

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Clay Aurand at 9:05 A.M. on March 24, 2008 in Room 313-S of the Capitol.

All members were present except:
Benjamin Hodge- absent

Committee staff present:

Theresa Kiernan, Office of Revisor of Statutes
Dianne Rosell, Office of Revisor of Statutes
Dale Dennis, Kansas State Department of Education
Martha Dorsey, Kansas Legislative Research Department
Sharon Wenger, Kansas Legislative Research Department
Sharon Desch, Committee Assistant

HR 6021: Dyslexia, Kansas board of education to study

Representative Storm moved to adopt the balloon amendment, with the handwritten changes, on the resolution on dyslexia. Representative Horst seconded the motion. The motion carried. (Attachment 1)

Representative Storm advised the first change would be to remove the words "to require" on the third line of the balloon amendment.

Representative Storm informed Committee members the second change, on line 14, that she did not have any objection to the wording, but wondered if it was necessary.

Representative Storm advised the third change, on line 18, would be to add the wording "...will identify "or testing" student with "a reading" disability,

Representative Storm advised the fourth change, on line 20, would be to add the wording .. Ensure "that" reading.....

Representative Storm advised the fifth change, on line 21, would be to delete the wording 'standards' and add the wording "courses" to ensure "that" knowledge.....

Representative Storm advised the sixth change, on line 23, is a grammatical error and should be changed from 'are' to "is".

Representative Storm advised the seventh change, on line 24, would be to change the wording from 'evidence-based' to "research-based" and change the wording from 'practices' to "programs".....

Representative advised the eighth change, line 25, would be to add: address "the needs of students with reading disabilities, including dyslexia"....

Representative Spalding moved to include the language, on line 21, as "Review teacher preparation courses to ensure that knowledge of scientifically-based reading instructional components to instruct children with disabilities, including dyslexia, is addressed; and ensure that research-based programs of instruction are designed and implemented to address the needs of children with reading problems, including dyslexia.. The motion was seconded by Representative Storm. The motion carried.

Representative Colloton made a motion for an amendment to substitute language in the third "Whereas" to substitute the word "dyslexia" for "disability" and strike the entirety fourth "Whereas" statement. The motion was seconded by Representative Mah. The motion passed by a show of hands, yes - 12 and no - 8.

Representative Colloton moved for an amendment to add words to the statement beginning with "Review current reading problems" and add the words "including dyslexia". The motion was seconded by

CONTINUATION SHEET

MINUTES OF THE House Education Committee at 9:05 A.M. on March 24, 2008 in Room 313-S of the Capitol.

Representative Rhoades. The motion passed.

Representative Storm moved to pass out HR 6021 favorably, as amended. The motion was seconded by Representative Rhoades. The motion passed.

SB 401: School districts; pupils receiving education services while residing at a psychiatric residential treatment facility.

Representative Colloton made the motion for an amendment to SB 401 which would say that youth residential centers providing educational services at the center would have their students counted in the school finance law the same as psychiatric residential treatment facilities. The motion was seconded by Representative Mah. The motion carried. (Attachment :2)

Representative Mah moved to pass out SB 401 favorably, as amended. The motion was seconded by Representative Colloton. The motion carried.

HCR 5039: Alternative Teacher preparation and licensure.

Representative Horst moved to adopt HCR 5039 favorably for passage. The motion was seconded by Representative Otto. The motion carried.

SB 399: Mandatory attendance of kindergarten; age of eligibility

Representative Aurand gave an explanation of SB 399 for Committee members to review. (Attachment :3)

The meeting was adjourned at 10:25 A.M. The next meeting is scheduled for Tuesday, March 25, 2008.

HOUSE RESOLUTION No. 6021

By Committee on Education

3-13

9 A RESOLUTION urging the Kansas board of education to study dyslexia.

10
11 WHEREAS, the Kansas State Board of Education has made a strong
12 commitment for all students to learn and perform well in school, which
13 requires a focus on early literacy programs and appropriate diagnostic
14 screening, including the screening of language processing; and

15 WHEREAS, the Kansas Legislature has made a strong commitment to
16 help children with dyslexia and is determined to require that children
17 with dyslexia be provided help and support within Kansas schools; and

18 WHEREAS, Federal law requires each school district to comply with
19 appropriate teacher training to meet the needs of dyslexic students as
20 required in IDEA; and

21 WHEREAS, Federal law requires each school district to implement
22 appropriate activities to ensure students with disabilities, including dys-
23 lexia, are appropriately screened at an early age and, where appropriate,
24 identified as a child with dyslexia; and

25 WHEREAS, The Kansas Department of Education does not officially
26 recognize the reading disability of dyslexia; and

27 WHEREAS, Children with dyslexia have severe difficulty learning to
28 read and need specific interventions by highly qualified instructors that
29 have been trained to effectively deal with reading problems of those with
30 dyslexia; Now, therefore,

31 *Be it resolved by the House of Representatives of the State of Kansas:*
32 That the Kansas Board of Education is strongly encouraged to:

33 Ensure that early testing or screening will identify students with dys-
34 lexia in Kansas public schools;

35 Review current K-12 reading diagnostic assessments to insure that dys-
36 lexic reading problems are identified and analyzed;

37 Review teacher preparation standards to make sure that at least one
38 teacher at each grade level who is responsible for teaching reading has
39 knowledge of appropriate instruction for dyslexic students;

40 Seek to identify students with dyslexia within one year of the student
41 enrolling in public education;

42 Provide models of instruction that are specifically designed to address
43 the reading problems of students with dyslexia; and

WHEREAS, the Kansas Legislature has made a strong
commitment to help children with disabilities, including dyslexia,
and is determined to require that children with disabilities be
provided help and support within Kansas schools; and

WHEREAS, Federal law requires each school district to
comply with appropriate teacher training to meet the needs of
students with disabilities, including dyslexia, as required in IDEA;
and

WHEREAS, Federal law requires each school district to
implement appropriate activities to ensure students with
disabilities, including dyslexia, are appropriately screened at an
early age, and where appropriate, identified as a child with a
disability; and

WHEREAS, Some children with a disability have difficulty
learning to read: Now, therefore,

Be it resolved by the House of Representatives of the State of
Kansas: That the State Board of Education will endeavor to:

Ensure that early screening will identify students with a reading
disability including dyslexia; and

Review current Pre-K-12 reading diagnostic assessments to
ensure reading problems are identified and analyzed; and

Review teacher preparation standards to ensure knowledge of
appropriate instruction for students with disabilities, including
dyslexia, is addressed; and

Ensure evidence-based practices of instruction are designed
and implemented to address reading problems; and

needs of students, including dyslexia

House Education Committee
Date 3-24-08
Attachment # 1

(Reprint)

Session of 2008

SENATE BILL No. 401

By Legislative Educational Planning Committee
(By request of the 2010 Commission)

1-3

10 AN ACT concerning school districts; relating to school finance; amend-
11 ing K.S.A. 2007 Supp. 72-6407 and 72-8187 and repealing the existing
12 sections.
13

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

15 Section 1. K.S.A. 2007 Supp. 72-6407 is hereby amended to read as
16 follows: 72-6407. (a) (1) "Pupil" means any person who is regularly en-
17 rolled in a district and attending kindergarten or any of the grades one
18 through 12 maintained by the district or who is regularly enrolled in a
19 district and attending kindergarten or any of the grades one through 12
20 in another district in accordance with an agreement entered into under
21 authority of K.S.A. 72-8233, and amendments thereto, or who is regularly
22 enrolled in a district and attending special education services provided
23 for preschool-aged exceptional children by the district.

24 (2) Except as otherwise provided in paragraph (3) of this subsection,
25 a pupil in attendance full time shall be counted as one pupil. A pupil in
26 attendance part time shall be counted as that proportion of one pupil (to
27 the nearest 1/10) that the pupil's attendance bears to full-time attendance.
28 A pupil attending kindergarten shall be counted as 1/2 pupil. A pupil en-
29 rolled in and attending an institution of postsecondary education which
30 is authorized under the laws of this state to award academic degrees shall
31 be counted as one pupil if the pupil's postsecondary education enrollment
32 and attendance together with the pupil's attendance in either of the
33 grades 11 or 12 is at least 5/6 time, otherwise the pupil shall be counted
34 as that proportion of one pupil (to the nearest 1/10) that the total time of
35 the pupil's postsecondary education attendance and attendance in grade
36 11 or 12, as applicable, bears to full-time attendance. A pupil enrolled in
37 and attending an area vocational school, area vocational-technical school
38 or approved vocational education program shall be counted as one pupil
39 if the pupil's vocational education enrollment and attendance together
40 with the pupil's attendance in any of grades nine through 12 is at least 5/6
41 time, otherwise the pupil shall be counted as that proportion of one pupil
42 (to the nearest 1/10) that the total time of the pupil's vocational education
43 attendance and attendance in any of grades nine through 12 bears to full-

House Education Committee
Date 3-24-08
Attachment # 2

2-2

1 time attendance. A pupil enrolled in a district and attending special ed-
 2 ucation and related services, except special education and related services
 3 for preschool-aged exceptional children, provided for by the district shall
 4 be counted as one pupil. A pupil enrolled in a district and attending
 5 special education and related services for preschool-aged exceptional chil-
 6 dren provided for by the district shall be counted as 1/2 pupil. A preschool-
 7 aged at-risk pupil enrolled in a district and receiving services under an
 8 approved at-risk pupil assistance plan maintained by the district shall be
 9 counted as 1/2 pupil. A pupil in the custody of the secretary of social and
 10 rehabilitation services or in the custody of the commissioner of juvenile
 11 justice and enrolled in unified school district No. 259, Sedgwick county,
 12 Kansas, but housed, maintained, and receiving educational services at the
 13 Judge James V. Riddel Boys Ranch, shall be counted as two pupils.

14 (3) A pupil residing at the Flint Hills job corps center shall not be
 15 counted. A pupil confined in and receiving educational services provided
 16 for by a district at a juvenile detention facility shall not be counted. A
 17 pupil enrolled in a district but housed, maintained, and receiving edu-
 18 cational services at a state institution or at a psychiatric residential treat-
 19 ment facility shall not be counted. A pupil enrolled in a virtual school in _____ or a youth residential center
 20 a district but who is not a resident of the state of Kansas shall not be
 21 counted.

22 (b) "Preschool-aged exceptional children" means exceptional chil-
 23 dren, except gifted children, who have attained the age of three years but
 24 are under the age of eligibility for attendance at kindergarten.

25 (c) "At-risk pupils" means pupils who are eligible for free meals un-
 26 der the national school lunch act and who are enrolled in a district which
 27 maintains an approved at-risk pupil assistance plan.

28 (d) "Preschool-aged at-risk pupil" means an at-risk pupil who has
 29 attained the age of four years, is under the age of eligibility for attendance
 30 at kindergarten, and has been selected by the state board in accordance
 31 with guidelines consonant with guidelines governing the selection of pu-
 32 pils for participation in head start programs.

33 (e) "Enrollment" means: (1) (A) Subject to the provisions of para-
 34 graph (1)(B), for districts scheduling the school days or school hours of
 35 the school term on a trimestral or quarterly basis, the number of pupils
 36 regularly enrolled in the district on September 20 plus the number of
 37 pupils regularly enrolled in the district on February 20 less the number
 38 of pupils regularly enrolled on February 20 who were counted in the
 39 enrollment of the district on September 20; and for districts not specified
 40 in this paragraph (1), the number of pupils regularly enrolled in the dis-
 41 trict on September 20; (B) a pupil who is a foreign exchange student shall
 42 not be counted unless such student is regularly enrolled in the district on
 43 September 20 and attending kindergarten or any of the grades one

2-3

1 through 12 maintained by the district for at least one semester or two
2 quarters or the equivalent thereof;

3 (2) if enrollment in a district in any school year has decreased from
4 enrollment in the preceding school year, enrollment of the district in the
5 current school year means whichever is the greater of (A) enrollment in
6 the preceding school year minus enrollment in such school year of pre-
7 school-aged at-risk pupils, if any such pupils were enrolled, plus enroll-
8 ment in the current school year of preschool-aged at-risk pupils, if any
9 such pupils are enrolled, or (B) the sum of enrollment in the current
10 school year of preschool-aged at-risk pupils, if any such pupils are enrolled
11 and the average (mean) of the sum of (i) enrollment of the district in the
12 current school year minus enrollment in such school year of preschool-
13 aged at-risk pupils, if any such pupils are enrolled and (ii) enrollment in
14 the preceding school year minus enrollment in such school year of pre-
15 school-aged at-risk pupils, if any such pupils were enrolled and (iii) en-
16 rollment in the school year next preceding the preceding school year
17 minus enrollment in such school year of preschool-aged at-risk pupils, if
18 any such pupils were enrolled; or

19 (3) the number of pupils as determined under K.S.A. 72-6447 or
20 K.S.A. 2007 Supp. 72-6448, and amendments thereto.

21 (f) "Adjusted enrollment" means enrollment adjusted by adding at-
22 risk pupil weighting, program weighting, low enrollment weighting, if any,
23 density at-risk weighting, if any, nonproficient pupil weighting, if any, high
24 enrollment weighting, if any, declining enrollment weighting, if any,
25 school facilities weighting, if any, ancillary school facilities weighting, if
26 any, cost of living weighting, if any, special education and related services
27 weighting, and transportation weighting to enrollment.

28 (g) "At-risk pupil weighting" means an addend component assigned
29 to enrollment of districts on the basis of enrollment of at-risk pupils.

30 (h) "Program weighting" means an addend component assigned to
31 enrollment of districts on the basis of pupil attendance in educational
32 programs which differ in cost from regular educational programs.

33 (i) "Low enrollment weighting" means an addend component as-
34 signed to enrollment of districts pursuant to K.S.A. 72-6412, and amend-
35 ments thereto, on the basis of costs attributable to maintenance of edu-
36 cational programs by such districts in comparison with costs attributable
37 to maintenance of educational programs by districts having to which high
38 enrollment weighting is assigned pursuant to K.S.A. 2007 Supp. 72-
39 6442b, and amendments thereto.

40 (j) "School facilities weighting" means an addend component as-
41 signed to enrollment of districts on the basis of costs attributable to com-
42 mencing operation of new school facilities.

43 (k) "Transportation weighting" means an addend component as-

1 signed to enrollment of districts on the basis of costs attributable to the
2 provision or furnishing of transportation.

3 (l) "Cost of living weighting" means an addend component assigned
4 to enrollment of districts to which the provisions of K.S.A. 2007 Supp.
5 72-6449, and amendments thereto, apply on the basis of costs attributable
6 to the cost of living in the district.

7 (m) "Ancillary school facilities weighting" means an addend compo-
8 nent assigned to enrollment of districts to which the provisions of K.S.A.
9 72-6441, and amendments thereto, apply on the basis of costs attributable
10 to commencing operation of new school facilities. Ancillary school facil-
11 ities weighting may be assigned to enrollment of a district only if the
12 district has levied a tax under authority of K.S.A. 72-6441, and amend-
13 ments thereto, and remitted the proceeds from such tax to the state trea-
14 surer. Ancillary school facilities weighting is in addition to assignment of
15 school facilities weighting to enrollment of any district eligible for such
16 weighting.

17 (n) "Juvenile detention facility" has the meaning ascribed thereto by
18 72-8187, and amendments thereto.

19 (o) "Special education and related services weighting" means an ad-
20 dend component assigned to enrollment of districts on the basis of costs
21 attributable to provision of special education and related services for pu-
22 pils determined to be exceptional children.

23 (p) "Virtual school" means any kindergarten or grades one through
24 12 course offered for credit that uses distance-learning technologies
25 which predominantly use internet-based methods to deliver instruction
26 and for which the course content is available on an "anytime, anyplace"
27 basis, but the instruction occurs asynchronously with the teacher and
28 pupil in separate locations, not necessarily located within a local education
29 agency.

30 (q) "Declining enrollment weighting" means an addend component
31 assigned to enrollment of districts to which the provisions of K.S.A. 2007
32 Supp. 72-6451, and amendments thereto, apply on the basis of reduced
33 revenues attributable to the declining enrollment of the district.

34 (r) "High enrollment weighting" means an addend component as-
35 signed to enrollment of districts pursuant to K.S.A. 2007 Supp. 72-6442b,
36 and amendments thereto, on the basis of costs attributable to mainte-
37 nance of educational programs by such districts as a correlate to low
38 enrollment weighting assigned to enrollment of districts pursuant to
39 K.S.A. 72-6412, and amendments thereto.

40 (s) "High density at-risk pupil weighting" means an addend compo-
41 nent assigned to enrollment of districts to which the provisions of K.S.A.
42 2007 Supp. 72-6455, and amendments thereto, apply.

43 (t) "Nonproficient pupil" means a pupil who is not eligible for free

5-2

1 meals under the national school lunch act and who has scored less than
2 proficient on the mathematics or reading state assessment during the
3 preceding school year and who is enrolled in a district which maintains
4 an approved proficiency assistance plan.

5 (u) "Nonproficiency weighting" means an addend component
6 assigned to enrollment of districts on the basis of enrollment of nonprof-
7 icient pupils pursuant to K.S.A. 2007 Supp. 72-6454, and amendments
8 thereto.

9 (v) "Psychiatric residential treatment facility" ~~has the meaning~~ and "youth residential center" have the meanings
10 ascribed thereto by K.S.A. 72-8187, and amendments thereto.

11 Sec. 2. K.S.A. 2007 Supp. 72-8187 is hereby amended to read as
12 follows: 72-8187. (a) In each school year, to the extent that appropriations
13 are available, each school district which has provided educational services
14 for pupils residing at the Flint Hills job corps center, for pupils housed
15 at a psychiatric residential treatment facility or for pupils confined in a or a youth residential center
16 juvenile detention facility is eligible to receive a grant of state moneys in
17 an amount to be determined by the state board of education.

18 (b) In order to be eligible for a grant of state moneys provided for by
19 this section, each school district which has provided educational services
20 for pupils residing at the Flint Hills job corps center, for pupils housed or a youth residential center
21 at a psychiatric residential treatment facility or for pupils confined in a
22 juvenile detention facility shall submit to the state board of education an
23 application for a grant and shall certify the amount expended, and not
24 reimbursed or otherwise financed, in the school year for the services
25 provided. The application and certification shall be prepared in such form
26 and manner as the state board shall require and shall be submitted at a
27 time to be determined and specified by the state board. Approval by the
28 state board of applications for grants of state moneys is prerequisite to
29 the award of grants.

30 (c) Each school district which is awarded a grant under this section
31 shall make such periodic and special reports of statistical and financial
32 information to the state board as it may request.

33 (d) All moneys received by a school district under authority of this
34 section shall be deposited in the general fund of the school district and
35 shall be considered reimbursement of the district for the purpose of the
36 school district finance and quality performance act.

37 (e) The state board of education shall approve applications of school
38 districts for grants, determine the amount of grants and be responsible
39 for payment of grants to school districts. In determining the amount of a
40 grant which a school district is eligible to receive, the state board shall
41 compute the amount of state financial aid the district would have received
42 on the basis of enrollment of pupils residing at the Flint Hills job corps
43 center, housed at a psychiatric residential treatment facility or confined or a youth residential center

1 in a juvenile detention facility if such pupils had been counted as two
 2 pupils under the school district finance and quality performance act and
 3 compare such computed amount to the amount certified by the district
 4 under subsection (b). The amount of the grant the district is eligible to
 5 receive shall be an amount equal to the lesser of the amount computed
 6 under this subsection or the amount certified under subsection (b). If the
 7 amount of appropriations for the payment of grants under this section is
 8 insufficient to pay in full the amount each school district is determined
 9 to be eligible to receive for the school year, the state board shall prorate
 10 the amount appropriated among all school districts which are eligible to
 11 receive grants of state moneys in proportion to the amount each school
 12 district is determined to be eligible to receive.

13 (f) On or before July 1 of each year, the secretary of social and re-
 14 habilitation services shall submit to the Kansas department of education
 15 a list of facilities which have been certified and licensed as psychiatric
 16 residential treatment facilities.

17 (g) As used in this section:

18 (1) "Enrollment" means the number of pupils who are: (A) Residing
 19 at the Flint Hills job corps center ~~or who are, confined in a juvenile~~
 20 ~~detention facility and or residing at a psychiatric residential treatment~~ or a youth residential center
 21 ~~facility;~~ and (B) for whom a school district is providing educational serv-
 22 ices on September 20, on November 20, or on April 20 of a school year,
 23 whichever is the greatest number of pupils;

24 (2) "juvenile detention facility" means any public or private facility
 25 which is used for the lawful custody of accused or adjudicated juvenile
 26 offenders and which shall not be a jail; and

27 (3) "psychiatric residential treatment facility" means a facility which
 28 provides psychiatric services to individuals under the age of 21 and which
 29 conforms with the regulations of the centers for medicare/medicaid serv-
 30 ices, is licensed by the Kansas department of health and environment and
 31 is certified by the Kansas department of social and rehabilitation services
 32 pursuant to subsection (f).

(4) "youth residential center" means a youth residential center II which provides educational services at the center.

33 Sec. 3. K.S.A. 2007 Supp. 72-6407 and 72-8187 are hereby repealed.

34 Sec. 4. This act shall take effect and be in force from and after its
 35 publication in the statute book.



Division of Fiscal and Administrative Services

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March 20, 2008

TO: Rep. Pat Colloton

FROM: Dale M. Dennis, Deputy
Commissioner of Education

SUBJECT: Youth Residential Center II's

This memorandum is written in response to our inquiry concerning what the cost would be if all Youth Resident Center II's (YRC II's) became a part of the psychiatric residential treatment centers.

According to the Juvenile Justice Authority, there are 553 beds on the YRC II list. We believe there are 94 beds that are duplicated which leaves 459 beds. This fiscal note assumes a 450 student capacity in YRC II's.

If 450 students were added to the juvenile detention law, the increased cost would be approximately \$3,989,700 (450 students x \$8,866 (\$4,433 BSAPP x 2)). This change would also have the effect of reducing general state aid by approximately \$1,574,650 leaving a net increase of \$2,415,050.

In the second year, as a result of the declining enrollment provision not being available to school districts that had declining enrollments, the general state aid would be reduced by approximately \$1,330,000.

72-1111. Compulsory school attendance; exemptions. (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 years and is under the age of 18 years and has not attained a high school diploma or a general educational development (GED) 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. 72-1106, and amendments thereto, or (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. If the child is 16 or 17 years of age, the parent or person acting as parent, by written consent, or the court, pursuant to a court order, may allow the child to be exempt from the compulsory attendance requirements of this section.

(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, or (2) 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 regarding the academic skills that the child has not yet achieved, the difference in future earning power between a high school graduate and a high school drop out, and a listing of educational alternatives that are available for the child, or (3) the child is regularly enrolled in a school as required by subsection (a) and is concurrently enrolled in a postsecondary educational institution, as defined by K.S.A. 74-3201b, and amendments thereto. The provisions of this clause (3) shall be applicable to children from and after July 1, 1997 and shall relate back to such date.

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

(c) (1) As used in this subsection, "child" means any child who is under the age of seven years, but who is enrolled in school.

(2) Any child who is enrolled in school is subject to the compulsory attendance requirements of this section. Any child who is inexcusably absent from school on either three consecutive school days or five school days in any semester or seven school days in any school year, whichever of the foregoing occurs first, shall be considered to be not attending school as required by law. A child is inexcusably absent from school if the child is absent therefrom all or a significant part of a school day without a valid excuse acceptable to the school employee designated by the board of education to have responsibility for the school attendance of such child. Any child who is not attending school as required by law shall be subject to the provisions of K.S.A. 72-1113, and amendments thereto. A school district may refuse to promote a child to the next grade-level if the child is inexcusably absent during a school term for a period of time which, in the aggregate, equals 10% or more of the school term.

(3) Any child may be withdrawn from enrollment in school at any time by a parent or person acting as parent of the child and thereupon the child shall be exempt from the compulsory attendance requirements of this section until the child reaches the age of seven years or is re-enrolled in school.

House Education Committee
Date 3-24-08
Attachment # 3

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

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

(f) When a recognized church or religious denomination that objects to a regular public high school education provides, offers and teaches, either individually or in cooperation with another recognized church or religious denomination, a regularly supervised program of instruction, which is approved by the state board of education, for children of compulsory school attendance age who have successfully completed the eighth grade, participation in such a program of instruction by any such children whose parents or persons acting as parents are members of the sponsoring church or religious denomination shall be regarded as acceptable school attendance within the meaning of this act. Approval of such programs shall be granted by the state board of education, for two-year periods, upon application from recognized churches and religious denominations, under the following conditions: (1) Each participating child shall be engaged, during each day on which attendance is legally required in the public schools in the school district in which the child resides, in at least five hours of learning activities appropriate to the adult occupation that the child is likely to assume in later years;

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

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

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

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

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

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

(8) if the sponsors of an instructional program approved under this subsection fail to comply

at any time with the provisions of this subsection, the state board of education shall rescind, after a written warning has been served and a period of three weeks allowed for compliance, approval of the programs, even though the two-year approval period has not elapsed, and thereupon children attending such program shall be admitted to a high school of the school district.

(g) Any child may be withdrawn from school during the school day in order to attend alternative educational programs, educational enrichment programs or remedial educational programs if a written statement signed by one of the parents or a person acting as parent of the child is filed with the proper authorities of the school attended stating that the child will be withdrawn from school during the school day and stating the reason for the withdrawal.

~~(g)~~ (h) As used in this section:

(1) "Parent" and "person acting as parent" have the meanings respectively ascribed thereto in K.S.A. 72-1046, and amendments thereto.

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