

SENATE BILL No. 335

By Committee on Education

1-28

1 AN ACT concerning school districts; relating to dual enrollment;
2 authorizing payment of tuition and fees for students dually enrolled;
3 amending K.S.A. 72-3220, 72-3221, 72-3222, 72-3223 and 72-3224
4 and repealing the existing sections.
5

postsecondary educational institutions;

requiring tuition waiver for foster children who are dually enrolled;

and 75-53,112

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

7 Section 1. K.S.A. 72-3220 is hereby amended to read as follows: 72-
8 3220. ~~(a)~~ K.S.A. 72-3220 through 72-3224, and amendments thereto, shall
9 be known and may be cited as the Kansas challenge to secondary school
10 ~~pupils students~~ act.

11 ~~(b) The provisions of this section shall take effect and be in force~~
12 ~~from and after July 1, 1993.~~

13 Sec. 2. K.S.A. 72-3221 is hereby amended to read as follows: 72-
14 3221. ~~(a)~~ The legislature hereby declares that secondary school ~~pupils~~
15 ~~students~~ should be challenged continuously in order to maintain their
16 interests in the pursuit of education and skills critical to success in the
17 modern world. Therefore, it is the purpose and intention of the Kansas
18 challenge to secondary school ~~pupils students~~ act to provide a means
19 whereby school districts in cooperation with institutions of postsecondary
20 education may provide new and exciting challenges to secondary school
21 ~~pupils students~~ by encouraging them to take full advantage of the wealth
22 of postsecondary ~~education~~ *educational* opportunities available in this
23 state.

24 ~~(b) The provisions of this section shall take effect and be in force~~
25 ~~from and after July 1, 1993.~~

26 Sec. 3. K.S.A. 72-3222 is hereby amended to read as follows: 72-
27 3222. As used in the Kansas challenge to secondary school ~~pupils students~~
28 act:

29 (a) ~~"Concurrent enrollment pupil"~~ "Student" means a person who: (1)
30 Is enrolled in grades 10, 11 or 12 maintained by a school district, or a
31 gifted child who is enrolled in any of the grades 9 through 12 maintained
32 by a school district; (2) has demonstrated the ability to benefit from
33 participation in the regular curricula of eligible postsecondary ~~education~~
34 *educational* institutions; (3) has been authorized by the principal of the
35 school attended to apply for enrollment at an eligible postsecondary
36 ~~education~~ *educational* institution; and (4) is acceptable or has been

1 accepted for enrollment at an eligible postsecondary-~~education~~ *educational*
2 institution.

3 (b) "Eligible postsecondary-~~education~~ *educational* institution" means
4 any state educational institution, community college, municipal university,
5 technical college or accredited independent institution.

6 (c) "State educational institution" ~~has the meaning ascribed thereto~~
7 *means the same as defined* in K.S.A. 76-711, and amendments thereto.

8 (d) "Community college" means any community college organized
9 and operating under the laws of this state.

10 (e) "Municipal university" means a municipal university established
11 under the provisions of article 13a of chapter 13 of *the* Kansas Statutes
12 Annotated, *and amendments thereto*.

13 (f) "Accredited independent institution" means an institution of
14 postsecondary education the main campus of which is located in Kansas
15 and ~~which~~ *that*: (1) Is operated independently and not controlled or
16 administered by any state agency or any subdivision of the state;; (2)
17 maintains open enrollment;; and (3) is accredited by the ~~north central~~
18 ~~association of colleges and secondary schools accrediting agency based on~~
19 ~~its requirements as of April 1, 1985~~ *higher learning commission*.

20 (g) "Technical college" ~~has the meaning ascribed thereto~~ *means the*
21 *same as defined* in K.S.A. 74-32,407, and amendments thereto.

22 (h) "Gifted child" ~~has the meaning ascribed thereto~~ *means the same*
23 *as defined* in K.S.A. 72-3404, and amendments thereto, or in rules and
24 regulations adopted pursuant thereto.

25 Sec. 4. K.S.A. 72-3223 is hereby amended to read as follows: 72-
26 3223. (a) The board of education of any school district and any eligible
27 postsecondary-~~education~~ *educational* institution may enter into a
28 cooperative agreement regarding the *dual* enrollment of ~~concurrent~~
29 ~~enrollment pupils~~ *students* in courses of instruction for college credit at the
30 eligible postsecondary-~~education~~ *educational* institution. The agreement
31 shall include, but need not be limited to, the following:

32 (1) The academic credit to be granted for course work successfully
33 completed by the ~~pupil~~ *student* at the institution, which credit shall qualify
34 as college credit and may qualify as both high school and college credit;

35 (2) the requirement that such course work qualify as credit applicable
36 toward the award of a degree or certificate at the institution; *and*

37 (3) the requirement that ~~the pupil shall pay to the institution, except~~
38 *as otherwise provided in subsection (b), the student shall pay* the
39 negotiated amount of tuition *and related costs* charged by the institution
40 *for the student's* enrollment ~~of the pupil~~.

41 (b) ~~The provisions of this section shall take effect and be in force~~
42 ~~from and after July 1, 1993~~ *The board of education of a school district, in*
43 *its discretion, may pay all or a portion of the negotiated amount of tuition*

1 *and related costs, including fees, books, materials and equipment, charged*
2 *by an eligible postsecondary educational institution for a student's*
3 *enrollment in such institution. Any such payment shall be paid directly to*
4 *the eligible postsecondary educational institution and shall be credited to*
5 *such student's account.*

6 Sec. 5. K.S.A. 72-3224 is hereby amended to read as follows: 72-
7 3224. (a) ~~No school district shall be responsible for the payment of tuition~~
8 ~~charged to concurrent enrollment pupils by eligible education institutions~~
9 ~~or for the provision of transportation for such pupils Except as otherwise~~
10 ~~provided in K.S.A. 72-3223(b), and amendments thereto, each student~~
11 ~~dually enrolled in an eligible postsecondary educational institution~~
12 ~~pursuant to K.S.A. 72-3220 et seq., and amendments thereto, shall be~~
13 ~~responsible for the payment of the negotiated tuition and related costs,~~
14 ~~including fees, books, materials and equipment, charged by such~~
15 ~~institution for the student's enrollment.~~

16 (b) *The board of education of a school district, in its discretion, may*
17 *provide for the transportation of a student to or from any eligible*
18 *postsecondary education educational institution.*

19 (b) ~~Each concurrent enrollment pupil shall be responsible for~~
20 ~~payment of tuition for enrollment at an eligible postsecondary education~~
21 ~~institution and for payment of the costs of books and equipment and any~~
22 ~~other costs of enrollment.~~

23 (c) ~~Each concurrent enrollment pupil student dually enrolled in an~~
24 ~~eligible postsecondary educational institution pursuant to K.S.A. 72-3220~~
25 ~~et seq., and amendments thereto, who satisfactorily completes course work~~
26 ~~at an eligible postsecondary education such institution shall be granted~~
27 ~~appropriate credit toward fulfillment of the requirements for graduation~~
28 ~~from high school unless such credit is denied by the school district in~~
29 ~~which the pupil is enrolled on the basis that high school credit is~~
30 ~~inappropriate for such course work.~~

31 (d) ~~The provisions of this section shall take effect and be in force~~
32 ~~from and after July 1, 1993.~~

33 Sec. 6. K.S.A. 72-3220, 72-3221, 72-3222, 72-3223 and 72-3224 are
34 hereby repealed.

35 Sec. 7. This act shall take effect and be in force from and after its
36 publication in the statute book.

As part of any agreement entered into pursuant to this section, the board of education of a school district shall not be required to pay any amount of tuition and required fees that are waived for an eligible foster child pursuant to the foster child educational assistance act, K.S.A. 75-53,111, and amendments thereto, except that the board, in its discretion, may pay any related costs that are not waived pursuant to such act, including fees, books, materials and equipment, charged by an eligible postsecondary educational institution for the student's enrollment in such institution.

Insert Attachment A

and 75-53,112

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And by renumbering sections accordingly

Sec. 6. K.S.A. 75-53,112 is hereby amended to read as follows: 75-53,112. As used in the Kansas foster child educational assistance act:

(a) "Kansas educational institution" means and includes any community college, the municipal university, state educational institution, the institute of technology at Washburn university or technical college.

(b) "Eligible foster child" means anyone who:

(1) (A) (i) Is in the custody of the secretary and in a foster care placement on the date such child attained 18 years of age; ~~(B) (ii)~~ has been released from the custody of the secretary prior to attaining 18 years of age, after having graduated from a high school or fulfilled the requirements for a general educational development (GED) certificate while in foster care placement and the custody of the secretary; ~~(C) (iii)~~ is adopted from a foster care placement on or after such child's 16th birthday; or ~~(D) (iv)~~ left a foster care placement subject to a guardianship under chapter 38 or 59 of the Kansas Statutes Annotated, and amendments thereto, on or after such child's 16th birthday; or

(B) is a student as defined under the Kansas challenge to secondary school students act, K.S.A. 72-3220 et seq., and amendments thereto, and was in the custody of the secretary and in foster care placement at any time such child was enrolled in grades nine through 12 at a school of a school district; and

(2) enrolls in a Kansas educational institution on or after July 1, 2006.

(c) "Kansas foster child educational assistance program" or "program" means the program established pursuant to the provisions of the Kansas foster child educational assistance act, which shall provide for: (1) Undergraduate enrollment of eligible foster children pursuant to subsection (b)(1)(A) through the semester the eligible foster child attains 23 years of age; or (2) undergraduate enrollment of eligible foster children pursuant to subsection (b)(1)(B) through the Kansas challenge to secondary schools act, K.S.A. 72-3220 et seq., and amendments thereto.

(d) "Educational program" means a program ~~which that~~ is offered and maintained by a Kansas educational institution and leads to the award of a certificate, diploma or degree upon satisfactory completion of course work requirements.

(e) "Secretary" means the secretary for children and families.