

## HOUSE BILL No. 2717

By Committee on K-12 Education Budget

Requested by Representative Estes

2-5

AN ACT concerning education; relating to compulsory attendance; decreasing the minimum age requirement from age seven to six for compulsory school attendance of students; amending K.S.A. 2025 Supp. 72-3120 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 2025 Supp. 72-3120 is hereby amended to read as follows: 72-3120. (a) Subject to the other provisions of this section, every parent or person acting as parent in the state of Kansas, who has control over or charge of any child who has reached the age of ~~seven~~ *six* years *on or before August 31* and is under the age of 18 years and has not attained a high school diploma, a general educational development credential or a high school equivalency credential, shall require such child to be regularly enrolled in and attend continuously each school year:

(1) A public school for the duration of the school term provided for in K.S.A. 72-3115, and amendments thereto;

(2) a private, denominational or parochial school taught by a competent instructor for a period of time which is substantially equivalent to the period of time public school is maintained in the school district in which the private, denominational or parochial school is located; or

(3) a combination of a public school and a private, denominational or parochial school for the periods of time referred to in paragraphs (1) and (2).

(b) If the child is 16 or 17 years of age, the child shall be exempt from the compulsory attendance requirements of this section if:

(1) The child is regularly enrolled in and attending a program recognized by the local board of education as an approved alternative educational program;

(2) the parent or person acting as parent provides written consent to allow the child to be exempt from the compulsory attendance requirements of this section and the child and the parent or person acting as parent attend a final counseling session conducted by the school during which a disclaimer to encourage the child to remain in school or to pursue educational alternatives is presented to and signed by the child and the parent or person acting as parent. The disclaimer shall include information

1 regarding the academic skills that the child has not yet achieved, the  
2 difference in future earning power between a high school graduate and a  
3 high school drop out and a listing of educational alternatives that are  
4 available for the child;

5 (3) the child is regularly enrolled in a school as required by  
6 subsection (a) and is concurrently enrolled in a postsecondary educational  
7 institution, as defined by K.S.A. 74-3201b, and amendments thereto; or

8 (4) the child is subject to a court order that allows or requires the  
9 child to be exempt from the compulsory attendance requirements.

10 (c) Any child who is under the age of ~~seven~~ *six* years, but who is  
11 enrolled in school, shall be subject to the compulsory attendance  
12 requirements of this section. Any such child may be withdrawn from  
13 enrollment in school at any time by a parent or person acting as parent of  
14 the child and thereupon the child shall be exempt from the compulsory  
15 attendance requirements of this section until the child reaches the age of  
16 ~~seven~~ *six* years or is re-enrolled in school.

17 (d) Any child who is determined to be an exceptional child, except  
18 for an exceptional child who is determined to be a gifted child, under the  
19 provisions of the special education for exceptional children act shall be  
20 subject to the compulsory attendance requirements of such act and exempt  
21 from the compulsory attendance requirements of this section.

22 (e) Any child who has been admitted to, and is attending, the Kansas  
23 academy of mathematics and science, as provided in K.S.A. 72-3903 et  
24 seq., and amendments thereto, shall be exempt from the compulsory  
25 attendance requirements of this section.

26 (f) No child attending public school in this state shall be required to  
27 participate in any activity which is contrary to the religious teachings of  
28 the child if a written statement signed by one of the parents or a person  
29 acting as parent of the child is filed with the proper authorities of the  
30 school attended requesting that the child not be required to participate in  
31 such activities and stating the reason for the request.

32 (g) When a recognized church or religious denomination that objects  
33 to a regular public high school education provides, offers and teaches,  
34 either individually or in cooperation with another recognized church or  
35 religious denomination, a regularly supervised program of instruction that  
36 is approved by the state board of education, for children of compulsory  
37 school attendance age who have successfully completed the eighth grade,  
38 participation in such a program of instruction by any such children whose  
39 parents or persons acting as parents are members of the sponsoring church  
40 or religious denomination shall be regarded as acceptable school  
41 attendance within the meaning of this act. Approval of such programs shall  
42 be granted by the state board of education, for two-year periods, upon  
43 application from recognized churches and religious denominations, under

1 the following conditions:

2 (1) Each participating child shall be engaged, during each day on  
3 which attendance is legally required in the public schools in the school  
4 district in which the child resides, in at least five hours of learning  
5 activities appropriate to the adult occupation that the child is likely to  
6 assume in later years;

7 (2) acceptable learning activities, for the purposes of this subsection,  
8 shall include projects supervised by a parent or person acting as parent in  
9 agriculture and homemaking, work-study programs in cooperation with  
10 local business and industry and correspondence courses from schools  
11 accredited by the national home study council, recognized by the United  
12 States office of education as the competent accrediting agency for private  
13 home study schools;

14 (3) at least 15 hours per week of classroom work under the  
15 supervision of an instructor shall be provided, at which time students shall  
16 be required to file written reports of the learning activities they have  
17 pursued since the time of the last class meeting, indicating the length of  
18 time spent on each one, and the instructor shall examine and evaluate such  
19 reports, approve plans for further learning activities and provide necessary  
20 assignments and instruction;

21 (4) regular attendance reports shall be filed as required by law and  
22 students shall be reported as absent for each school day on which they  
23 have not completed the prescribed minimum of five hours of learning  
24 activities;

25 (5) the instructor shall keep complete records concerning instruction  
26 provided, assignments made and work pursued by the students, and these  
27 records shall be filed on the first day of each month with the state board of  
28 education and the board of education of the school district in which the  
29 child resides;

30 (6) the instructor shall be capable of performing competently the  
31 functions entrusted thereto; and

32 (7) in applying for approval under this subsection a recognized  
33 church or religious denomination shall certify its objection to a regular  
34 public high school education and shall specify, in such detail as the state  
35 board of education may reasonably require, the program of instruction that  
36 it intends to provide and no such program shall be approved unless it fully  
37 complies with standards specified by the state board of education.

38 If the sponsors of an instructional program approved under this  
39 subsection fail to comply at any time with the provisions of this  
40 subsection, the state board of education shall rescind, after a written  
41 warning has been served and a period of three weeks allowed for  
42 compliance, approval of the programs, even though the two-year approval  
43 period has not elapsed, and thereupon children attending such program

1 shall be admitted to a high school of the school district.

2 (h) (1) Each board of education of a school district shall allow any  
3 child to enroll part-time in the school district to allow the student to attend  
4 any courses, programs or services offered by the school district if the  
5 child:

6 (A) Is also enrolled in a nonaccredited private elementary or  
7 secondary school pursuant to K.S.A. 72-4345, and amendments thereto, or  
8 in any other private, denominational or parochial school pursuant to the  
9 provisions of subsection (a);

10 (B) requests to enroll part-time in the school district; and

11 (C) meets the age of eligibility requirements for school attendance  
12 pursuant to K.S.A. 72-3118, and amendments thereto.

13 (2) Each board of education of a school district shall adopt a policy  
14 regarding the part-time enrollment of students pursuant to this subsection  
15 and shall publish such policy on the school district's website. The board of  
16 education of a school district shall make a good faith attempt to  
17 accommodate scheduling requests of students enrolling in the school  
18 district pursuant to this subsection but shall not be required to make  
19 adjustments to accommodate every such request.

20 (i) *If a parent or person acting as a parent is a member of a*  
21 *recognized church or religious denomination that objects to the*  
22 *compulsory attendance age for any child who has reached the age of six*  
23 *years pursuant to subsection (a), such parent or person acting as a parent*  
24 *may, by written consent, exempt the child from such compulsory*  
25 *attendance requirement if such child has not yet reached the age of seven*  
26 *years. Any child exempted pursuant to this subsection shall be subject to*  
27 *the compulsory attendance requirements of this section when such child*  
28 *has reached the age of seven years.*

29 (j) As used in this section:

30 (1) "Educational alternatives" means an alternative learning plan for  
31 the student that identifies educational programs that are located in the area  
32 where the student resides and are designed to aid the student in obtaining a  
33 high school diploma, general educational development credential or other  
34 certification of completion, such as a career technical education industry  
35 certification. Such alternative learning plans may include extended  
36 learning opportunities such as independent study, private instruction,  
37 performing groups, internships, community service, apprenticeships and  
38 online coursework.

39 (2) "Parent" and "person acting as parent" mean the same as such  
40 terms are defined in K.S.A. 72-3122\*, and amendments thereto.

41 (3) "Regularly enrolled" means enrolled in five or more hours of  
42 instruction each school day. For the purposes of subsection (b)(3), hours of  
43 instruction received at a postsecondary educational institution shall be

1 counted.

2 Sec. 2. K.S.A. 2025 Supp. 72-3120 is hereby repealed.

3 Sec. 3. This act shall take effect and be in force from and after its

4 publication in the statute book.