

As Amended by House Committee

Session of 2012

Substitute for SENATE BILL No. 393

By Committee on Education

2-16

1 AN ACT concerning career technical education; relating to secondary
2 students; amending K.S.A. 72-4417 and 72-4419 and K.S.A. 2011
3 Supp. 71-201 and **72-6413** and repealing the existing sections.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) The state board **of education** shall conduct a
7 study of, or contract for the study of, the implementation of requiring each
8 district to maintain an individual career plan of study for each pupil
9 enrolled in the district in grades eight through 12. On or before January 15,
10 2014, the state board **of education** shall prepare and submit a report to the
11 legislature on the findings of such study and whether the state board **of**
12 **education** intends to initiate implementing such requirements.

13 (b) For purposes of this section, the term "individual career plan of
14 study" means a proposed individualized coherent sequence of classes
15 focused on a career pathway that will enable seamless transition into a
16 postsecondary program.

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

19 New Sec. 2. (a) The **state** board of regents shall establish ~~a~~ **the** career
20 technical education incentive program.

21 **(b) (1)** Each school year, to the extent there are sufficient moneys
22 appropriated to the **career technical education incentive** program, the
23 **state** board of regents shall make an award to those school districts who
24 have at least one pupil who graduates from a high school in the school
25 district having obtained an industry-recognized credential in an occupation
26 **that has been** identified by the secretary of labor, **in consultation with**
27 **the state board of regents and the state board of education**, as an
28 occupation in highest need of additional skilled employees **at the time the**
29 **pupil entered the career technical education course or program in the**
30 **school district**. Such school districts shall receive an award in an amount
31 equal to \$1,000 for each such pupil graduating from a high school in the
32 school district. Such awards shall be paid at such times as established by
33 the **state** board of regents. Such awards ~~may~~ **shall** be expended for ~~any~~
34 ~~expenses occurred in~~ **the expenses incurred by the board of education**
35 **of the school district under subsection (b)(2), and any moneys**
36 **remaining after distribution in accordance with subsection (b)(2) may**

1 be expended as determined by the board of education of a school
2 district towards operating the school from which the pupils graduated ~~as~~
3 ~~determined by the board of education of the school district.~~

4 (2) (A) Except as provided by subsection (b)(2)(B), upon
5 application by a pupil who has not attained a high school diploma and
6 is currently or was previously enrolled in a career technical education
7 course or program in the school district, the board of education of
8 each school district shall pay the costs of the industry-recognized
9 credential assessment specified in such application in an amount not to
10 exceed \$1,000. Such industry-recognized credential assessment shall
11 be related to the career technical education course or program which
12 such pupil is currently or was previously enrolled as determined by
13 the board of education.

14 (B) No board of education shall be required to pay for three or
15 more industry-recognized credential assessments for the same or
16 substantially the same industry-recognized credential for a pupil if
17 such pupil fails to earn the industry-recognized credential within two
18 attempts of taking the industry-recognized credential assessment.

19 (3) The state board of education shall certify to the state board of
20 regents and the director of accounts and reports the amounts due to
21 each school district pursuant to this subsection. Such certification, and
22 the amount payable, shall be approved by the director of the budget.
23 The director of accounts and reports shall draw warrants on the state
24 treasurer payable to the district treasurer of each school district
25 entitled to payment of such award amount, pursuant to vouchers
26 approved by the state board of regents. Upon receipt of such warrant,
27 each district treasurer shall deposit the amount of such award in the
28 general fund of the school district.

29 (c) (1) Each school year, to the extent there are sufficient moneys
30 appropriated to the career technical education incentive program, the
31 state board of regents shall make an award to a community college,
32 technical college or institute of technology who has at least one
33 secondary student who is currently or was previously admitted to a
34 career technical education course or program in accordance with
35 subsection (c) of K.S.A. 72-4417, and amendments thereto, and such
36 secondary student is regularly enrolled in and attending a private
37 secondary school. The purpose of such award is to reimburse such
38 community college, technical college or institute of technology for the
39 costs of paying for an industry-recognized credential assessment in an
40 occupation that has been identified by the secretary of labor, in
41 consultation with the state board of regents and the state board of
42 education, as an occupation in highest need of additional skilled
43 employees at the time the secondary student was admitted into such

1 career technical education course or program.

2 (2) (A) Except as provided by subsection (c)(2)(B), upon
3 application by a secondary student who is currently or was previously
4 enrolled in a career technical education course or program in
5 accordance with subsection (c) of K.S.A. 72-4417, and amendments
6 thereto, and is regularly enrolled in and attending a private secondary
7 school, the governing body of the community college, technical college
8 or the institute of technology which admitted such secondary student
9 shall pay the costs of the industry-recognized credential assessment
10 specified in such application in an amount not to exceed \$1,000. Such
11 industry-recognized credential assessment shall be related to the
12 career technical education course or program in which such secondary
13 student is currently or was previously enrolled as determined by such
14 governing body of a community college, technical college or institute
15 of technology.

16 (B) No governing body of a community college, technical college
17 or institute of technology shall be required to pay for three or more
18 industry-recognized credential assessments for the same or
19 substantially the same industry-recognized credential for a secondary
20 student if such secondary student fails to earn the industry-recognized
21 credential within two attempts of taking the industry-recognized
22 credential assessment.

23 (3) Each governing body of a community college, technical college
24 or institute of technology which has made payments of the costs
25 specified in subsection (c)(2) may file an application with the state
26 board of regents for state aid and shall certify to the state board of
27 regents the amount of such payments. The application and
28 certification shall be on a form prescribed and furnished by the state
29 board of regents, shall contain such information as the state board of
30 regents shall require and shall be filed at the time specified by the
31 state board of regents.

32 (4) In each school year, each governing body of a community
33 college, technical college or institute of technology is entitled to receive
34 from appropriations for the career technical education incentive
35 program an amount which is equal to the amount certified to the state
36 board of regents in accordance with the provisions of subsection (c)(3).
37 The state board of regents shall certify to the director of accounts and
38 reports the amount due each governing body of a community college,
39 technical college or institute of technology. The director of accounts
40 and reports shall draw warrants on the state treasurer payable to the
41 treasurer of each governing body of a community college, technical
42 college or institute of technology entitled to payment under this
43 subsection upon vouchers approved by the state board of regents.

1 **(5) Moneys received by a state board of regents under this**
2 **subsection shall be deposited in the postsecondary technical education**
3 **fund of each community college and at Washburn university for the**
4 **Washburn institute of technology or the general operating fund in the**
5 **technical college in accordance with K.S.A. 2011 Supp. 71-1808, and**
6 **amendments thereto, and shall be considered reimbursements to the**
7 **community college, technical college or institute of technology.**

8 ~~(b)~~**(d)** Each school year, at such time as agreed to by the secretary of
9 labor, **the president of the state board of regents** and the commissioner
10 of education, the secretary shall provide **the state board of regents and**
11 the state board of education with a list of those occupations in highest need
12 of additional skilled employees. **If the occupations identified in such list**
13 **are not substantially the same as those occupations identified in the**
14 **list from the prior year, reasonable notice of such changes shall be**
15 **provided to school districts, community colleges, technical colleges and**
16 **the institute of technology.**

17 ~~(c) The state board of education shall certify to the board of regents~~
18 ~~and the director of accounts and reports the amounts due to each school~~
19 ~~district pursuant to this section. Such certification, and the amount~~
20 ~~payable, shall be approved by the director of the budget. The director of~~
21 ~~accounts and reports shall draw warrants on the state treasurer payable to~~
22 ~~the district treasurer of each school district entitled to payment of such~~
23 ~~award amount, pursuant to vouchers approved by the board of regents.~~
24 ~~Upon receipt of such warrant, each district treasurer shall deposit the~~
25 ~~amount of such award in the general fund of the school district.~~

26 ~~(d)~~**(e)** The **state** board of regents and the state board of education,
27 **jointly**, may adopt such rules and regulations necessary to implement and
28 carry out the provisions of this section.

29 New Sec. 3. (a) Provided a particular career technical education
30 program is not offered in a particular service area, the governing board of a
31 community college, technical college or institute of technology located
32 outside such service area, in coordination with one or more school districts
33 located within such service area, may apply to the **state** board of regents
34 for permission to establish such career technical education program to be
35 taught at a location in such service area. An application for such
36 permission shall be submitted in such form and manner as prescribed by
37 the **state** board of regents. In reviewing any such application, the **state**
38 board of regents shall consider the ability and willingness of any
39 postsecondary educational institution located in such service area to offer
40 such career technical education program. If no such career technical
41 education program is offered in such service area and no postsecondary
42 educational institution located in such service area intends to offer such
43 career technical education program, then the board of regents may approve

1 such application to establish such career technical education program.
2 Upon approval of its application by the **state** board of regents, the
3 governing board of a community college, technical college or institute of
4 technology may purchase or otherwise acquire land or land and
5 improvements in such service area for the purpose of providing such
6 career technical educational program.

7 (b) The **state** board of regents may adopt such rules and regulations
8 necessary to administer the provisions of this section.

9 (c) For purposes of this section:

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

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

15 (3) "Service area" means: (A) For community colleges, a designated
16 geographic area of the state established pursuant to agreement of the
17 presidents of the community colleges and adopted in policy by the state
18 board of regents; (B) for technical colleges, the territory set forth in the
19 college's plan submitted to the board of regents pursuant to K.S.A. 72-
20 4470a, and amendments thereto; and (C) for the institute of technology,
21 Shawnee county.

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

24 New Sec. 4. (a) The state board of regents shall initiate the
25 development of a statewide articulation agreement on career technical
26 education programs among the high schools, community colleges,
27 technical colleges and the institute of technology.

28 (b) For the purposes of this section, the term "articulation agreement"
29 means an agreement entered into to provide for the transferability of
30 substantially equivalent courses of study or programs.

31 Sec. 5. From and after July 1, 2013, K.S.A. 2011 Supp. 71-201 is
32 hereby amended to read as follows: 71-201. (a) The board of trustees, in
33 accordance with the provisions of law and the rules and regulations of the
34 state board of regents, shall have custody of and be responsible for the
35 property of the community college and shall be responsible for the
36 operation, management and control of the college. The board of trustees
37 shall hold at least one regular meeting each month at a time prescribed by
38 the board. The board shall make an annual report in the manner prescribed
39 by the state board of regents. Members of the board of trustees shall be
40 paid subsistence allowances, mileage and other actual and necessary
41 expenses incurred in the performance of their official duties.

42 (b) For effectuation of the purposes of this act, the board of trustees in
43 addition to such other powers expressly granted to it by law and subject to

1 the rules and regulations of the state board of regents is hereby granted the
2 following powers:

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

6 (2) To sue and be sued.

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

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

12 (5) To appoint upon nomination of the president or the chief
13 administrative officer members of the administrative and teaching staffs, to
14 fix and determine within state adopted standards their specifications,
15 define their duties and to fix their compensation and terms of employment.
16 No community college teacher shall be required to meet licensure
17 requirements greater than those required in the state educational
18 institutions.

19 (6) Upon recommendation of the chief administrative officer, to
20 appoint or employ such other officers of the college, agents and employees
21 as may be required to carry out the provisions of law and to fix and
22 determine within state adopted standards their qualifications, duties,
23 compensation, terms of office or employment and all other items and
24 conditions of employment.

25 (7) To enter into contracts.

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

30 (9) To acquire by gift, purchase, lease-purchase, condemnation or
31 otherwise, and to own, lease, use and operate property, whether real,
32 personal, or mixed, or any interest therein, which is necessary or desirable
33 for community college purposes. Any lease-purchase agreement entered
34 into under authority of this subsection shall be subject to the conditions set
35 forth in K.S.A. 10-1116c, and amendments thereto. The term of any lease
36 entered into under authority of this subsection may be for not to exceed 10
37 years. Such lease may provide for annual or other payment of rent or rental
38 fees and may obligate the community college to payment of maintenance
39 or other expenses. Any lease or lease-purchase agreement entered into
40 under authority of this subsection shall be subject to change or termination
41 at any time by the legislature. Any assignment of rights in any lease or
42 lease-purchase made under this subsection shall contain a citation of this
43 section and a recitation that the lease or lease-purchase agreement and

1 assignment thereof are subject to change or termination by the legislature.
2 To the extent that the provisions of the cash-basis and budget laws conflict
3 with this subsection in such a manner as to prevent the intention of this
4 subsection from being made effective, the provisions of this subsection
5 shall control. This provision is subject to the provisions of subsection (d).

6 (10) To enter into lease agreements as lessor of any property, whether
7 real, personal, or mixed, which is owned or controlled by the community
8 college. Any such agreement may specify the purposes for which the
9 property may be used, require that the property be maintained and
10 operated by the lessee, and may contain such restrictions or limitations on
11 the use of the property, be entered into for such period of time, and include
12 such other terms and conditions as the board of trustees determines to be
13 necessary and proper. Every such agreement shall be subject to change or
14 termination at any time by the legislature. Any assignment of rights under
15 any such agreement shall be subject to approval by the board of trustees
16 and shall contain a citation of this section and a recitation that the lease
17 agreement and assignment of rights thereunder are subject to change or
18 termination by the legislature.

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

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

24 (13) To make and promulgate such rules and regulations, not
25 inconsistent with the provisions of law or with rules and regulations of the
26 state board of regents, that are necessary and proper for the administration
27 and operation of the community college, and for the conduct of the
28 business of the board of trustees.

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

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

39 (16) To contract with one or more agencies, either public or private,
40 whether located within or outside the community college district or
41 whether located within or outside the state of Kansas for the conduct by
42 any such agencies of education for students of the community college, and
43 to provide for the payment to any such agencies for their contracted

1 educational services from any funds or moneys of the community college,
2 including funds or moneys received from student tuition and fees, funds
3 received from the state of Kansas or the United States for education, or
4 taxes collected under K.S.A. 71-204, and amendments thereto. Any
5 contract made under this subsection with an institution of another state
6 shall be subject to the provisions of K.S.A. 71-202, and amendments
7 thereto.

8 (17) To authorize by resolution the establishment of a petty cash fund
9 in an amount not to exceed \$1,000, and to designate in such resolution an
10 employee to maintain such petty cash fund. The employee designated in
11 any resolution provided for in this subsection receiving such funds shall
12 keep a record of all receipts and expenditures from the fund, and shall
13 from time to time, and at the end of the fiscal year, prepare a statement for
14 the board showing all receipts, expenditures, and the balance in the petty
15 cash fund. The board of trustees may authorize the employee designated to
16 maintain any petty cash fund to make a claim for replenishment of the
17 fund to its original amount in advance of approval by the board of trustees
18 if, at any time during the period between regular monthly meetings of the
19 board of trustees, the balance remaining in the fund is insufficient to make
20 needed expenditures for any purpose for which the petty cash fund is
21 maintained. No petty cash fund may be replenished more than one time
22 during each period between regular monthly meetings of the board of
23 trustees. If a petty cash fund is replenished prior to the end of the fiscal
24 year in accordance with the foregoing authorization, the employee
25 authorized to maintain the petty cash fund shall keep an accurate record of
26 all expenditures made therefrom, and the purpose therefor, and shall
27 submit the record to the board of trustees at the next regular monthly
28 meeting thereof. The petty cash fund shall be replenished by payment from
29 the appropriate funds of the community college to the petty cash fund
30 upon proper claim. The fund shall be kept separate from all other funds
31 and shall be used only for authorized expenditures and itemized receipts
32 shall be taken for each expenditure. No part of such fund may be loaned or
33 advanced against the salary of an employee. All employees entrusted with
34 such funds under this subsection shall be bonded by the community
35 college district.

36 (c) Subject to the provisions of subsection (d), the board of trustees
37 may purchase or otherwise acquire land or land and improvements and
38 may acquire, construct, reconstruct, repair or remodel improvements
39 thereon or additions thereto, including furnishings, equipment, and
40 architectural and incidental expense related thereto, and for such purposes
41 the board of trustees is authorized to issue and sell general obligation
42 bonds, the cumulative total not to exceed the following amounts: Where
43 the community college district has a taxable tangible valuation of less than

1 \$90,000,000 or is located in a county designated as urban under the
2 provisions of K.S.A. 19-3524, and amendments thereto, not to exceed 5%
3 of the taxable tangible property of the community college district, and
4 where the community college district has a taxable tangible valuation of
5 more than \$90,000,000 not to exceed 3% except as provided above for any
6 community college district located in a county designated as urban under
7 the provisions of K.S.A. 19-3524, and amendments thereto, of the taxable
8 tangible property of the community college district. If any increase in the
9 valuation of a community college district results in an outstanding bonded
10 indebtedness in excess of that provided in this subsection, such increase
11 shall not constitute a violation of this subsection. No such bonds shall be
12 issued until the question of their issuance shall have been submitted to a
13 vote of the electors of the community college district at a regular election
14 or at a special election called for that purpose and the majority of the
15 electors voting on the proposition in such community college district shall
16 have voted in favor of the issuance of the bonds. Such election shall be
17 called, noticed and held and the bonds issued, sold, delivered and retired in
18 accordance with the provisions of the general bond law except as herein
19 otherwise expressly provided.

20 (d) (1) *Except as provided in section 3, and amendments thereto*, the
21 board of trustees of a community college may purchase or otherwise
22 acquire land or land and improvements within: (†) (A) The community
23 college district; or (‡) (B) the service area of the community college.
24 Nothing in this subsection shall be construed or operate in any manner to
25 require a board of trustees to sell, convey or otherwise dispose of land or
26 land and improvements located outside the community college district or
27 the service area of the community college and owned or being acquired by
28 the community college on the effective date of this act.

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

33 Sec. 6. K.S.A. 72-4417 is hereby amended to read as follows: 72-
34 4417. (a) Students admitted to a ~~vocational~~ *career technical* education
35 course or program which is conducted by the school district in which the
36 student is enrolled may be charged fees but shall not be charged tuition.

37 (b) Postsecondary students admitted to a ~~vocational~~ *career technical*
38 education course or program shall pay tuition and fees as provided by laws
39 applicable thereto.

40 (c) (1) ~~Except as provided in paragraph (2) of this subsection,~~
41 *Secondary* students admitted to a ~~vocational~~ *career technical* education
42 course or program which is conducted by a community college shall pay
43 tuition and fees as provided by laws applicable to community colleges and

1 the provisions of this section shall not apply thereto, nor shall any
2 provisions of this act which are inconsistent with laws relating to
3 community college tuition and fees apply to community colleges,
4 *technical college or institute of technology may be charged fees, but shall*
5 *not be charged tuition.*

6 (2) ~~Students admitted to a vocational education course or program~~
7 ~~under the provision of K.S.A. 71-1706 and which is conducted by a~~
8 ~~community college which is consolidated with an area vocational school~~
9 ~~or area vocational-technical school may be charged fees but tuition shall~~
10 ~~be paid as provided in paragraph (2) of subsection (d). Nothing in this act~~
11 ~~shall be construed to amend, repeal or in any way change laws relating to~~
12 ~~community college student or out-district tuition~~ *For purposes of this*
13 *subsection:*

14 (A) **"Community college" means any community college**
15 **established in accordance with chapter 71 of the Kansas Statutes**
16 **Annotated, and amendments thereto.**

17 ~~(A)~~ (B) *"Fees" means those charges assessed against a student by a*
18 *community college, technical college or the institute of technology for*
19 *student services, such as health clinics, athletic activities and technology*
20 *services, or for books, supplies or other materials necessary for a*
21 *particular course or program, the expense of which is not covered by*
22 *tuition.*

23 (C) **"Institute of technology" means the institute of technology at**
24 **Washburn university.**

25 (D) **"Secondary student" means a pupil who: (i) Has not attained**
26 **a high school diploma or a general educational development (GED)**
27 **credential; and (ii) is regularly enrolled in and attending a public or**
28 **private secondary school.**

29 (E) **"Technical college" means a technical college designated**
30 **pursuant to K.S.A. 72-4472, 72-4473, 72-4474, 72-4475, 72-4477 or 72-**
31 **4477a, and amendments thereto.**

32 ~~(B)~~ (F) *"Tuition" means those charges assessed against a student by*
33 *a community college, technical college or the institute of technology on a*
34 *per credit hour, per course or per term basis, and that are charged to*
35 *cover the general expense of providing instructional services.*

36 (d) Students admitted to a vocational education course or program
37 which is not conducted by the school district in which the student is
38 enrolled shall be charged tuition and fees determined in accordance with
39 subsection (e), subject however to the following: (1) Tuition or fees, or
40 tuition and fees may be paid for the student in accordance with any
41 agreement made under K.S.A. 72-4421, and amendments thereto; or

42 (2) if tuition of a student is not paid under ~~provision~~ *paragraph* (1) of
43 this subsection, the tuition of the student shall be paid by the school

1 district in which the student is enrolled. No school district shall pay tuition
2 for a student who is a postsecondary student, and no school district shall
3 be required to pay tuition or fees of a student who is eligible to have
4 tuition and fees for the course or training the student selects paid by any
5 state or federal agency from moneys, funds or appropriations made
6 available under any one or more *state or* federal programs. Any state
7 agency administering any one or more such programs shall pay such
8 tuition and fees upon proper application by a student therefor.

9 (e) All tuition and fees charged for ~~vocational~~ *career technical*
10 education by any board shall be in such amounts as are authorized by rules
11 and regulations adopted by the state board which shall establish general
12 guidelines for tuition and fee schedules in ~~vocational~~ *career technical*
13 education courses and programs, except that tuition of postsecondary
14 students shall be fixed in accordance with K.S.A. 72-4433, and
15 amendments thereto. The particular tuition and fee schedule of every
16 ~~vocational~~ *career technical* education program shall be subject to annual
17 approval of the state board. A current complete schedule of tuition and fees
18 for each ~~vocational~~ *career technical* education course and program of each
19 board as approved by the state board shall be maintained on file in the
20 office of the state board, and shall be open for public inspection at any
21 reasonable time.

22 Sec. 7. K.S.A. 72-4419 is hereby amended to read as follows: 72-
23 4419. The school district in which a student is enrolled shall pay the tuition
24 of such student to attend any ~~vocational~~ *career technical* education course
25 or program when such attendance is approved as provided in K.S.A. 72-
26 4418, and amendments thereto, from its vocational education fund, except
27 that any board receiving funds under an agreement under K.S.A. 72-4421,
28 and amendments thereto, shall pay such tuition when the student is
29 enrolled in a school district which is a party to the agreement if the
30 agreement so provides. In the case of a school district which is not a party
31 to an agreement under K.S.A. 72-4421, and amendments thereto, should
32 there be insufficient or no moneys in the ~~vocational~~ *career technical*
33 education fund to pay such tuition, the board of education shall transfer
34 from the general fund to the ~~vocational~~ *career technical* education fund
35 such amount as will satisfy the insufficiency.

36 **Sec. 8. K.S.A. 2011 Supp. 72-6413 is hereby amended to read as**
37 **follows: 72-6413. (a) (1) In school year 2012-2013, the program**
38 **weighting of each district shall be determined by the state board as**
39 **follows:**

40 ~~(1)~~ (A) **Compute full time equivalent enrollment in programs of**
41 **bilingual education and multiply the computed enrollment by .395;**

42 ~~(2)~~ (B) **compute full time equivalent enrollment in approved**
43 **vocational education programs and multiply the computed enrollment**

1 **by 0.5;**

2 ~~(2)~~ (C) **add the products obtained under ~~(1)~~ subparagraphs (A)**
3 **and ~~(2)~~ (B). The sum is the program weighting of the district.**

4 (2) *In school year 2013-2014 and each school year thereafter, the*
5 *program weighting of each district shall be determined by the state board*
6 *as follows: Compute the full time equivalent enrollment in programs of*
7 *bilingual education and multiply the computed enrollment by .395. The*
8 *result is the program weighting of the district.*

9 **(b) A school district may expend amounts received from the**
10 **bilingual weighting to pay the cost of providing at-risk and preschool-**
11 **aged at-risk education programs and services.**

12 ~~Sec. 8.~~ **9.** K.S.A. 72-4417 and 72-4419 and K.S.A. 2011 Supp. 72-
13 **6413** are hereby repealed.

14 ~~Sec. 9.~~ **10.** From and after July 1, 2013, K.S.A. 2011 Supp. 71-201 is
15 hereby repealed.

16 ~~Sec. 10.~~ **11.** This act shall take effect and be in force from and after its
17 publication in the statute book.