

1 AN ACT relating to KEES scholarships for students attending noncertified schools.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 164.7874 is amended to read as follows:

4 As used in KRS 164.7871 to 164.7885:

5 (1) "Academic term" means a semester or other time period specified in an
6 administrative regulation promulgated by the authority;

7 (2) "Academic year" means a period consisting of at least the minimum school term, as
8 defined in KRS 158.070;

9 (3) "ACT score" means:

10 (a) The composite score achieved on the American College Test at a national test
11 site on a national test date or the college admissions examination administered
12 statewide under KRS 158.6453(5)(b)5. if the exam is the ACT;~~[- or]~~

13 (b) An equivalent score, as determined by the authority, on the SAT administered
14 by the College Board, Inc.; or

15 (c) *An equivalent score, as determined by the authority, on the Classic*
16 *Learning Test provided by Classic Learning Initiatives;*

17 (4) "Authority" means the Kentucky Higher Education Assistance Authority;

18 (5) "Award period" means the fall and spring consecutive academic terms within one
19 (1) academic year;

20 (6) "Council" means the Council on Postsecondary Education created under KRS
21 164.011;

22 (7) "Eligible high school student" means any person who:

23 (a) Is a citizen, national, or permanent resident of the United States and Kentucky
24 resident;

25 (b) Was enrolled after July 1, 1998:

26 1. In a Kentucky high school for at least one hundred forty (140) days of
27 the minimum school term unless exempted by the authority's executive

- 1 director upon documentation of extreme hardship, while meeting the
2 KEES curriculum requirements, and was enrolled in a Kentucky high
3 school at the end of the academic year;
- 4 2. In a Kentucky high school for the fall academic term of the senior year
5 and who:
- 6 a. Was enrolled during the entire academic term;
- 7 b. Completed the high school's graduation requirements during the
8 fall academic term; and
- 9 c. Was not enrolled in a secondary school during any other academic
10 term of that academic year; or
- 11 3. In the Gatton Academy of Mathematics and Science in Kentucky, the
12 Craft Academy for Excellence in Science and Mathematics, or in high
13 school at a model and practice school under KRS 164.380 while meeting
14 the Kentucky educational excellence scholarship curriculum
15 requirements;
- 16 (c) Has a grade point average of 2.5 or above at the end of any academic year
17 beginning after July 1, 1998, or at the end of the fall academic term for a
18 student eligible under paragraph (b) 2. of this subsection; and
- 19 (d) Is not a convicted felon;
- 20 (8) **"Eligible noncertified school graduate" means any person who:**
- 21 **(a) Is a citizen, national, or permanent resident of the United States and a**
22 **Kentucky resident;**
- 23 **(b) Graduates in the 2024-2025 academic year or thereafter from a Kentucky**
24 **nonpublic secondary school not certified by the Kentucky Board of**
25 **Education;**
- 26 **(c) Is not a convicted felon; and**
- 27 **(d) Completes all KEES noncertified student application requirements set by**

1 **the authority:**

2 **(9)** "Eligible postsecondary student" means a citizen, national, or permanent resident of
3 the United States and Kentucky resident, as determined by the participating
4 institution in accordance with criteria established by the council for the purposes of
5 admission and tuition assessment, who:

- 6 (a) Earned a KEES award;
- 7 (b) Has the required postsecondary GPA and credit hours required under KRS
8 164.7881;
- 9 (c) Has remaining semesters of eligibility under KRS 164.7881;
- 10 (d) Is enrolled in a participating institution as a part-time or full-time student; and
- 11 (e) Is not a convicted felon;

12 **(10)**~~[(9)]~~ "Full-time student" means a student enrolled in a postsecondary program of
13 study that meets the full-time student requirements of the participating institution in
14 which the student is enrolled;

15 **(11)**~~[(10)]~~ "Grade point average" or "GPA" means the grade point average earned by an
16 eligible student and reported by the high school or participating institution in which
17 the student was enrolled based on a scale of 4.0 or its equivalent if the high school
18 or participating institution that the student attends does not use the 4.0 grade scale;

19 **(12)**~~[(11)]~~ "High school" means any Kentucky public high school, the Gatton Academy
20 of Mathematics and Science in Kentucky, the Craft Academy for Excellence in
21 Science and Mathematics, a high school of a model and practice school under KRS
22 164.380, and any private, parochial, or church school located in Kentucky that has
23 been certified by the Kentucky Board of Education as voluntarily complying with
24 curriculum, certification, and textbook standards established by the Kentucky Board
25 of Education under KRS 156.160;

26 **(13)**~~[(12)]~~ "KEES" or "Kentucky educational excellence scholarship" means a
27 scholarship provided under KRS 164.7871 to 164.7885;

1 ~~(14)~~~~(13)~~ "KEES award" means:

2 (a) For an eligible high school student, the sum of the KEES base amount for
3 each academic year of high school plus any KEES supplemental amount, as
4 adjusted pursuant to KRS 164.7881;~~and~~

5 (b) *For an eligible noncertified school graduate, the KEES base amount*
6 *described in subsection (1) of Section 2 of this Act multiplied by four (4)*
7 *plus any KEES supplemental amount, as adjusted pursuant to KRS*
8 *164.7881; and*

9 (c) For a student eligible under KRS 164.7879(3)(e) *who is not an eligible*
10 *noncertified school graduate*, the KEES supplemental amount as adjusted
11 pursuant to KRS 164.7881;

12 ~~(15)~~~~(14)~~ "KEES award maximum" means the sum of the KEES base amount earned in
13 each academic year of high school plus any KEES supplemental amount earned *or*
14 *for an eligible noncertified school graduate, the amount described in subsection*
15 *(14)(b) of this section;*

16 ~~(16)~~~~(15)~~ "KEES base amount" or "base amount" means the amount earned by an
17 eligible high school student based on the student's GPA *or for an eligible*
18 *noncertified school graduate, the equivalent GPA based on the student's ACT*
19 *score*, pursuant to KRS 164.7879;

20 ~~(17)~~~~(16)~~ "KEES curriculum" means five (5) courses of study, except for students who
21 meet the criteria of subsection (7)(b)2. of this section, in an academic year as
22 determined in accordance with an administrative regulation promulgated by the
23 authority;

24 ~~(18)~~~~(17)~~ "KEES supplemental amount" means the amount earned by an eligible student
25 based on the student's ACT score pursuant to KRS 164.7879;

26 ~~(19)~~~~(18)~~ "KEES trust fund" means the Wallace G. Wilkinson Kentucky educational
27 excellence scholarship trust fund;

1 ~~(20)~~~~(19)~~ "On track to graduate" means the number of cumulative credit hours earned as
2 compared to the number of hours determined by the postsecondary education
3 institution as necessary to complete a bachelor's degree by the end of eight (8)
4 academic terms or ten (10) academic terms if a student is enrolled in an
5 undergraduate program that requires five (5) years of study;

6 ~~(21)~~~~(20)~~ "Participating institution" means an "institution" as defined in KRS 164.001
7 that is eligible to participate in the federal Pell Grant program, executes a contract
8 with the authority on terms the authority deems necessary or appropriate for the
9 administration of its programs, and:

- 10 (a) 1. Is publicly operated;
- 11 2. Is licensed by the Commonwealth of Kentucky and has operated for at
12 least ten (10) years, offers an associate or baccalaureate degree program
13 of study not comprised solely of sectarian instruction, and admits as
14 regular students only high school graduates, recipients of a High School
15 Equivalency Diploma, or students transferring from another accredited
16 degree granting institution; or
- 17 3. Is designated by the authority as an approved out-of-state institution that
18 offers a degree program in a field of study that is not offered at any
19 institution in the Commonwealth; and
- 20 (b) Continues to commit financial resources to student financial assistance
21 programs; and

22 ~~(22)~~~~(21)~~ "Part-time student" means a student enrolled in a postsecondary program of
23 study who does not meet the full-time student requirements of the participating
24 institution in which the student is enrolled and who is enrolled for at least six (6)
25 credit hours, or the equivalent for an institution that does not use credit hours.

26 ➔Section 2. KRS 164.7879 is amended to read as follows:

27 (1) (a) Kentucky educational excellence scholarship awards shall be based upon an

1 established base scholarship amount and an eligible high school student's
 2 grade point average or the equivalent grade point average for an eligible
 3 noncertified school graduate as described in paragraph (b) of this
 4 subsection. The base scholarship amount for students attaining a grade point
 5 average of at least 2.5 for the 1998-1999 academic year shall be as follows:

6	GPA	Amount	GPA	Amount
7	2.50	\$125.00	3.30	\$325.00
8	2.60	\$150.00	3.40	\$350.00
9	2.70	\$175.00	3.50	\$375.00
10	2.75	\$187.00	3.60	\$400.00
11	2.80	\$200.00	3.70	\$425.00
12	2.90	\$225.00	3.75	\$437.00
13	3.00	\$250.00	3.80	\$450.00
14	3.10	\$275.00	3.90	\$475.00
15	3.20	\$300.00	4.00	\$500.00
16	3.25	\$312.00		

17 The authority shall review the base amount of the Kentucky educational excellence
 18 scholarship each academic year and may promulgate an administrative regulation to
 19 make adjustments after considering the availability of funds.

20 (b) For an eligible noncertified school graduate, the equivalent grade point
 21 average shall be based on the graduate's ACT score. The base amount shall
 22 equal the GPA's corresponding dollar award in paragraph (a) of this
 23 subsection. The ACT to GPA conversion values are as follows:

24	<u>ACT</u>	<u>GPA</u>	<u>ACT</u>	<u>GPA</u>
25	<u>18</u>	<u>2.70</u>	<u>24</u>	<u>3.30</u>
26	<u>19</u>	<u>2.70</u>	<u>25</u>	<u>3.70</u>
27	<u>20</u>	<u>3.00</u>	<u>26</u>	<u>3.70</u>

1	<u>21</u>	<u>3.00</u>	<u>27</u>	<u>3.70</u>
2	<u>22</u>	<u>3.30</u>	<u>28+</u>	<u>4.00</u>
3	<u>23</u>	<u>3.30</u>		

4 (2) (a) The authority shall commit to provide to each eligible high school student the
5 base amount of the Kentucky educational excellence scholarship for each
6 academic year of high school study in the Kentucky educational excellence
7 scholarship curriculum that the high school student has attained at least a 2.5
8 grade point average. The award shall be based upon the eligible high school
9 student's grade point average at the close of each academic year. An award
10 attributable to a past academic year shall not be increased after the award has
11 been earned by an eligible high school student, regardless of any subsequent
12 increases made to the base amount of the Kentucky educational excellence
13 scholarship through the promulgation of an administrative regulation by the
14 authority.

15 (b) Notwithstanding the definitions of "eligible high school student" and "high
16 school" in KRS 164.7874, any high school student who maintains Kentucky
17 residency and completes the academic courses that are required for a
18 Kentucky educational excellence scholarship while participating in an
19 approved educational high school foreign exchange program or participating
20 in the United States Congressional Page School may apply his or her grade
21 point average for that academic year toward the base as described in
22 paragraph (a) of this subsection. The grade point average shall be reported by
23 the student's Kentucky home high school, based on an official transcript from
24 the school that the student attended during the out-of-state educational
25 experience. The authority shall promulgate administrative regulations that
26 describe the approval process for the educational exchange programs that
27 qualify under this paragraph. The provisions in this paragraph shall likewise

1 apply to any Kentucky high school student who participated in an approved
2 educational exchange program or in a Congressional Page School since the
3 1998-99 school year and maintained his or her Kentucky residency
4 throughout.

5 (c) 1. Notwithstanding the definitions of "eligible high school student" and
6 "high school" in KRS 164.7874 and the requirement that a student
7 graduate from a Kentucky high school, a high school student who
8 completes the KEES curriculum while attending an accredited out-of-
9 state high school or Department of Defense school may apply the grade
10 point average for any applicable academic year toward the base as
11 described in paragraph (a) of this subsection and shall also qualify for a
12 supplemental award under subsection (3) of this section when:

- 13 a. His or her custodial parent or guardian is in active service of the
14 Armed Forces of the United States;
- 15 b. The student attended an accredited out-of-state high school or a
16 Department of Defense school as a result of the custodial parent's
17 or guardian's military transfer outside of Kentucky; and
- 18 c. The student earned a KEES base amount at a Kentucky high
19 school prior to the custodial parent's or guardian's military transfer
20 outside of Kentucky.

21 2. The student or parent shall arrange for the out-of-state school to report
22 the student's grade point average each academic year and the student's
23 highest ACT score to the authority as required under KRS 164.7885.
24 The authority shall promulgate administrative regulations implementing
25 the requirements in this paragraph, including:

- 26 a. The documentation that the parent shall submit to the authority
27 establishing the student's eligibility for the scholarship; and

1 b. The assurances that an out-of-state institution shall submit to the
2 authority for submission of the student grade point average.

3 3. The provisions in this paragraph shall apply to the 2001-2002 school
4 year and thereafter.

5 (d) Beginning with the 2013-2014 academic year, a student who meets the
6 Kentucky core academic standards for high school graduation established in
7 administrative regulation and graduates after completing three (3) years of
8 high school shall receive a Kentucky educational excellence scholarship
9 award equivalent to completing high school in four (4) years. The award shall
10 be determined by dividing the total actual KEES scholarship earned under
11 subsection (1) of this section by three (3) and multiplying that number by four
12 (4). The resulting number shall be the annual award the student is eligible for
13 under subsection (1) of this section.

14 (3) (a) The authority shall commit to provide to each eligible high school student
15 graduating from high school before June 30, 1999, and achieving a score of at
16 least 15 on the American College Test, a supplemental award for the award
17 period beginning in the fall of 1999, based on the eligible high school
18 student's highest ACT score attained by the date of graduation from high
19 school. The amount of the supplemental award shall be determined as follows:

20	ACT	Annual	ACT	Annual
21	Score	Bonus	Score	Bonus
22	15	\$21	22	\$171
23	16	\$43	23	\$193
24	17	\$64	24	\$214
25	18	\$86	25	\$236
26	19	\$107	26	\$257
27	20	\$129	27	\$279

1 21 \$150 ~~28+[-or-above]~~ \$300

2 Subsequent supplemental awards for eligible high school students graduating
3 before June 30, 1999, shall be determined in accordance with the provisions
4 of paragraph (b) of this subsection.

5 (b) The authority shall commit to provide to each eligible high school student
6 upon achievement after June 30, 1999, of an ACT score of at least 15 on the
7 American College Test a supplemental award based on the eligible high
8 school student's highest ACT score attained by the date of graduation from
9 high school. The amount of the supplemental award shall be determined as
10 follows:

11	ACT		ACT	
12	Score	Amount	Score	Amount
13	15	\$36	22	\$286
14	16	\$71	23	\$321
15	17	\$107	24	\$357
16	18	\$143	25	\$393
17	19	\$179	26	\$428
18	20	\$214	27	\$464
19	21	\$250	28+[-and-above]	\$500

20 The authority shall review the base amount of the supplemental award
21 beginning with the 2001-2002 academic year and each academic year
22 thereafter and may promulgate an administrative regulation to make
23 adjustments after considering the availability of funds.

24 (c) Beginning with the 2008-2009 academic year, the authority shall commit to
25 provide a supplemental award for achievement on examinations for Advanced
26 Placement or International Baccalaureate as defined in KRS 164.002 to an
27 eligible high school student whose family was eligible for free or reduced-

- 1 price lunch for any year during high school enrollment.
- 2 1. The supplemental award for AP examination scores are as follows:
- 3 a. Two hundred dollars (\$200) for each score of three (3);
- 4 b. Two hundred fifty dollars (\$250) for each score of four (4); and
- 5 c. Three hundred dollars (\$300) for each score of five (5).
- 6 2. The supplemental award for IB examination scores are as follows:
- 7 a. Two hundred dollars (\$200) for each score of five (5);
- 8 b. Two hundred fifty dollars (\$250) for each score of six (6); and
- 9 c. Three hundred dollars (\$300) for each score of seven (7).
- 10 (d) Beginning with the 2013-2014 academic year, the authority shall commit to
- 11 provide a supplemental award for achievement on examinations for
- 12 Cambridge Advanced International as defined in KRS 164.002 to an eligible
- 13 high school student whose family was eligible for free or reduced-priced
- 14 lunch for any year during high school enrollment. The supplemental award for
- 15 Cambridge Advanced International examination scores are as follows:
- 16 1. Two hundred dollars (\$200) for each score of "e";
- 17 2. Two hundred fifty dollars (\$250) for each score of "c" or "d"; and
- 18 3. Three hundred dollars (\$300) for each score of "a*", "a", or "b".
- 19 (e) The authority shall promulgate administrative regulations establishing the
- 20 eligibility criteria and procedures for making a supplemental award to
- 21 Kentucky residents who are citizens, nationals, or permanent residents of the
- 22 United States and who graduate from a Kentucky nonpublic secondary school
- 23 not certified by the Kentucky Board of Education and Kentucky residents who
- 24 are citizens, nationals, or permanent residents of the United States and who
- 25 obtain a High School Equivalency Diploma within five (5) years of their high
- 26 school graduating class, and students under subsection (2)(c) of this section
- 27 who do not attend an accredited high school.

1 ➔Section 3. KRS 164.7884 is amended to read as follows:

2 (1) As used in this section:

3 (a) "Academic year" means July 1 through June 30 of each year;

4 (b) "Apprentice" has the same meaning as in KRS 343.010;

5 (c) "Approved workforce solutions training program" means a local high-demand
6 work sector training program that is approved by the authority and is offered
7 by the Kentucky Community and Technical College System through
8 consultation with representatives of the local workforce development area and
9 the local Kentucky Community and Technical College System campus where
10 the program will be offered;

11 (d) "Eligible college of art and design" means a college that:

12 1. Qualifies as a tax exempt organization pursuant to Section 501(c)(3) of
13 the Internal Revenue Code:

14 2. Is conditionally or unconditionally licensed by the Council on
15 Postsecondary Education;

16 3. Is a candidate for accreditation by a regional accrediting association
17 recognized by the United States Department of Education;

18 4. Has its main campus physically located in Kentucky;

19 5. Limits its degree program offerings to the area of fine arts; and

20 6. Does not qualify as a participating institution as defined in KRS
21 164.7874;

22 (e) "Eligible student" means an eligible high school student who has graduated
23 from high school, *an eligible noncertified school graduate*, or a student
24 eligible under KRS 164.7879(3)(e);

25 (f) "Proprietary school" means a school that:

26 1. Is licensed by the Kentucky Commission on Proprietary Education;

27 2. Has operated for at least five (5) years;

- 1 3. Has its headquarters or main campus physically located in Kentucky;
2 and
3 4. Does not qualify as a participating institution under KRS
4 164.7874~~(20)~~(21);
- 5 (g) "Qualified proprietary school program" means a program offered by a
6 proprietary school that is in the field of agriculture as defined in KRS 246.010
7 or is in one (1) of Kentucky's top five (5) high-demand work sectors as
8 determined by the Kentucky Workforce Innovation Board;
- 9 (h) "Qualified workforce training program" means a program that is in one (1) of
10 Kentucky's top five (5) high-demand work sectors as determined by the
11 Kentucky Workforce Innovation Board;
- 12 (i) "Registered apprenticeship program" means an apprenticeship program that:
13 1. Is established in accordance with the requirements of KRS Chapter 343;
14 2. Requires a minimum of two thousand (2,000) hours of on-the-job work
15 experience;
16 3. Requires a minimum of one hundred forty-four (144) hours of related
17 instruction for each year of the apprenticeship; and
18 4. Is approved by the Education and Labor Cabinet;
- 19 (j) "Related instruction" has the same meaning as in KRS 343.010; and
20 (k) "Sponsor" has the same meaning as in KRS 343.010.
- 21 (2) Notwithstanding KRS 164.7881, an eligible student who earned a KEES award
22 shall be eligible for a Kentucky educational excellence scholarship if the student
23 meets the requirements of this section and is:
- 24 (a) An apprentice in a registered apprenticeship program;
25 (b) Enrolled in a qualified workforce training program that has a current
26 articulation agreement for postsecondary credit hours with a participating
27 institution;

- 1 (c) Enrolled in a qualified proprietary school program;
- 2 (d) Enrolled in an approved workforce solutions training program; or
- 3 (e) Enrolled in an eligible college of art and design.
- 4 (3) (a) Beginning with the 2018-2019 academic year, an eligible student enrolled in a
- 5 registered apprenticeship program or, for the academic year beginning July 1,
- 6 2020, an eligible student enrolled in a qualified workforce training program
- 7 or, for the academic year beginning July 1, 2023, an eligible student enrolled
- 8 in a qualified proprietary school program, an approved workforce solutions
- 9 training program, or an eligible college of art and design, may receive
- 10 reimbursement of tuition, books, required tools, and other approved expenses
- 11 required for participation in the program, upon certification by the sponsor,
- 12 school, or college and approval by the authority.
- 13 (b) The reimbursement amount an eligible student may receive in an academic
- 14 year shall not exceed the student's KEES award maximum.
- 15 (c) The total reimbursement amount an eligible student may receive under this
- 16 section shall not exceed the student's KEES award maximum multiplied by
- 17 four (4).
- 18 (4) Eligibility for a KEES scholarship under this section shall terminate upon the earlier
- 19 of:
- 20 (a) The expiration of five (5) years following the eligible student's graduation
- 21 from high school or receiving a High School Equivalency Diploma, except as
- 22 provided in KRS 164.7881(5); or
- 23 (b) The eligible student's successful completion of the registered apprenticeship
- 24 program, qualified workforce training program, qualified proprietary school
- 25 program, or approved workforce solutions training program.
- 26 (5) The authority shall promulgate administrative regulations establishing the
- 27 procedures for making awards under this section in consultation with the Kentucky

- 1 Education and Labor Cabinet and the Kentucky Economic Development Cabinet.