

Kansas Administrative Regulations

State Department of Education

Article 16.—Vocational Education

91-16-17. Application procedures for admission to vocational education courses and programs.

(a) Each prospective student shall submit a written application on forms as provided in K.A.R. 91-16-19 or 91-16-20 for admission to state approved vocational education courses and programs. Boards of control or their agents shall make application forms available upon request.

(b) An application from an out-district student shall be accompanied by an affidavit of residency using the form as provided in K.A.R. 91-16-19 or 91-16-20.

(c) An application shall be submitted for approval or disapproval to the vocational education institution the applicant wishes to attend.

(d) An applicant may be disapproved or placed on a waiting list by a vocational education institution for any of the following reasons:

(1) Insufficient facilities or staff; or

(2) Reasonable proof, obtained through interviews, counseling, or testing, that the applicant is incapable of benefiting from the instruction, or of being employed in the occupation for which the instruction is being sought.

(3) Failure to meet minimum age requirements.

(e) Upon acceptance into a state approved vocational education course or program, each student shall be issued an enrollment decision form, as provided by K.A.R. 91-26-21, signed by the director or other person vested with authority of the institution, indicating that space and facilities have been reserved for him or her. Within two (2) weeks after the issuance of the decision, the vocational education institution shall notify the district of its action and that it is to be held responsible for the tuition.

(f) Within two (2) weeks after receiving the decision of the vocational education institution, it shall be the responsibility of the prospective student, or his or her parent or guardian, to present copies of his or her application and of the enrollment decision, as

executed by the vocational education institution, to the clerk of the board of education, or the superintendent of schools, of the student's unified school district, if unusual or unforeseen circumstances, as determined by the state board, prevent their so doing, the student or his or her parent or guardian shall present the documents at the earliest following date.

(g) The application and decision of the vocational education institution shall be acted upon by the local board of education during the month in which they are presented and filed with applicant's school district. If the application is received too late, the application and decision shall be approved or disapproved at the next regular meeting of the board. Failure of the board to act shall be considered a denial of application for admission to state approved vocational education courses or program and of tuition payment and ground for appeal to the state board.

(h) The application shall be approved by applicant's school district unless there is a good faith doubt as to the applicant's legal place of residence being in the district, or the ability of the applicant to benefit from the instruction. In addition to the foregoing reasons, the application of a student for the payment of out-district tuition may be denied by the district if it is determined that the same or substantially the same state approved vocational education course or program applied for is offered within the district, or is otherwise available to the student under the terms of a state approved participating agreement.

(i) Upon approval of the application, the local board of education shall promptly execute the decision form as provided by K.A.R. 91-16-21, and return it to the applicant and to the vocational education institution. The decision form must be signed by the president, or by another member of the board, or superintendent of schools, whichever official may be designated by the board, and attested by the clerk.

(j) In the event the local board of education, or a vocational education institution, denies the application for admission to state approved vocational education courses or program or for the payment of tuition, the board or institution shall specify promptly in writing to the applicant and to the vocational education institution, in the event the denial of an application is by the board of education, the ground or grounds for denying the application. The board denying the application shall also immediately notify the

applicant of his right to appeal the decision within thirty (30) days after receipt of the denial, to the state board in accordance with rules and regulations of the state board, and inform the applicant that appeal forms and the rules governing appeals are available from the vocational education institution and from the office of the commissioner of education, Kansas state education building, 120 East 10th Avenue, Topeka, Kansas 66612. Failure of the local board of education, or vocational education institution to timely notify the applicant of its denial of the application or of the right to appeal the denial, shall not prejudice the applicant's right of appeal to the state board even though more than thirty (30) days have elapsed from the date of the denial. Applicant shall have thirty (30) days to perfect the appeal from the date he or she actually is informed of the decision of the local board of education or vocational education institution denying the application, or of the failure of the local board of education to take action within the time specified in K.A.R. 91-16-17(g). (Authorized by K.S.A. 72-4418; effective, E-71-17, April 5, 1971; effective Jan. 1, 1972; amended May 1, 1979.)

***** Authenticated Kansas Administrative Regulation *****