88-9a-6. Postponement of or release from promise scholarship agreement requirements.  (a) Any promise scholarship recipient may request that one or more requirements of the promise scholarship agreement be postponed during any period if the recipient meets any of the following conditions:

(1) is serving in volunteers in service to America (VISTA);
(2) is serving in the peace corps;
(3) has a service commitment to the United States public health service;
(4) is performing religious missionary work conducted by an organization exempt from tax under section 501(c)(3) of the federal internal revenue code;
(5) is determined by the board of regents to be unable to commence or continue performance in satisfaction of the obligation because of temporary medical disability;
(6) is on job-protected leave under the family and medical leave act of 1993 (FMLA);
(7) is unable to meet the requirement of the scholarship agreement due to good cause, as determined by the board of regents; or
(8) is continuously enrolled as a full-time student or part-time student at a Kansas postsecondary educational institution if the first enrollment was within six months after successfully completing the promise-eligible program for which the promise scholarship was received. The student shall remain enrolled in at least six hours each semester for which the student wants to postpone the Kansas employment requirement.

(b) Except for paragraphs (a)(5), (a)(6), and (a)(7), a recipient’s obligation

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under the promise scholarship agreement shall not be postponed more than five years from the time that performance of the obligation was to have commenced under the agreement. Each obligation under any agreement entered into in accordance with the promise scholarship program shall be postponed under paragraph (a)(5) during the period of time that the medical disability exists.

(c) For purposes of paragraph (a)(6), the recipient’s obligation under the promise scholarship agreement shall not be postponed for more than the duration of the recipient’s FMLA leave.

(d)(1) For purposes of paragraph (a)(7), “good cause” shall include the following:

(A) Inability to secure employment in Kansas within six months of completing the promise-eligible program or any postponement granted pursuant to subsection (a) after making the best possible effort to do so;

(B) inability to retain employment in Kansas for two consecutive years after completing the promise-eligible program or any postponement granted under subsection (a) after making the best possible effort to do so;

(C) inability to reside in Kansas for the two consecutive years immediately succeeding completion of the promise-eligible program or any postponement granted under subsection (a) after making the best possible effort to do so; and

(D) inability to meet any other requirement of the promise scholarship after making the best possible effort to do so.

(2) “The best possible effort” shall be determined by the board of regents’ director of student financial aid upon the promise scholarship recipient’s submission of a

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request supported by documentation, which may include any of the following as relevant:

(A) Written communications from employers confirming the recipient’s applications for employment;

(B) a verifiable list of employers, with contact information, to whom the recipient has applied;

(C) records establishing the reason for the recipient’s inability to reside in Kansas; or

(D) records establishing the reason for the recipient’s inability to retain employment for two consecutive years.

(e)(1) A promise scholarship recipient shall have met the requirements of the promise scholarship agreement and shall be released from repayment of the scholarship award if the recipient meets any of the following conditions:

(A) Successfully completes the requirements of the agreement;

(B) commences service as a military servicemember, as defined in K.S.A. 2021 Supp. 74-32,271 and amendments thereto, at any time after receiving a promise scholarship award;

(C) fails to meet the requirements of the agreement only after making the best possible effort to do so; or

(D) is unable to meet the requirements of the agreement due to disability or death of the recipient.

(2) “The best possible effort” shall be determined by the board of regents’
director of student financial aid upon the scholarship recipient’s submission of
documentation, which may include any of the following as relevant:

(A) Written communications from employers confirming the recipient’s
applications for employment;

(B) a verifiable list of employers, with contact information, with which the
recipient has applied;

(C) records establishing the reason for inability to reside in Kansas; or

(D) a signed statement from an appropriate administrator of the
promise-eligible institution explaining the circumstances of the promise scholarship
recipient’s inability to complete the promise-eligible program within 36 months.

(f) Each promise scholarship award recipient who wants to postpone or be
released from any obligation of the recipient’s promise scholarship agreement shall
submit to the board of regents a written request for postponement or release on a form
provided by the board.

(g) Each request for postponement or release shall be made by submitting a
completed postponement or release form to the board of regents. Each request for
postponement or release shall be mailed or electronically mailed to the address
indicated, with an attention subject line of “Kansas promise scholarship repayment.”
The request shall include the recipient’s full legal name, the promise-eligible institution
from which the recipient received the promise scholarship, and the recipient’s dates of
attendance at that institution. (Authorized by K.S.A. 2021 Supp. 74-32,272, as
amended by L. 2022, ch. 94, sec. 29; implementing K.S.A. 2021 Supp. 74-32,272 and

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74-32,276, as amended by L. 2022, ch. 94, secs. 29 and 33; effective
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