

HOUSE BILL No. 2504

By Representative Neighbor

1-13

AN ACT concerning school districts; relating to residency; amending K.S.A. 72-1046 and repealing the existing section.

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

Section 1. K.S.A. 72-1046 is hereby amended to read as follows: 72-1046. (a) Any child who has attained the age of eligibility for school attendance may attend school in the district in which the child lives if (1) the child lives with a resident of the district and the resident is the parent, or a person acting as *a* parent, of the child; or (2) subject to the provisions of subsection (c), the child lives in the district as a result of placement therein by a district court or by the secretary of social and rehabilitation services; or (3) the child is a homeless child.

(b) Any child who has attained the age of eligibility for school attendance may attend school in a school district in which the child is not a resident if the school district in which the child resides has entered into an agreement with such other school district in accordance with and under authority of K.S.A. 72-8233, and amendments thereto.

(c) Any child who has attained the age of eligibility for school attendance and who lives at the Judge James V. Riddel Boys Ranch as a result of placement at such ranch by a district court or by the secretary of social and rehabilitation services shall be deemed a resident of unified school district No. 259, Sedgwick county, Kansas, and any such child may attend *a* school which shall be maintained for such child by the board of education of such school district as in the case of a child who is a bona fide resident of the district.

(d) As used in this section:

(1) "Parent" means and includes *a* natural ~~parents~~ *parent*, adoptive ~~parents~~ *parent*, ~~stepparents~~ *stepparent*, and foster ~~parents~~ *parent*;

(2) "person acting as *a* parent" means (A) a guardian or conservator, or (B) a person, other than a parent, ~~who is liable by law to maintain, care for, or support the child, or who has actual care and control of the child and is contributing the major portion of the cost of support of the child, or who has actual care and control of the child with the written consent of a person who has legal custody of the child, or who has been granted custody of the child by a court of competent jurisdiction; and~~

1 (3) “homeless child” means a child who lacks a fixed, regular, and
2 adequate nighttime residence and whose primary nighttime residence is
3 (A) a supervised publicly or privately operated shelter designed to provide
4 temporary living accommodations (including welfare hotels, congregate
5 shelters, and transitional housing for the mentally ill); or (B) an institution
6 that provides a temporary residence for individuals intended to be insti-
7 tutionalized; or (C) a public or private place not designed for, or ordinarily
8 used as, a regular sleeping accommodation for human beings.

9 Sec. 2. K.S.A. 72-1046 is hereby repealed.

10 Sec. 3. This act shall take effect and be in force from and after its
11 publication in the statute book.

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