

**SENATE BILL No. 335**

By Committee on Education

1-28

Proposed Amendment for SB 335  
Senate Committee on Education  
February 17, 2020  
Private Institutions Shall be Not-for-Profit  
Prepared by: Tamera Lawrence  
Office of Revisor of Statutes

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

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*.

a not-for-profit

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.