treasury the nursing service scholarship repayment fund. The executive officer shall remit all moneys received for amounts paid under K.S.A. 74-3295, and amendments thereto, 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 nursing service scholarship repayment fund. All expenditures from the nursing service scholarship repayment fund shall be for scholarships awarded under the nursing service scholarship program 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 or by a person designated by the executive officer.

Sec. 23. K.S.A. 2023 Supp. 74-32,267 is hereby amended to read as follows: 74-32,267. (a) There is hereby established the AO-K to work program. The provisions of this program shall apply to all adult education programs in the state.

(b) As used in this section:

(1) "AO-K" or "accelerating opportunity: Kansas" means a career pathways program model that assists students in obtaining a high school equivalency, becoming ready for transferable college-level courses and earning an industry credential.

(2) "Career readiness assessment" means an assessment approved by the state board of regents to measure foundational skills required for success in the workplace and workplace skills that affect job performance.

(3) "Career readiness certificate" means a certificate that uses a career readiness assessment approved by the state board of regents to document an individual's skills in applied math, graphic literacy and workplace documents.

(4) "Community college" means a community college as defined in K.S.A. 71-701, and amendments thereto.

(5) "Industry recognized credential" means a credential recognized by multiple employers across an industry as determined by the state board of regents.

(6) "Kansas adult education program" means any educational institution or approved agency that receives adult education funding through the state board of regents; provides adult education or English language acquisition programs; serves Kansas adults aged 16 and over who are in need of basic skills for the workforce, community participation and family life; and prepares adults for achieving industry recognized credentials and college certificates and degrees.

(7) "Qualified student" means an individual who has:

(A) Attained ~~the age of~~ 21 years *of age*;

(B) not been awarded a high school diploma;

(C) been accepted into a Kansas adult education program;

(D) demonstrated high school equivalency by meeting the criteria established by the state board of regents pursuant to this section; and

(E) declared an AO-K career pathway interest.

(8) "Technical college" means a technical college ~~as such term is~~ defined in K.S.A. 71-1802, and amendments thereto.

(c) The state board of regents shall award a Kansas high school equivalency credential to any qualified student who:

(1) Is recommended and approved to participate in a AO-K career

pathway approved by the state board of regents for college credit;

(2) successfully completes an approved AO-K career pathway and receives the industry-recognized credential appropriate to the completed pathway;

(3) takes a career readiness assessment and earns a career readiness certificate at a level approved by the state board of regents; and

(4) satisfies any other requirements deemed necessary by the state board of regents.

(d) (1) ~~While participating in the~~ *enrolled in an AO-K to work program, qualified* all students shall be provided reasonable access to all available student resources of the adult education program, the participating technical or community college and the appropriate community partners, including, but not limited to, appropriate academic support, barrier mitigation, employment or career assistance, books, tools and personal materials required to participate in an AO-K career pathway program and industry examinations.

(2) Subject to appropriations, ~~financial assistance~~ *the amount of a state payment* for books, tools, personal materials and industry examinations shall be the aggregate amount of the cost of books, tools, personal materials and industry examinations for the career pathway program at the technical college or community college where such student is enrolled and receiving assistance ~~minus the aggregate amount of all other aid awarded to such student~~. The amount of ~~financial assistance~~ *such payment* provided for each student shall not exceed \$500 *over the lifetime of the student*.

(e) Each application to the state board of regents for issuance or duplication of a Kansas high school equivalency credential shall be accompanied by a fee established by the state board of regents in an amount of not more than \$25. On or before June 1 of each year, the state board of regents shall determine the amount of revenue required to properly administer the provisions of this section during the next ensuing fiscal year and shall establish the Kansas high school equivalency credentials processing fee for such year in the amount deemed necessary for such purposes. Such fee shall become effective on the succeeding July 1 of each year. The state board of regents shall remit all moneys received by or for it from Kansas high school equivalency credentials processing fees 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 Kansas high school equivalency credential processing fees fund, which fund is hereby established in the state treasury; and shall be used only for the payment of expenses connected with the processing, issuance, or duplication of Kansas high school equivalency credentials; ~~and for the keeping of records by the state board of regents~~. All expenditures from the Kansas high school equivalency credential processing fees fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state board of regents or by a person or persons designated by the state board.

(f) The state board of regents may adopt rules and regulations to implement and administer the provisions of this act.

Sec. 24. K.S.A. 2023 Supp. 75-4364 is hereby amended to read as follows: 75-4364. (a) This section shall be known and may be cited as the Kansas hero's scholarship act.

(b) As used in this section:

(1) "Accident" means an undesigned, sudden and unexpected traumatic event, usually of an afflictive or unfortunate nature and often,

but not necessarily, accompanied by a manifestation of force. An "accident" shall be identifiable by the time and place of occurrence, produce at the time symptoms of an injury and occur during a single work shift. The "accident" shall be the prevailing factor in causing the injury.

(2) "Covered person" means a public safety officer or Kansas resident in military service to whom this section applies.

(3) "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.

(4) "Emergency medical service provider" means the same as defined in K.S.A. 65-6112, and amendments thereto.

(5) "Fees" ~~mean~~ means those charges required by an institution to be paid by every student as a condition of enrollment. "Fees" ~~do~~ does not include all other charges associated with the student's academic program or living costs.

(6) "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.

(7) "Injured or disabled" means that the covered person, because of the injury or disability, has been rendered incapable of performing the duties of the following:

(A) The position being performed at the time the injury or disability was sustained; and

(B) any position that is at or above the pay level of the position the covered person was in at the time the injury or disability was sustained, if the covered person is a paid employee.

(8) "Injury" and "disability" mean any lesion or change in the physical structure of the body causing damage or harm thereto that is not transitory or minor. "Injury" and "disability" shall occur only by accident, intentional act of violence or repetitive trauma.

(9) (A) "Intentional act of violence" means one or a combination of the following:

(i) A deliberate act by a third party that results in inflicting harm on a covered person while such person is performing those duties; or

(ii) a deliberate act by a covered person in the reasonable performance of duties as a covered person that results in the infliction of harm on the covered person.

(B) An "intentional act of violence" shall be identifiable by the time and place of occurrence, produce at the time symptoms of an injury and occur during a single work shift. The "intentional act of violence" shall be the prevailing factor in causing the injury.

(C) "Intentional act of violence" does not include repetitive trauma in any form.

(10) "Kansas *postsecondary* educational institution" means and includes community colleges, the municipal university, state educational institutions, the institute of technology at Washburn university and technical colleges.

(11) "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.

(12) "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.

(13) "Nature of the employment" means that, to the occupation, trade or employment in which the covered person was engaged, there is attached a particular and peculiar hazard of the injury or disability that distinguishes the performance of job duties from other occupations and employments and that creates a hazard of such injury or disability in excess of the hazard of the injury or disability in general.

(14) "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.

(15) "Public safety employee" means any employee of a law enforcement office, sheriff's department, municipal fire department, volunteer and non-volunteer fire protection association, emergency medical services provider or correctional institution of the department of corrections.

(16) "Public safety officer" means a law enforcement officer, a firefighter, an emergency medical service provider or a public safety employee.

(17) (A) "Repetitive trauma" means the cause of an injury that occurs as a result of repetitive use, cumulative traumas or microtraumas. The repetitive nature of the injury shall be demonstrated by diagnostic or clinical tests. The "repetitive trauma" shall be the prevailing factor in causing the injury.

(B) For purposes of the educational benefit conferred by this section, "repetitive trauma" includes only an injury arising out of the performing of duties and resulting from the nature of the employment in which a covered person was engaged and that was actually contracted while so engaged. The injury shall appear to have had its origin in a special risk of the injury connected with the particular type of employment and to have resulted from that source as a reasonable consequence of the risk. Ordinary injuries of life and conditions to which the general public is or could be exposed outside of the particular employment, and hazards of injuries and conditions attending employment in general, shall not qualify as "repetitive trauma."

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

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

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

(c) (1) *Up to the aggregate limit for such financial assistance established for each academic year by the state board of regents based on the annual appropriated amounts for the reimbursements paid pursuant to subsection (d), every Kansas postsecondary educational institution shall provide for enrollment without charge of tuition or fees for:*

(A) Any eligible dependent or spouse of a public safety officer who:

(i) Was injured or disabled while performing duties as a public safety officer; or

(ii) died as the result of injury sustained while performing duties as a public safety officer;

(B) any dependent or spouse of any resident of Kansas who:

(i) ~~Died or was injured or disabled on or after September 11, 2001, while, and as a result of, serving in military service;~~

(ii) ~~sustained a service-connected injury or disability that rendered the servicemember incapable of continuing such servicemember's military service;~~ or

~~(ii)(iii) is entitled to compensation from the United States department of veterans affairs for a service-connected disability of at least 80% because of a public statute administered by the department of veterans affairs or a military department as a result of injuries or accidents sustained in combat after September 11, 2001; and~~

(C) any prisoner of war.

(2) Any such dependent or spouse and any prisoner of war shall be eligible for enrollment at a Kansas *postsecondary* 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.

(d) Subject to appropriations therefor, any Kansas *postsecondary* 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)~~ (c), may file a claim with the state board for reimbursement of the amount of such tuition and fees. ~~In any fiscal year, such reimbursement shall not exceed a total of \$500,000.~~ 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 *postsecondary* educational institutions upon certification by each such institution of the amount of reimbursement to which *such institution* is entitled. Payments to Kansas *postsecondary* educational institutions shall be made upon vouchers approved by the state board, *or the state board's designee*, and upon warrants of the director of accounts and reports. Payments may be made by issuance of a single warrant to each Kansas *postsecondary* 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 *postsecondary* 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 *postsecondary* educational institution has received payment under this subsection, ~~the~~ *such* institution shall pay to the state the entire amount that 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 *postsecondary* educational institutions under this subsection shall be deposited in the state treasury and credited to the state general fund.

(e) 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. 25. K.S.A. 74-3284, 74-3285, 74-3286, 74-3287, 74-3288, 74-3289, 74-3292, 74-3293, 74-3294, 74-3295, 74-3296, 74-3297, 74-3298 and 74-3299 and K.S.A. 2023 Supp. 72-5170, 74-32,267 and 75-4364 are hereby repealed.

Sec. 26. This act shall take effect and be in force from and after its publication in the Kansas register.

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

SENATE adopted

Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE

as amended _____

HOUSE adopted

Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.