

**164.7874 Definitions for KRS 164.7871 to 164.7885.**

As used in KRS 164.7871 to 164.7885:

- (1) "Academic term" means a semester or other time period specified in an administrative regulation promulgated by the authority;
- (2) "Academic year" means a period consisting of at least the minimum school term, as defined in KRS 158.070;
- (3) "ACT score" means the composite score achieved on the American College Test at a national test site on a national test date or the ACT exam administered statewide under KRS 158.6453(11)(a)3., or an equivalent score, as determined by the authority, on the SAT administered by the College Board, Inc.;
- (4) "Authority" means the Kentucky Higher Education Assistance Authority;
- (5) "Award period" means the fall and spring consecutive academic terms within one (1) academic year;
- (6) "Council" means the Council on Postsecondary Education created under KRS 164.011;
- (7) "Eligible high school student" means any person who:
  - (a) Is a citizen, national, or permanent resident of the United States and Kentucky resident;
  - (b) Was enrolled after July 1, 1998:
    1. In a Kentucky high school for at least one hundred forty (140) days of the minimum school term unless exempted by the authority's executive director upon documentation of extreme hardship, while meeting the KEES curriculum requirements, and was enrolled in a Kentucky high school at the end of the academic year;
    2. In a Kentucky high school for the fall academic term of the senior year and who:
      - a. Was enrolled during the entire academic term;
      - b. Completed the high school's graduation requirements during the fall academic term; and
      - c. Was not enrolled in a secondary school during any other academic term of that academic year; or
    3. In the Gatton Academy of Mathematics and Science in Kentucky while meeting the Kentucky educational excellence scholarship curriculum requirements;
  - (c) Has a grade point average of 2.5 or above at the end of any academic year beginning after July 1, 1998, or at the end of the fall academic term for a student eligible under paragraph (b) 2. of this subsection; and
  - (d) Is not a convicted felon;
- (8) "Eligible postsecondary student" means a citizen, national, or permanent resident of the United States and Kentucky resident, as determined by the participating

institution in accordance with criteria established by the council for the purposes of admission and tuition assessment, who:

- (a) Earned a KEES award;
  - (b) Has the required postsecondary GPA and credit hours required under KRS 164.7881;
  - (c) Has remaining semesters of eligibility under KRS 164.7881;
  - (d) Is enrolled in a participating institution as a part-time or full-time student; and
  - (e) Is not a convicted felon;
- (9) "Full-time student" means a student enrolled in a postsecondary program of study that meets the full-time student requirements of the participating institution in which the student is enrolled;
- (10) "Grade point average" or "GPA" means the grade point average earned by an eligible student and reported by the high school or participating institution in which the student was enrolled based on a scale of 4.0 or its equivalent if the high school or participating institution that the student attends does not use the 4.0 grade scale;
- (11) "High school" means any Kentucky public high school, the Gatton Academy of Mathematics and Science in Kentucky, and any private, parochial, or church school located in Kentucky that has been certified by the Kentucky Board of Education as voluntarily complying with curriculum, certification, and textbook standards established by the Kentucky Board of Education under KRS 156.160;
- (12) "KEES" or "Kentucky educational excellence scholarship" means a scholarship provided under KRS 164.7871 to 164.7885;
- (13) "KEES award" means:
- (a) For an eligible high school student, the sum of the KEES base amount for each academic year of high school plus any KEES supplemental amount, as adjusted pursuant to KRS 164.7881; and
  - (b) For a student eligible under KRS 164.7879(3)(d), the KEES supplemental amount as adjusted pursuant to KRS 164.7881;
- (14) "KEES award maximum" means the sum of the KEES base amount earned in each academic year of high school plus any KEES supplemental amount earned;
- (15) "KEES base amount" or "base amount" means the amount earned by an eligible high school student based on the student's GPA pursuant to KRS 164.7879;
- (16) "KEES curriculum" means five (5) courses of study, except for students who meet the criteria of subsection (7)(b)2. of this section, in an academic year as determined in accordance with an administrative regulation promulgated by the authority;
- (17) "KEES supplemental amount" means the amount earned by an eligible student based on the student's ACT score pursuant to KRS 164.7879;
- (18) "KEES trust fund" means the Wallace G. Wilkinson Kentucky educational excellence scholarship trust fund;
- (19) "On track to graduate" means the number of cumulative credit hours earned as compared to the number of hours determined by the postsecondary education

institution as necessary to complete a bachelor's degree by the end of eight (8) academic terms or ten (10) academic terms if a student is enrolled in an undergraduate program that requires five (5) years of study;

- (20) "Participating institution" means an "institution" as defined in KRS 164.001 that actively participates in the federal Pell Grant program, executes a contract with the authority on terms the authority deems necessary or appropriate for the administration of its programs, and:
- (a) 1. Is publicly operated;
  2. Is licensed by the Commonwealth of Kentucky and has operated for at least ten (10) years, offers an associate or baccalaureate degree program of study not comprised solely of sectarian instruction, and admits as regular students only high school graduates or recipients of a General Educational Development (GED) diploma or students transferring from another accredited degree granting institution; or
  3. Is designated by the authority as an approved out-of-state institution that offers a degree program in a field of study that is not offered at any institution in the Commonwealth; and
- (b) Continues to commit financial resources to student financial assistance programs; and
- (21) "Part-time student" means a student enrolled in a postsecondary program of study who does not meet the full-time student requirements of the participating institution in which the student is enrolled and who is enrolled for at least six (6) credit hours, or the equivalent for an institution that does not use credit hours.

**Effective:** March 25, 2009

**History:** Amended 2009 Ky. Acts ch. 101, sec. 14, effective March 25, 2009. -- Amended 2008 Ky. Acts ch. 134, sec. 22, effective July 15, 2008; and ch. 137, sec. 1, effective July 15, 2008. -- Amended 2005 Ky. Acts ch. 117, sec. 1, effective June 20, 2005. -- Amended 2003 Ky. Acts ch. 115, sec. 4, effective June 24, 2003; and ch. 180, sec. 8, effective June 24, 2003. -- Amended 2002 Ky. Acts ch. 51, sec. 1, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 13, sec. 1, effective July 14, 2000; ch. 198, sec. 1, effective July 14, 2000; and ch. 382, sec. 11, effective July 14, 2000. -- Created 1998 Ky. Acts ch. 575, sec. 2, effective July 15, 1998.

**Legislative Research Commission Note (3/25/2009).** In subsection (3) of this statute, a reference to "KRS 158.6453(12)(a)3." has been changed to read "KRS 158.6453(11)(a)3." When Section 2 of 2009 Ky. Acts ch. 101 [KRS 158.6453] was renumbered, the reference to subsection (12) of KRS 158.6453 in subsection (3) of this statute was not changed. The Reviser of Statutes has made a conforming change under the authority of KRS 7.136.

**Legislative Research Commission Note (7/15/2008).** A reference to "KRS 164.7879(3)(c)" in subsection (13)(b) of this statute has been changed in codification to "KRS 164.7879(3)(d)" by the Reviser of Statutes under the authority of KRS 7.136(1) to reflect the insertion of a new paragraph in KRS 164.7879(3) and change the designation of succeeding paragraphs in 2008 Ky. Acts ch. 134, sec. 23.

**Legislative Research Commission Note (7/14/2000).** This section was amended by 2000 Ky. Acts chs. 13, 198, and 382. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 198, which was last enacted by the General Assembly, prevails under KRS 446.250.