

SESSION OF 2004

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 346**

As Amended by House Committee on  
Education

**Brief\***

SB 346, as amended, would provide that a pupil enrolled in a virtual school in a school district who is not a resident of the state will not be counted in the school district's enrollment.

In addition, any pupil not living in Kansas would not be counted as a pupil for the purpose of state financial aid after July 1, 2005; however, a pupil who does not live in Kansas, but has a parent who is a full-time employee of the school district, may be counted as a pupil for purposes of state financial aid until July 1, 2010. Kansas school districts may contract with out-of-state governing authority of any accredited school district for the purpose of providing for the attendance of pupils in Kansas schools. The contract would be required to make provision for the transportation of pupils to and from the school and provision for the payment of tuition by the sending school district to the receiving school district.

Once a contract is in place, pupils not residing in Kansas would be counted as a regular enrolled student for purposes of state financial aid. The tuition paid by the sending district would be deposited into the general fund account of the receiving school district. Finally, the provisions of this bill would not apply to contracts for special education services.

**Background**

SB 346 was requested for introduction by the State Department of Education. State audit guidelines developed by the State Department already include the policy that nonresident students who

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

attend virtual schools in Kansas should not be counted for state aid purposes. SB 346 would make this policy statutory.

As defined in the bill, a “virtual school” is a kindergarten or grades one through 12 course offered for credit that uses distance-learning technologies which predominantly are Internet-based. Course content is available on an “anytime, any place” basis and instruction occurs with the student and teacher being in separate locations and not working together at the same time. Instruction also is not necessarily located at the school district site.

A representative of the State Department of Education testified in support of the bill in the Senate Committee. There were no opponents.

The House Committee added the language regarding tuition and contracting for students who do not reside in Kansas but attend Kansas public schools.

According to the Division of the Budget, passage of SB 346 would have no fiscal impact because audit guidelines of the State Department already provide that nonresident virtual school students should not be counted for enrollment purposes.