

**HOUSE BILL No. 2090**

By Committee on Education

1-25

1 AN ACT concerning school districts; relating to transportation of pupils  
2 residing within 2½ miles of the school building; amending K.S.A.  
3 2010 Supp. 72-8302 and repealing the existing section.  
4

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

6 Section 1. K.S.A. 2010 Supp. 72-8302 is hereby amended to read as  
7 follows: 72-8302. (a) The board of education of a school district may  
8 provide or furnish transportation for pupils who are enrolled in the school  
9 district to or from any school of the school district or to or from any  
10 school of another school district attended by such pupils in accordance  
11 with the provisions of an agreement entered into under authority of  
12 K.S.A. 72-8233, and amendments thereto.

13 (b) (1) When any or all of the conditions specified in this provision  
14 exist, the board of education of a school district shall provide or furnish  
15 transportation for pupils who reside in the school district and who attend  
16 any school of the school district or who attend any school of another  
17 school district in accordance with the provisions of an agreement entered  
18 into under authority of K.S.A. 72-8233, and amendments thereto. The  
19 conditions which apply to the requirements of this provision are as  
20 follows:

21 (A) The residence of the pupil is inside or outside the corporate  
22 limits of a city, the school building attended is outside the corporate limits  
23 of a city and *either* the school building attended is more than 2½ miles by  
24 the usually traveled road from the residence of the pupil *or the pupil is*  
25 *subjected to hazardous walking conditions, as established by the state*  
26 *board of education by rules and regulations, while en route to or from the*  
27 *school; or*

28 (B) the residence of the pupil is outside the corporate limits of a city,  
29 the school building attended is inside the corporate limits of a city and  
30 *either* the school building attended is more than 2½ miles by the usually  
31 traveled road from the residence of the pupil *or the pupil is subjected to*  
32 *hazardous walking conditions, as established by the state board of*  
33 *education by rules and regulations, while en route to or from the school;*  
34 *or*

35 (C) the residence of the pupil is inside the corporate limits of one  
36 city, the school building attended is inside the corporate limits of a

1 different city and *either* the school building attended is more than 2½  
2 miles by the usually traveled road from the residence of the pupil *or the*  
3 *pupil is subjected to hazardous walking conditions, as established by the*  
4 *state board of education by rules and regulations, while en route to or*  
5 *from the school.*

6 (2) The provisions of this subsection are subject to the provisions of  
7 subsections (c) and (d).

8 (c) The board of education of every school district is authorized to  
9 adopt rules and regulations to govern the conduct, control and discipline  
10 of all pupils while being transported in school buses. The board may  
11 suspend or revoke the transportation privilege or entitlement of any pupil  
12 who violates any rules and regulations adopted by the board under  
13 authority of this subsection.

14 (d) The board of education of every school district may suspend or  
15 revoke the transportation privilege or entitlement of any pupil who is  
16 detained at school at the conclusion of the school day for violation of any  
17 rules and regulations governing pupil conduct or for disobedience of an  
18 order of a teacher or other school authority. Suspension or revocation of  
19 the transportation privilege or entitlement of any pupil specified in this  
20 subsection shall be limited to the school day or days on which the pupil is  
21 detained at school. The provisions of this subsection do not apply to any  
22 pupil who has been determined to be an exceptional child, except gifted  
23 children, under the provisions of the special education for exceptional  
24 children act.

25 (e) (1) Subject to the limitations specified in this subsection, the  
26 board of education of any school district may prescribe and collect fees to  
27 offset, totally or in part, the costs incurred for the provision or furnishing  
28 of transportation for pupils. The limitations which apply to the  
29 authorization granted by this subsection are as follows:

30 (A) Fees for the provision or furnishing of transportation for pupils  
31 shall be prescribed and collected only to recover the costs incurred as a  
32 result of and directly attributable to the provision or furnishing of  
33 transportation for pupils and only to the extent that such costs are not  
34 reimbursed from any other source provided by law;

35 (B) fees for the provision or furnishing of transportation may not be  
36 assessed against or collected from any pupil who is counted in  
37 determining the transportation weighting of the school district under the  
38 provisions of the school district finance and quality performance act or  
39 any pupil who is determined to be a child with disabilities under the  
40 provisions of the special education for exceptional children act or any  
41 pupil who is eligible for free or reduced-price meals under the national  
42 school lunch act or any pupil who is entitled to transportation under the  
43 provisions of subsection (a) of K.S.A. 72-8306, and amendments thereto,

1 and who resides 2½ miles or more by the regular route of a school bus  
2 from the school attended;

3 (C) fees for the provision or furnishing of transportation for pupils in  
4 accordance with the provisions of an agreement entered into under  
5 authority of K.S.A. 72-8233 or 72-8307, and amendments thereto, shall  
6 be controlled by the provisions of the agreement.

7 (2) All moneys received by a school district from fees collected  
8 under this subsection shall be deposited in the general fund of the district.

9 Sec. 2. K.S.A. 2010 Supp. 72-8302 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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