

HOUSE BILL No. 2477

By Committee on Education

1-19

1 AN ACT concerning compulsory school attendance laws; requiring  
2 alternative learning plans; amending K.S.A. 2011 Supp. 72-1111 and  
3 repealing the existing section.  
4

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

6 Section 1. K.S.A. 2011 Supp. 72-1111 is hereby amended to read as  
7 follows: 72-1111. (a) Subject to the other provisions of this section, every  
8 parent or person acting as parent in the state of Kansas, who has control  
9 over or charge of any child who has reached the age of seven years and is  
10 under the age of 18 years and has not attained a high school diploma or a  
11 general educational development (GED) credential, shall require such  
12 child to be regularly enrolled in and attend continuously each school year:

13 (1) A public school for the duration of the school term provided for in  
14 K.S.A. 72-1106, and amendments thereto; or (2) a private,  
15 denominational or parochial school taught by a competent instructor for a  
16 period of time which is substantially equivalent to the period of time  
17 public school is maintained in the school district in which the private,  
18 denominational or parochial school is located. If the child is 16 or 17 years  
19 of age, the parent or person acting as parent, by written consent, or the  
20 court, pursuant to a court order, may allow the child to be exempt from the  
21 compulsory attendance requirements of this section.

22 (b) If the child is 16 or 17 years of age, the child shall be exempt  
23 from the compulsory attendance requirements of this section if: (1) The  
24 child is regularly enrolled in and attending a program recognized by the  
25 local board of education as an approved alternative educational program;  
26 (2) the child and the parent or person acting as parent attend a final  
27 counseling session conducted by the school during which a disclaimer to  
28 encourage the child to remain in school or to pursue educational  
29 alternatives is presented to and signed by the child and the parent or person  
30 acting as parent and (3) the student, the student's parent or person acting  
31 as parent and the principal of the school, or other designated school  
32 administrator, agree, in writing, to the withdrawal of the student from  
33 school. The disclaimer shall include information regarding the academic  
34 skills that the child has not yet achieved, the difference in future earning  
35 power between a high school graduate and a high school drop out, and a  
36 listing of educational alternatives that are available for the child; or (3) the

Proposed Amendments for HB 2477  
For House Committee on Education  
February 14, 2012  
Prepared by: Eunice Peters  
(on behalf of Representative Colloton)  
Office of Revisor of Statutes

House Education Committee  
Date 2/15/12  
Attachment# 9

Reinsert the strickened statutory language: "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."

Technical amendment: Insert "or"

Strike language after "parent" and before the period.

1 eighth grade, participation in such a program of instruction by any such  
2 children whose parents or persons acting as parents are members of the  
3 sponsoring church or religious denomination shall be regarded as  
4 acceptable school attendance within the meaning of this act. Approval of  
5 such programs shall be granted by the state board of education, for two-  
6 year periods, upon application from recognized churches and religious  
7 denominations, under the following conditions:

8 (1) Each participating child shall be engaged, during each day on  
9 which attendance is legally required in the public schools in the school  
10 district in which the child resides, in at least five hours of learning  
11 activities appropriate to the adult occupation that the child is likely to  
12 assume in later years;

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

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

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

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

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

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

1 board of education.

2 If the sponsors of an instructional program approved under this  
3 subsection fail to comply at any time with the provisions of this  
4 subsection, the state board of education shall rescind, after a written  
5 warning has been served and a period of three weeks allowed for  
6 compliance, approval of the programs, even though the two-year approval  
7 period has not elapsed, and thereupon children attending such program  
8 shall be admitted to a high school of the school district.

9 ~~(f) Failure to comply with the provisions of this section shall result in  
10 the initiation of noncompliance procedures in accordance with K.S.A. 72-  
11 1113 and amendments thereto.~~

12 ~~(h) (k) As used in this section:~~

13 ~~(j) "Alternative educational program" means an alternative learning  
14 plan for the student designed to aid the student in obtaining a high school  
15 diploma or general educational development credential. An alternative  
16 educational program:~~

17 ~~(A) Shall include age appropriate academic rigor and the flexibility  
18 to incorporate that student's interests and manner of learning;~~

19 ~~(B) may include any extended learning opportunities such as  
20 independent study, private instruction, performing groups, internships,  
21 community service, apprenticeships and online coursework; and~~

22 ~~(C) shall be developed and amended, if necessary, in consultation  
23 with the student, a school guidance counselor, the principal and the  
24 student's parent or person acting as parent.~~

25 ~~(1) (2) "Parent" and "person acting as parent" have the meanings  
26 respectively ascribed thereto in K.S.A. 72-1046, and amendments thereto.~~

27 ~~(2) (3) "Regularly enrolled" means enrolled in five or more hours of  
28 instruction each school day. For the purposes of subsection (b)(3) (f), hours  
29 of instruction received at a postsecondary educational institution shall be  
30 counted.~~

31 Sec. 2. K.S.A. 2011 Supp. 72-1111 is hereby repealed.

32 Sec. 3. This act shall take effect and be in force from and after its  
33 publication in the statute book.  
34

Strike subsection (j) and by relettering the remaining subsections accordingly.

Strike language after "section:" to and including "parent." and by inserting the following:

"(1) "Educational alternatives" means an alternative learning plan for the student that identifies educational programs that are located in the area where the student resides, and are designed to aid the student in obtaining a high school diploma, general educational development credential or other certification of completion, such as a career technical education industry certification. Such alternative learning plans may include extended learning opportunities such as independent study, private instruction, performing groups, internships, community service, apprenticeships and online coursework."

1 child is regularly enrolled in a school as required by subsection (a) and is  
 2 concurrently enrolled in a postsecondary educational institution, as defined  
 3 by K.S.A. 74-3201b, and amendments thereto. The provisions of this  
 4 clause (3) shall be applicable to children from and after July 1, 1997 and  
 5 shall relate back to such date. ~~The written consent of the principal, or  
 6 other designated school administrator, shall not be required if the  
 7 withdrawal is due to: (1) Financial hardship; (2) documented illness; or  
 8 (3) court order.~~

Reinsert stricken language on bottom of page 1 and top of page 2: " 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"  
 Strike language from "The written" to and including "court order."

9 (c) Any child who is under the age of seven years, but who is enrolled  
 10 in school, is subject to the compulsory attendance requirements of this  
 11 section. Any such child may be withdrawn from enrollment in school at  
 12 any time by a parent or person acting as parent of the child and thereupon  
 13 the child shall be exempt from the compulsory attendance requirements of  
 14 this section until the child reaches the age of seven years or is re-enrolled  
 15 in school.  
 16 (d) Any child who is determined to be an exceptional child, except  
 17 for an exceptional child who is determined to be a gifted child, under the  
 18 provisions of the special education for exceptional children act is subject  
 19 to the compulsory attendance requirements of such act and is exempt from  
 20 the compulsory attendance requirements of this section.  
 21 (e) Any child who has been admitted to, and is attending, the Kansas  
 22 academy of mathematics and science, as provided in K.S.A. 72-9711 et  
 23 seq., and amendments thereto, is exempt from the compulsory attendance  
 24 requirements of this section.

Strike subsections (f) and (g); and by relettering the remaining subsections  
 accordingly.

25 ~~(f) Any child that is regularly enrolled in a school as required by  
 26 subsection (a) and is concurrently enrolled in a postsecondary educational  
 27 institution, as defined in K.S.A. 74-3201b, and amendments thereto, is  
 28 exempt from the compulsory attendance requirements of this section.  
 29 (g) Any child that qualifies for a diploma under the provisions of  
 30 K.S.A. 2011 Supp. 38-2285 or 38-2388, and amendments thereto, is  
 31 exempt from the compulsory attendance requirements of this section.~~

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

38 (g) (i) When a recognized church or religious denomination that  
 39 objects to a regular public high school education provides, offers and  
 40 teaches, either individually or in cooperation with another recognized  
 41 church or religious denomination, a regularly supervised program of  
 42 instruction, which is approved by the state board of education, for children  
 43 of compulsory school attendance age who have successfully completed the