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 industry-recognized 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).