State statute (K.S.A. 71-1802) defines a technical program as any program of study comprised of a sequence of tiered technical and non-tiered courses, which program is identified by the state board as a technical program for funding purposes. Technical programs must:

- 1) Be designed to prepare individuals for gainful employment in current or emerging technical occupations requiring other than a baccalaureate or advanced degree;
- 2) Lead to technical proficiency, an occupationally specific industry-recognized certification, a certificate award level, or an associate degree; and
- 3) Be delivered by an eligible institution

The TEA/Board further defined each section of the state law:

- 1) To identify whether a program/occupation requires a baccalaureate or advanced degree we will use:
 - 1st: US Department of Labor "typical level of education needed" data.
 - 2nd: (if the program fails the 1st test) Lightcast job posting date will be used to determine the typical education level required. If 50% or more of the jobs posted in Kansas during the previous year may be obtained with an associate degree or less, it may continue as a technical program.
- 2) To identify the technical skill proficiency and occupationally specific industryrecognized credential, the TEA will use the process that was approved in 2015 by the TEA.
- 3) All 26 two-year institutions in the state are eligible institutions per state statute.

Other criteria set:

- 1) For programs to be listed in the Kansas Higher Education Data System, 50% of technical courses, or at least 12 credit hours (whichever is higher) must be taught by the institution, and only courses taught by the institution are eligible for postsecondary funding.
- 2) Course electives must be related to the program(s) to which they are assigned.
- 3) Institutions must control curriculum with the flexibility to add outcomes as they see fit.
- 4) Institutions must control who enrolls in course/programs.
- 5) Courses for which a college has program and course approval, taught by an instructor employed by or paid by the institution, or reimbursed under a KBOR approved contractual partnership training agreement (e.g., CEP) will be eligible for postsecondary state funding. Instruction must be provided by the college directly, or through a contractual arrangement in which the college is fully responsible for the training provided and the hiring of the instructor. To be "fully responsible" there must be an employer-employee relationship established between the college and the instructor, or through a KBOR approved contractual partnership training agreement (e.g., CEP).