

**SENATE BILL No. 393**

By Committee on Education

2-7

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1 AN ACT concerning school districts; creating the excellence in career  
2 technical education act; pertaining to career technical education;  
3 amending K.S.A. 72-4417, 72-4419, 72-4463 and 72-6419 and K.S.A.  
4 2011 Supp. 10-1116a, 71-201, 71-609, 72-6413, 72-64c03, 72-6624,  
5 72-6625 and 74-32,141 and repealing the existing sections; also  
6 repealing K.S.A. 72-6422 and K.S.A. 2011 Supp. 72-6421.

7  
8 *Be it enacted by the Legislature of the State of Kansas:*

9 New Section 1. (a) The provisions of sections 1 through 8, and  
10 amendments thereto, shall be known and may be cited as the excellence in  
11 career technical education act.

12 (b) The provisions of this section shall take effect and be in force  
13 from and after July 1, 2013.

14 New Sec. 2. (a) (1) Except as otherwise provided in subsection (a)(2),  
15 the determination of pupil enrollment in career technical education shall be  
16 the number of full-time equivalent pupils identified as such by the district  
17 on September 20.

18 (2) For districts scheduling the school days or school hours of the  
19 school term on a trimestral or quarterly basis, the number of pupils  
20 regularly enrolled in the district on September 20 in career technical  
21 education plus the number of pupils regularly enrolled in the district on  
22 February 20 less the number of pupils regularly enrolled on February 20  
23 who were counted in the enrollment of the district on September 20 in  
24 career technical education.

25 (b) The provisions of this section shall take effect and be in force  
26 from and after July 1, 2013.

27 New Sec. 3. (a) Each school year the state board shall determine the  
28 amount of career technical education state aid each district is entitled to  
29 receive pursuant to a formula paid on a per pupil basis that is based on the  
30 career technical education enrollment reported by the district pursuant to  
31 section 2, and amendments thereto, and which takes into consideration: (1)  
32 The number of career technical education programs offered that provide  
33 industry certification upon completion; (2) the number of agriculture  
34 education programs offered, and the number of such programs that provide  
35 industry certification upon completion; and (3) the need to transport pupils  
36 to and from a postsecondary educational institution for purposes of

1 attending a career technical education program offered by such  
2 postsecondary educational institution.

3 (b) The career technical education state aid fund is hereby established  
4 in the state treasury. All moneys credited to the career technical education  
5 state aid fund shall be used for paying that portion of the costs of operating  
6 and maintaining public schools related to the provision of career technical  
7 education programs and services in partial fulfillment of the constitutional  
8 obligation of the legislature to finance the educational interests of the state.

9 (c) A district shall not be entitled to any career technical education  
10 state aid for any career technical education program offered by such  
11 district that is also offered by a postsecondary educational institution at a  
12 location that is less than 30 miles from the school where such career  
13 technical education program is offered, and which has sufficient capacity  
14 to accommodate such district's pupils. The state board shall determine  
15 whether such duplicative program is being offered within 30 miles of such  
16 school. In making its determination the state board shall consider whether  
17 the program offered by the postsecondary educational institution is, in fact,  
18 duplicative and whether there is sufficient capacity in such program to  
19 accommodate such district's pupils.

20 (d) The provisions of this section shall take effect and be in force  
21 from and after July 1, 2013.

22 New Sec. 4. (a) There is established in each district a fund which  
23 shall be called the career technical education fund. All moneys received by  
24 a district for any course or program authorized and approved under the  
25 provisions of article 44 of chapter 72 of Kansas Statutes Annotated, and  
26 amendments thereto, shall be credited to the career technical education  
27 fund. All moneys received by the district from tuition, fees or charges or  
28 from any other source for career technical education courses or programs  
29 shall be credited to the career technical education fund. The expenses of a  
30 district directly attributable to career technical education shall be paid  
31 from the career technical education fund.

32 (b) Obligations of a district pursuant to lawful agreements made  
33 under K.S.A. 72-4421, and amendments thereto, shall be paid from the  
34 career technical education fund established by this section. If any such  
35 agreement expresses an obligation of a district in terms of a mill levy, such  
36 obligation shall be construed to mean an amount equal to that which would  
37 be produced by the levy.

38 (c) On July 1, 2013, any balance remaining in the vocational  
39 education fund, established by K.S.A. 72-6421, and amendments thereto,  
40 prior to its repeal, or the area vocational school fund, established by  
41 K.S.A. 72-6422, and amendments thereto, prior to its repeal, shall be  
42 transferred by the board to the career technical education fund of such  
43 district established by this section.

1 (d) The provisions of this section shall take effect and be in force  
2 from and after July 1, 2013.

3 New Sec. 5. (a) The state board shall conduct a study of, or contract  
4 for the study of, the implementation of requiring each district to maintain  
5 an individual career plan of study for each pupil enrolled in the district in  
6 grades eight through 12. On or before January 15, 2014, the state board  
7 shall prepare and submit a report to the legislature on the findings of such  
8 study and whether the state board intends to initiate implementing such  
9 requirements.

10 (b) The provisions of this section shall take effect and be in force  
11 from and after July 1, 2013.

12 New Sec. 6. (a) (1) In the months of July through May of each school  
13 year, of the amount of career technical education state aid, as determined  
14 pursuant to section 3, and amendments thereto, a district is entitled to  
15 receive, the state board shall determine the amount of career technical  
16 education state aid which will be required by such district to maintain  
17 operations in each such month. In making such determination, the state  
18 board shall take into consideration the district's access to local effort  
19 sources and the obligations of the general fund which must be satisfied  
20 during the month. The amounts determined by the state board under this  
21 provision are the amounts of such state aid which will be distributed to the  
22 district in the months of July through May.

23 (2) Subject to the provisions of subsection (c), in the month of June  
24 of each school year payment shall be made of the full amount of career  
25 technical education state aid, as determined pursuant to section 3, and  
26 amendments thereto, such district is entitled to receive less the sum of the  
27 monthly payments made in the months of July through May.

28 (b) Payments of career technical education state aid, as determined  
29 pursuant to section 3, and amendments thereto, shall be distributed to  
30 districts once each month on the dates prescribed by the state board. The  
31 state board shall certify to the director of accounts and reports the amounts  
32 due to each district in each of the months of July through June. Such  
33 certification, and the amounts payable from the career technical education  
34 state aid fund, established by section 3, and amendments thereto, shall be  
35 approved by the director of the budget. The director of accounts and  
36 reports shall draw warrants on the state treasurer payable to the district  
37 treasurer of each district entitled to payments of such state aid, pursuant to  
38 vouchers approved by the state board. Upon receipt of such warrant, each  
39 district treasurer shall deposit the amounts of such state aid in the general  
40 fund.

41 (c) If any amount of career technical education state aid, as  
42 determined pursuant to section 3, and amendments thereto, that is due to  
43 be paid during the month of June of a school year pursuant to the other

1 provisions of this section is not paid on or before June 30 of such school  
2 year, then such payment shall be paid on or after the ensuing July 1, as  
3 soon as moneys are available therefor. Any payment that is due to be paid  
4 during the month of June of a school year and that is paid to school  
5 districts on or after the ensuing July 1 shall be recorded and accounted for  
6 by school districts as a receipt for the school year ending on the preceding  
7 June 30.

8 (d) The provisions of this section shall take effect and be in force  
9 from and after July 1, 2013.

10 New Sec. 7. (a) The board of regents shall establish a career technical  
11 education incentive program. Each school year, to the extent there are  
12 sufficient moneys appropriated to the program, the board of regents shall  
13 make an award in the amount of \$1,000 for each pupil who graduates from  
14 high school having obtained an industry-recognized credential in an  
15 occupation identified by the secretary of labor as an occupation in highest  
16 need of additional skilled employees. Such awards shall be paid at such  
17 times as established by the board of regents and may be expended for any  
18 expenses occurred in operating the school from which the pupils graduated  
19 as determined by the board.

20 (b) Each school year, at such time as agreed to by the secretary of  
21 labor and the commissioner of education, the secretary shall provide the  
22 state board with a list of those occupations in highest need of additional  
23 skilled employees.

24 (c) The state board shall certify to the board of regents and the  
25 director of accounts and reports the amounts due to each district pursuant  
26 to this section. Such certification, and the amount payable, shall be  
27 approved by the director of the budget. The director of accounts and  
28 reports shall draw warrants on the state treasurer payable to the district  
29 treasurer of each district entitled to payment of such award amount,  
30 pursuant to vouchers approved by the board of regents. Upon receipt of  
31 such warrant, each district treasurer shall deposit the amount of such  
32 award in the general fund of the district.

33 (d) The board of regents may adopt such rules and regulations  
34 necessary to implement and carry out the provisions of this section.

35 New Sec. 8. (a) The state board may adopt rules and regulations for  
36 the administration of sections 1 through 8, and amendments thereto,  
37 including the classification of expenditures of districts in accordance with  
38 the uniform financial accounting and reporting act, K.S.A. 72-8254, and  
39 amendments thereto.

40 (b) The provisions of this section shall take effect and be in force  
41 from and after July 1, 2013.

42 New Sec. 9. (a) Provided a particular career technical education  
43 program, which is open to enrollment of secondary students, is not offered

1 in a particular service area, the governing board of a community college,  
2 technical college or institute of technology located outside such service  
3 area, in coordination with one or more school districts located within such  
4 service area, may apply to the board of regents for permission to establish  
5 such career technical education program to be taught at a location in such  
6 service area. An application for such permission shall be submitted in such  
7 form and manner as prescribed by the board of regents. In reviewing any  
8 such application, the board of regents shall consider the ability and  
9 willingness of any postsecondary educational institution located in such  
10 service area to offer such career technical education program. If no such  
11 career technical education program is offered in such service area and no  
12 postsecondary educational institution located in such service area intends  
13 to offer such career technical education program, then the board of regents  
14 may approve such application to establish such career technical education  
15 program. Upon approval of its application by the board of regents, the  
16 governing board of a community college, technical college or institute of  
17 technology may purchase or otherwise acquire land or land and  
18 improvements in such service area for the purpose of providing such  
19 career technical educational program.

20 (b) For purposes of this section:

21 (1) The terms "career technical education," "community college,"  
22 "institute of technology" and "technical college" have the same meaning as  
23 such terms are defined in K.S.A. 72-4412, and amendments thereto.

24 (2) "Postsecondary educational institution" has the same meaning as  
25 such term is defined in K.S.A. 74-3201b, and amendments thereto.

26 (3) "Secondary student" means any student who is enrolled in any of  
27 the grades nine through 12 in a school district operated pursuant to the  
28 laws of this state.

29 (4) "Service area" means a designated geographic area of the state  
30 established pursuant to agreement of the presidents of the community  
31 colleges and adopted in policy by the state board of regents.

32 (c) The provisions of this section shall take effect and be in force  
33 from and after July 1, 2013.

34 Sec. 10. From and after July 1, 2013, K.S.A. 2011 Supp. 10-1116a is  
35 hereby amended to read as follows: 10-1116a. The limitations on  
36 expenditures imposed under the cash-basis law shall not apply to:

37 (a) Expenditures in excess of current revenues made for municipally  
38 owned and operated utilities out of the fund of such utilities caused by, or  
39 resulting from the meeting of, extraordinary emergencies including  
40 drought emergencies. In such cases expenditures in excess of current  
41 revenues may be made by declaring an extraordinary emergency by  
42 resolution adopted by the governing body and such resolution shall be  
43 published at least once in a newspaper of general circulation in such city.

1 Thereupon, such governing body may issue interest bearing no-fund  
2 warrants on such utility fund in an amount, including outstanding  
3 previously issued no-fund warrants, not to exceed 25% of the revenues  
4 from sales of service of such utility for the preceding year. Such warrants  
5 shall be redeemed within three years from date of issuance and shall bear  
6 interest at a rate of not to exceed the maximum rate of interest prescribed  
7 by K.S.A. 10-1009, and amendments thereto. Upon the declaration of a  
8 drought emergency, the governing body may issue such warrants for water  
9 system improvement purposes in an amount not to exceed 50% of the  
10 revenue received from the sale of water for the preceding year. Such  
11 warrants shall be redeemed within five years from the date of issuance and  
12 shall bear interest at a rate not to exceed the maximum rate of interest  
13 prescribed by K.S.A. 10-1009, and amendments thereto.

14 (b) Expenditures in any month by school districts which are in excess  
15 of current revenues if the deficit or shortage in revenues is caused by, or a  
16 result of, the payment of state aid after the date prescribed for the payment  
17 of state aid during such month under K.S.A. 72-6417 ~~or~~, 72-6434, *or*  
18 *section 7*, and amendments thereto.

19 Sec. 11. From and after July 1, 2013, K.S.A. 2011 Supp. 71-201 is  
20 hereby amended to read as follows: 71-201. (a) The board of trustees, in  
21 accordance with the provisions of law and the rules and regulations of the  
22 state board of regents, shall have custody of and be responsible for the  
23 property of the community college and shall be responsible for the  
24 operation, management and control of the college. The board of trustees  
25 shall hold at least one regular meeting each month at a time prescribed by  
26 the board. The board shall make an annual report in the manner prescribed  
27 by the state board of regents. Members of the board of trustees shall be  
28 paid subsistence allowances, mileage and other actual and necessary  
29 expenses incurred in the performance of their official duties.

30 (b) For effectuation of the purposes of this act, the board of trustees in  
31 addition to such other powers expressly granted to it by law and subject to  
32 the rules and regulations of the state board of regents is hereby granted the  
33 following powers:

34 (1) To select its own chairperson and such other officers as it may  
35 deem desirable, from among its own membership. The secretary may be  
36 chief administrative officer of the college.

37 (2) To sue and be sued.

38 (3) To determine the educational program of the college subject to  
39 prior approval thereof as provided in this act and to grant certificates of  
40 completion of courses or curriculum.

41 (4) To appoint and fix the compensation and term of office of a  
42 president or chief administrative officer of the college.

43 (5) To appoint upon nomination of the president or the chief

1 administrative officer members of the administrative and teaching staffs, to  
2 fix and determine within state adopted standards their specifications,  
3 define their duties and to fix their compensation and terms of employment.  
4 No community college teacher shall be required to meet licensure  
5 requirements greater than those required in the state educational  
6 institutions.

7 (6) Upon recommendation of the chief administrative officer, to  
8 appoint or employ such other officers of the college, agents and employees  
9 as may be required to carry out the provisions of law and to fix and  
10 determine within state adopted standards their qualifications, duties,  
11 compensation, terms of office or employment and all other items and  
12 conditions of employment.

13 (7) To enter into contracts.

14 (8) To accept from any government or governmental agency, or from  
15 any other public or private body, or from any other source, grants or  
16 contributions of money or property which the board may use for or in aid  
17 of any of its purposes.

18 (9) To acquire by gift, purchase, lease-purchase, condemnation or  
19 otherwise, and to own, lease, use and operate property, whether real,  
20 personal, or mixed, or any interest therein, which is necessary or desirable  
21 for community college purposes. Any lease-purchase agreement entered  
22 into under authority of this subsection shall be subject to the conditions set  
23 forth in K.S.A. 10-1116c, and amendments thereto. The term of any lease  
24 entered into under authority of this subsection may be for not to exceed 10  
25 years. Such lease may provide for annual or other payment of rent or rental  
26 fees and may obligate the community college to payment of maintenance  
27 or other expenses. Any lease or lease-purchase agreement entered into  
28 under authority of this subsection shall be subject to change or termination  
29 at any time by the legislature. Any assignment of rights in any lease or  
30 lease-purchase made under this subsection shall contain a citation of this  
31 section and a recitation that the lease or lease-purchase agreement and  
32 assignment thereof are subject to change or termination by the legislature.  
33 To the extent that the provisions of the cash-basis and budget laws conflict  
34 with this subsection in such a manner as to prevent the intention of this  
35 subsection from being made effective, the provisions of this subsection  
36 shall control. This provision is subject to the provisions of subsection (d).

37 (10) To enter into lease agreements as lessor of any property, whether  
38 real, personal, or mixed, which is owned or controlled by the community  
39 college. Any such agreement may specify the purposes for which the  
40 property may be used, require that the property be maintained and  
41 operated by the lessee, and may contain such restrictions or limitations on  
42 the use of the property, be entered into for such period of time, and include  
43 such other terms and conditions as the board of trustees determines to be

1 necessary and proper. Every such agreement shall be subject to change or  
2 termination at any time by the legislature. Any assignment of rights under  
3 any such agreement shall be subject to approval by the board of trustees  
4 and shall contain a citation of this section and a recitation that the lease  
5 agreement and assignment of rights thereunder are subject to change or  
6 termination by the legislature.

7 (11) To determine that any property owned by the college is no longer  
8 necessary for college purposes and to dispose of the same in such manner  
9 and upon such terms and conditions as provided by law.

10 (12) To exercise the right of eminent domain, pursuant to chapter 26  
11 of Kansas Statutes Annotated.

12 (13) To make and promulgate such rules and regulations, not  
13 inconsistent with the provisions of law or with rules and regulations of the  
14 state board of regents, that are necessary and proper for the administration  
15 and operation of the community college, and for the conduct of the  
16 business of the board of trustees.

17 (14) To exercise all other powers not inconsistent with the provisions  
18 of law or with the rules and regulations of the state board of regents which  
19 may be reasonably necessary or incidental to the establishment,  
20 maintenance and operation of a community college.

21 (15) To appoint a member to fill any vacancy on the board of trustees  
22 for the balance of the unexpired term. When a vacancy occurs, the board  
23 shall publish a notice one time in a newspaper having general circulation  
24 in the community college district stating that the vacancy has occurred and  
25 that it will be filled by appointment by the board not sooner than 15 days  
26 after such publication.

27 (16) To contract with one or more agencies, either public or private,  
28 whether located within or outside the community college district or  
29 whether located within or outside the state of Kansas for the conduct by  
30 any such agencies of education for students of the community college, and  
31 to provide for the payment to any such agencies for their contracted  
32 educational services from any funds or moneys of the community college,  
33 including funds or moneys received from student tuition and fees, funds  
34 received from the state of Kansas or the United States for education, or  
35 taxes collected under K.S.A. 71-204, and amendments thereto. Any  
36 contract made under this subsection with an institution of another state  
37 shall be subject to the provisions of K.S.A. 71-202, and amendments  
38 thereto.

39 (17) To authorize by resolution the establishment of a petty cash fund  
40 in an amount not to exceed \$1,000, and to designate in such resolution an  
41 employee to maintain such petty cash fund. The employee designated in  
42 any resolution provided for in this subsection receiving such funds shall  
43 keep a record of all receipts and expenditures from the fund, and shall



1 from time to time, and at the end of the fiscal year, prepare a statement for  
2 the board showing all receipts, expenditures, and the balance in the petty  
3 cash fund. The board of trustees may authorize the employee designated to  
4 maintain any petty cash fund to make a claim for replenishment of the  
5 fund to its original amount in advance of approval by the board of trustees  
6 if, at any time during the period between regular monthly meetings of the  
7 board of trustees, the balance remaining in the fund is insufficient to make  
8 needed expenditures for any purpose for which the petty cash fund is  
9 maintained. No petty cash fund may be replenished more than one time  
10 during each period between regular monthly meetings of the board of  
11 trustees. If a petty cash fund is replenished prior to the end of the fiscal  
12 year in accordance with the foregoing authorization, the employee  
13 authorized to maintain the petty cash fund shall keep an accurate record of  
14 all expenditures made therefrom, and the purpose therefor, and shall  
15 submit the record to the board of trustees at the next regular monthly  
16 meeting thereof. The petty cash fund shall be replenished by payment from  
17 the appropriate funds of the community college to the petty cash fund  
18 upon proper claim. The fund shall be kept separate from all other funds  
19 and shall be used only for authorized expenditures and itemized receipts  
20 shall be taken for each expenditure. No part of such fund may be loaned or  
21 advanced against the salary of an employee. All employees entrusted with  
22 such funds under this subsection shall be bonded by the community  
23 college district.

24 (c) Subject to the provisions of subsection (d), the board of trustees  
25 may purchase or otherwise acquire land or land and improvements and  
26 may acquire, construct, reconstruct, repair or remodel improvements  
27 thereon or additions thereto, including furnishings, equipment, and  
28 architectural and incidental expense related thereto, and for such purposes  
29 the board of trustees is authorized to issue and sell general obligation  
30 bonds, the cumulative total not to exceed the following amounts: Where  
31 the community college district has a taxable tangible valuation of less than  
32 \$90,000,000 or is located in a county designated as urban under the  
33 provisions of K.S.A. 19-3524, and amendments thereto, not to exceed 5%  
34 of the taxable tangible property of the community college district, and  
35 where the community college district has a taxable tangible valuation of  
36 more than \$90,000,000 not to exceed 3% except as provided above for any  
37 community college district located in a county designated as urban under  
38 the provisions of K.S.A. 19-3524, and amendments thereto, of the taxable  
39 tangible property of the community college district. If any increase in the  
40 valuation of a community college district results in an outstanding bonded  
41 indebtedness in excess of that provided in this subsection, such increase  
42 shall not constitute a violation of this subsection. No such bonds shall be  
43 issued until the question of their issuance shall have been submitted to a

1 vote of the electors of the community college district at a regular election  
2 or at a special election called for that purpose and the majority of the  
3 electors voting on the proposition in such community college district shall  
4 have voted in favor of the issuance of the bonds. Such election shall be  
5 called, noticed and held and the bonds issued, sold, delivered and retired in  
6 accordance with the provisions of the general bond law except as herein  
7 otherwise expressly provided.

8 (d) (1) *Except as provided in section 9, and amendments thereto*, the  
9 board of trustees of a community college may purchase or otherwise  
10 acquire land or land and improvements within: ~~(A)~~(A) The community  
11 college district; or ~~(B)~~(B) the service area of the community college.  
12 Nothing in this subsection shall be construed or operate in any manner to  
13 require a board of trustees to sell, convey or otherwise dispose of land or  
14 land and improvements located outside the community college district or  
15 the service area of the community college and owned or being acquired by  
16 the community college on the effective date of this act.

17 (2) For the purposes of this subsection, "service area" means a  
18 designated geographic area of the state established pursuant to agreement  
19 of the presidents of the community colleges and adopted in policy by the  
20 state board of regents.

21 Sec. 12. From and after July 1, 2013, K.S.A. 2011 Supp. 71-609 is  
22 hereby amended to read as follows: 71-609. (a) No amount of state  
23 funding shall be based upon enrollment in any subject or course the  
24 principal part of which is taught at a location outside the county of the  
25 main campus of the community college, unless the location of such subject  
26 or course is specifically authorized by the state board of regents.

27 (b) (1) No amount of state funding shall be based upon enrollment in  
28 any subject or course which is taught in a county in which the main  
29 campus of a state educational institution is located, unless the teaching of  
30 such subject or course is specifically authorized by the chief executive  
31 officer of the state educational institution or by a designee of the chief  
32 executive officer. The chief executive officer of each state educational  
33 institution may designate and authorize a person or committee to act on  
34 behalf of the chief executive officer in granting the authorizations required  
35 by this subsection.

36 (2) For the purposes of this subsection, the term "main campus of a  
37 state educational institution" as applied to Kansas state university of  
38 agriculture and applied science means and includes the campus of the  
39 university located in Riley county and the campus of the university's  
40 college of technology located in Saline county.

41 (c) *The provisions of this section shall not apply to any career*  
42 *technical education program established by the board of trustees of a*  
43 *community college pursuant to section 10, and amendments thereto.*

1 Sec. 13. K.S.A. 72-4417 is hereby amended to read as follows: 72-  
2 4417. (a) Students admitted to a vocational education course or program  
3 which is conducted by the school district in which the student is enrolled  
4 may be charged fees but shall not be charged tuition.

5 (b) Postsecondary students admitted to a vocational education course  
6 or program shall pay tuition and fees as provided by laws applicable  
7 thereto.

8 ~~(c) (1) Except as provided in paragraph (2) of this subsection,~~  
9 Students admitted to a vocational education course or program which is  
10 conducted by a community college shall pay tuition and fees as provided  
11 by laws applicable to community colleges and the provisions of this  
12 section shall not apply thereto, nor shall any provisions of this act which  
13 are inconsistent with laws relating to community college tuition and fees  
14 apply to community colleges, *technical college or institute of technology*  
15 *may be charged fees, but shall not be charged tuition.*

16 ~~(2) Students admitted to a vocational education course or program~~  
17 ~~under the provision of K.S.A. 71-1706 and which is conducted by a~~  
18 ~~community college which is consolidated with an area vocational school~~  
19 ~~or area vocational-technical school may be charged fees but tuition shall~~  
20 ~~be paid as provided in paragraph (2) of subsection (d). Nothing in this act~~  
21 ~~shall be construed to amend, repeal or in any way change laws relating to~~  
22 ~~community college student or out-district tuition.~~

23 (d) Students admitted to a vocational education course or program  
24 which is not conducted by the school district in which the student is  
25 enrolled shall be charged tuition and fees determined in accordance with  
26 subsection (e), subject however to the following:

27 (1) Tuition or fees, or tuition and fees may be paid for the student in  
28 accordance with any agreement made under K.S.A. 72-4421, and  
29 amendments thereto; or

30 (2) if tuition of a student is not paid under ~~provision~~ *paragraph* (1) of  
31 this subsection, the tuition of the student shall be paid by the school  
32 district in which the student is enrolled. No school district shall pay tuition  
33 for a student who is a postsecondary student, and no school district shall  
34 be required to pay tuition or fees of a student who is eligible to have  
35 tuition and fees for the course or training the student selects paid by any  
36 state or federal agency from moneys, funds or appropriations made  
37 available under any one or more federal programs. Any state agency  
38 administering any one or more such programs shall pay such tuition and  
39 fees upon proper application by a student therefor.

40 (e) All tuition and fees charged for vocational education by any board  
41 shall be in such amounts as are authorized by rules and regulations  
42 adopted by the state board which shall establish general guidelines for  
43 tuition and fee schedules in vocational education courses and programs,

1 except that tuition of postsecondary students shall be fixed in accordance  
2 with K.S.A. 72-4433, and amendments thereto. The particular tuition and  
3 fee schedule of every vocational education program shall be subject to  
4 annual approval of the state board. A current complete schedule of tuition  
5 and fees for each vocational education course and program of each board  
6 as approved by the state board shall be maintained on file in the office of  
7 the state board, and shall be open for public inspection at any reasonable  
8 time.

9 Sec. 14. K.S.A. 72-4419 is hereby amended to read as follows: 72-  
10 4419. The school district in which a student is enrolled shall pay the tuition  
11 of such student to attend any vocational education course or program when  
12 such attendance is approved as provided in K.S.A. 72-4418, and  
13 amendments thereto, from its ~~vocational~~ *career technical* education fund,  
14 except that any board receiving funds under an agreement under K.S.A.  
15 72-4421, and amendments thereto, shall pay such tuition when the student  
16 is enrolled in a school district which is a party to the agreement if the  
17 agreement so provides. In the case of a school district which is not a party  
18 to an agreement under K.S.A. 72-4421, and amendments thereto, should  
19 there be insufficient or no moneys in the ~~vocational~~ *career technical*  
20 education fund to pay such tuition, the board of education shall transfer  
21 from the general fund to the ~~vocational~~ *career technical* education fund  
22 such amount as will satisfy the insufficiency.

23 Sec. 15. From and after July 1, 2013, K.S.A. 72-4463 is hereby  
24 amended to read as follows: 72-4463. (a) The board of regents shall adopt  
25 rules and regulations for administration of the provisions of this act and  
26 shall:

27 (1) Publicize procedures for application for vocational education  
28 scholarships;

29 (2) provide application forms;

30 (3) determine residence, as provided by law, of applicants for  
31 vocational education scholarships;

32 (4) prescribe examinations of ability and aptitude for vocational  
33 education and provide for administration of such examinations to  
34 determine qualifications of applicants for vocational education  
35 scholarships;

36 (5) notify each person who qualifies for designation as a vocational  
37 education scholar and for the award of a vocational education scholarship  
38 and each vocational education scholar who remains eligible and qualified  
39 for the renewal of the award of a vocational education scholarship;

40 (6) designate vocational education scholars;

41 (7) approve and award or renew the award of vocational education  
42 scholarships;

43 (8) determine full-time enrollment in a vocational education program;

1 (9) provide for apportionment of vocational education scholarships if  
 2 appropriations therefor are insufficient for payment in full to all vocational  
 3 education scholars;

4 (10) evaluate the vocational education scholarship program for each  
 5 school year and make a report thereon to the governor and the legislature;

6 (11) request any designated educational institution to furnish any  
 7 information relating to and necessary for administration of this act; and

8 (12) *initiate the development of a statewide articulation agreement*  
 9 *on career technical education programs among the high schools,*  
 10 *community colleges, technical colleges and the institute of technology.*

11 (b) In order to comply with the requirements of subsection (a)(4), the  
 12 board of regents shall prescribe an examination designed to measure the  
 13 basic ability and aptitude for vocational education of applicants for  
 14 designation as vocational education scholars and for the award of  
 15 vocational education scholarships and shall provide for administration and  
 16 validation of the examination. The examination shall be administered to  
 17 applicants at least two times each school year, commencing with the 1986-  
 18 87 school year, at various locations within the state. The board of regents  
 19 may establish and provide for the charging to and collection from  
 20 applicants for a vocational education scholarship of a fee to offset, in part  
 21 or in total, the expense of administration of the examination. The board of  
 22 regents shall remit all moneys received by or for it from fees collected  
 23 under this subsection to the state treasurer in accordance with the  
 24 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
 25 each such remittance, the state treasurer shall deposit the entire amount in  
 26 the state treasury to the credit of the vocational education scholarship  
 27 examination fees fund, and shall be used only for the payment of expenses  
 28 connected with the administration of such examinations. All expenditures  
 29 from the vocational education scholarship examination fees fund shall be  
 30 made in accordance with appropriation acts upon warrants of the director  
 31 of accounts and reports issued pursuant to vouchers approved by the board  
 32 of regents or by a person or persons designated by it.

33 Sec. 16. From and after July 1, 2013, K.S.A. 2011 Supp. 72-6413 is  
 34 hereby amended to read as follows: 72-6413. (a) The program weighting  
 35 of each district shall be determined by the state board as follows:

36 (1) Compute full time equivalent enrollment in programs of bilingual  
 37 education and multiply the computed enrollment by .395;

38 ~~(2) compute full time equivalent enrollment in approved vocational~~  
 39 ~~education programs and multiply the computed enrollment by 0.5;~~

40 ~~(3)(2) add the products obtained under (1) and (2). The sum result is~~  
 41 the program weighting of the district.

42 (b) A school district may expend amounts received from the bilingual  
 43 weighting to pay the cost of providing at-risk and preschool-aged at-risk

1 education programs and services.

2 Sec. 17. From and after July 1, 2013, K.S.A. 72-6419 is hereby  
3 amended to read as follows: 72-6419. (a) On or before October 10 of each  
4 school year, the clerk or superintendent of each district shall certify under  
5 oath to the state board a report showing the total enrollment of the district  
6 by grades maintained in the schools of the district and such other reports as  
7 the state board may require. Each such report shall show postsecondary  
8 education enrollment, ~~vocational~~ *career technical* education enrollment as  
9 *defined in section 3, and amendments thereto*, special education  
10 enrollment, bilingual education enrollment, and at-risk pupil enrollment in  
11 such detail and form as is specified by the state board. Upon receipt of  
12 such reports, the state board shall examine the reports and if the state  
13 board finds any errors in any such report, the state board shall consult with  
14 the district officer furnishing the report and make such corrections in the  
15 report as are necessary. One of such district officers shall also certify to the  
16 state board, on or before August 25 of each year, a copy of the budget  
17 adopted by the district.

18 (b) The provisions of this section shall take effect and be in force  
19 from and after July 1, 1992.

20 Sec. 18. From and after July 1, 2013, K.S.A. 2011 Supp. 72-64c03 is  
21 hereby amended to read as follows: 72-64c03. The appropriation of  
22 moneys necessary to pay general state aid and supplemental general state  
23 aid under the school district finance and quality performance act and  
24 *career technical education state aid in accordance with the excellence in*  
25 *career technical education act*, and state aid for the provision of special  
26 education and related services under the special education for exceptional  
27 children act shall be given first priority in the legislative budgeting process  
28 and shall be paid first from existing state revenues.

29 Sec. 19. From and after July 1, 2013, K.S.A. 2011 Supp. 72-6624 is  
30 hereby amended to read as follows: 72-6624. (a) As used in this section:

31 (1) "School district" means unified school district No. 404, unified  
32 school district No. 493, unified school district No. 499 and unified school  
33 district No. 508.

34 (2) "Property" means any property, and improvements thereon,  
35 comprising a racetrack gaming facility or lottery gaming facility under the  
36 Kansas expanded lottery act located in Cherokee county.

37 (3) "State aid" means general state aid, supplemental general state  
38 aid, *career technical education state aid*, capital improvements state aid,  
39 capital outlay state aid and any other state aid paid, distributed or allocated  
40 to school districts under the school district finance and quality  
41 performance act *and the excellence in career technical education act* or  
42 other law, and any other state aid paid, distributed or allocated to school  
43 districts on the basis of the assessed valuation of school districts.

1 (b) For the purposes of computing the assessed valuation of school  
2 districts for the payment, distribution or allocation of state aid and the  
3 levying of school taxes,  $\frac{1}{4}$  of the assessed valuation of such property shall  
4 be assigned to each of the school districts.

5 (c) The provisions of this section shall not apply if the property is not  
6 or ceases to be used as a racetrack gaming facility or lottery gaming  
7 facility under the Kansas expanded lottery act.

8 Sec. 20. From and after July 1, 2013, K.S.A. 2011 Supp. 72-6625 is  
9 hereby amended to read as follows: 72-6625. (a) As used in this section:

10 (1) "School district" means unified school district No. 507 and  
11 unified school district No. 374.

12 (2) "Property" means the following described property, and  
13 improvements thereon, comprised of 1,120 acres, more or less, located in  
14 Haskell county: All of Section 34, Township 29 South, Range 33 West and  
15 the West  $\frac{1}{2}$  of Section 3, Township 30 South, Range 33 West and the  
16 Northeast Quarter of Section 3, Township 30 South, Range 33 West.

17 (3) "State aid" means general state aid, supplemental general state  
18 aid, *career technical education state aid*, capital improvements state aid,  
19 capital outlay state aid and any other state aid paid, distributed or allocated  
20 to school districts under the school district finance and quality  
21 performance act *and the excellence in career technical education act* or  
22 other law, and any other state aid paid, distributed or allocated to school  
23 districts on the basis of the assessed valuation of school districts.

24 (b) For the purposes of computing the assessed valuation of school  
25 districts for the payment, distribution or allocation of state aid and the  
26 levying of school taxes,  $\frac{1}{2}$  of the assessed valuation of such property shall  
27 be assigned to each of the school districts.

28 (c) The provisions of this section shall not apply if the property is not  
29 or ceases to be used for the production of ethanol.

30 Sec. 21. From and after July 1, 2013, K.S.A. 2011 Supp. 74-32,141 is  
31 hereby amended to read as follows: 74-32,141. (a) On July 1, 1999, the  
32 technical colleges, area vocational schools and area vocational-technical  
33 schools established and existing under the laws of this state shall be and  
34 hereby are transferred from the supervision of the state board of education  
35 to supervision and coordination by the state board of regents. The technical  
36 colleges, area vocational schools and area vocational-technical schools  
37 shall continue to be operated, managed and controlled by governing boards  
38 as provided for in article 44 of chapter 72 of Kansas Statutes Annotated.  
39 The state board of regents shall exercise such supervision and coordination  
40 of the operation, management and control of technical colleges, area  
41 vocational schools and area vocational-technical schools as may be  
42 prescribed by law.

43 (b) On July 1, 1999, all of the powers, duties, functions, records and

1 property of the state board of education relating to operations of technical  
2 colleges, area vocational schools and area vocational-technical schools  
3 shall be and are hereby transferred to and conferred and imposed upon the  
4 state board of regents.

5 (c) On and after July 1, 1999, the state board of regents shall be the  
6 successor in every way to the powers, duties and functions of the state  
7 board of education relating to operations of technical colleges, area  
8 vocational schools and area vocational-technical schools in which the  
9 same were vested prior to July 1, 1999. Every act performed by the state  
10 board of regents shall be deemed to have the same force and effect as if  
11 performed by the state board of education in which such functions were  
12 vested prior to July 1, 1999.

13 (d) On and after July 1, 1999, whenever the state board of education,  
14 or words of like effect, is referred to or designated by a statute, contract or  
15 other document relating to operations of technical colleges, area vocational  
16 schools or area vocational-technical schools, such reference or designation  
17 shall be deemed to apply to the state board of regents established.

18 (e) All rules and regulations, and all orders and directives of the state  
19 board of education relating to operations of technical colleges, area  
20 vocational schools and area vocational-technical schools which are in  
21 existence on July 1, 1999, shall continue to be effective and shall be  
22 deemed to be the duly adopted rules and regulations or orders and  
23 directives of the state board of regents until revised, amended, revoked or  
24 nullified pursuant to law.

25 (f) The unexpended balance of any appropriation for and any funds  
26 available to the state board of education for purposes relating to operations  
27 of technical colleges, area vocational schools and area vocational-technical  
28 schools shall be transferred to the state board of regents on July 1, 1999.

29 (g) On and after July 1, 1999, all books, records and papers of the  
30 governing boards of technical colleges, area vocational schools and area  
31 vocational-technical schools shall be open and available, at all reasonable  
32 times, to the state board of regents and its designated officers, employees  
33 and agents.

34 (h) Except as otherwise specifically provided in this act, the transfer  
35 of supervision of the technical colleges, area vocational schools and area  
36 vocational-technical schools from the state board of education to  
37 supervision and coordination by the state board of regents shall not be  
38 construed in any manner so as to change or affect the operation,  
39 management and control of any technical college, area vocational school  
40 or area vocational-technical school or to change or affect any existing  
41 power, duty or function of the governing board of any technical college,  
42 area vocational school or area vocational-technical school with respect to  
43 such operation, management and control.



1 (i) For the purposes of the school district finance and quality  
2 performance act *and the excellence in career technical education act*, the  
3 term approved "career technical" education program means in the case of  
4 career technical education programs offered and provided in the area  
5 vocational schools, the area vocational-technical schools, and the technical  
6 colleges, approved by the state board of regents; and in the case of career  
7 technical education programs offered and provided in the high schools of a  
8 school district, approved by the state board of education.

9 Sec. 22. K.S.A. 72-4417 and 72-4419 are hereby repealed.

10 Sec. 23. From and after July 1, 2013, K.S.A. 72-4463, 72-6422 and  
11 72-6419 and K.S.A. 2011 Supp. 10-1116a, 71-201, 71-609, 72-6413, 72-  
12 6421, 72-64c03, 72-6624, 72-6625 and 74-32,141 are hereby repealed.

13 Sec. 24. This act shall take effect and be in force from and after its  
14 publication in the statute book.