

1. Can school districts charge district students to ride their school bus who live MORE than 2 ½ miles from school?
NO
2. Can school districts charge district students to ride their school bus who live LESS than 2 ½ miles from school?
YES
3. Under what statutory authority is this found?
K.S.A. 72-6487(e)(B)
4. Can districts charge for field/activity trips?
Field Trips – NO
Activity Trips – YES
5. Under what statutory authority is this found?
K.S.A. 72-3353
6. Can school districts charge for more than "costs"?
NO – You can only charge for actual cost or a part thereof
7. Can districts charge “out-of-district” students when met at the district boundary?
YES
8. Can districts charge “out-of-district” students who are furnished transportation in compliance with K.S.A. 72-3124?
YES

EXCEPTIONS:

- You cannot charge a student with disabilities under the special education act
- You cannot charge a student who is eligible for free or reduced-price meals
- You cannot charge a student who is entitled to transportation under 72-6491(nonpublic student)
- You cannot charge a student for field trips which apply to the student's learning and is a part of his or her education within the classroom
- You can charge a student for Activity Trips which are not a part of the student's education or classroom, i.e., football, basketball or similar sports activities if the activity is NOT mandatory. See 72-6487

Note: It is recommended you consult with your vehicle insurance provider whenever the USD charges students to make sure the insurance company will insure the trip/activity.

72-3353. Fees; supplemental charges authorized to be prescribed and collected; disposition of moneys. (a) The board of education of any school district may prescribe, assess and collect fees and supplemental charges for:

(1) The use, rental or purchase by pupils of any of the items designated in K.S.A. [72-3352](#), and amendments thereto, to offset, in part or in total, the expense of purchasing such items; and

(2) participation in activities, or the use of facilities, materials and equipment, which participation or use is not mandatory, but optional to pupils, whether incidental to curricular, extracurricular or other school-related activities.

(b) Moneys received by a board of education under this section shall be deposited in the textbook and student materials revolving fund of the school district.

History: L. 1976, ch. 304, § 2; L. 1979, ch. 225, § 1; L. 1993, ch. 264, § 2; L. 1995, ch. 90, § 2; L. 2003, ch. 116, § 7; July 1.

Source or Prior Law: [72-5390](#).

72-6487. Transportation of students; authorization to provide or furnish; required, when; suspension or revocation of privilege or entitlement; fees, authorization to prescribe and collect, limitations, disposition. (a) The board of education of a school district may provide or furnish transportation for students who are enrolled in the school district to or from any school of the school district or to or from any school of another school district attended by such students in accordance with the provisions of an agreement entered into under authority of K.S.A. [72-13,101](#), and amendments thereto.

(b) (1) When any or all of the conditions specified in this provision exist, the board of education of a school district shall provide or furnish transportation for students who reside in the school district and who attend any school of the school district or who attend any school of another school district in accordance with the provisions of an agreement entered into under authority of K.S.A. [72-13,101](#), and amendments thereto. The conditions which apply to the requirements of this provision are as follows:

(A) The residence of the student is inside or outside the corporate limits of a city, the school building attended is outside the corporate limits of a city and the school building attended is more than 2 1/2 miles by the usually traveled road from the residence of the student; or

(B) The residence of the student is outside the corporate limits of a city, the school building attended is inside the corporate limits of a city and the school building attended is more than 2 1/2 miles by the usually traveled road from the residence of the student; or

(C) The residence of the student is inside the corporate limits of one city, the school building attended is inside the corporate limits of a different city and the school building attended is more than 2 1/2 miles by the usually traveled road from the residence of the student.

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

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

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

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

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

(B) Fees for the provision or furnishing of transportation may not be assessed against or collected from any student who is counted in determining the transportation weighting of the school district under the Kansas school equity and enhancement act, K.S.A. [72-5131](#) et seq., and amendments thereto, or any student who is determined to be a child with disabilities under the provisions of the special education for exceptional children act or any student who is eligible for free or reduced price meals under the national school lunch act or any student who is entitled to transportation under the provisions of K.S.A. [72-6491](#)(a), and amendments thereto, and who resides 2 1/2 miles or more by the regular route of a school bus from the school attended;

(C) Fees for the provision or furnishing of transportation for students in accordance with the provisions of an agreement entered into under authority of K.S.A. [72-13,101](#) or [72-6492](#), and amendments thereto, shall be controlled by the provisions of the agreement.

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

History: L. 1968, ch. 401, § 2; L. 1971, ch. 244, § 1; L. 1973, ch. 299, § 1; L. 1976, ch. 322, § 1; L. 1977, ch. 259, § 1; L. 1980, ch. 224, § 1; L. 1981, ch. 294, § 1; L. 1984, ch. 261, § 17; L. 1984, ch. 270, § 1; L. 1984, ch. 262, § 5; L. 1996, ch. 141, § 3; L. 1997, ch. 183, § 3; L. 2000, ch. 155, § 4; L. 2003, ch. 116, § 12; L. 2015, ch. 4, § 58; L. 2017, ch. 95, § 85; July 1.

Source or Prior Law: [72-8302](#).

72-6491. Transportation of nonpublic school pupils. (a) Whenever any school district shall provide or furnish transportation under authority of this act for pupils attending the public schools, pupils residing in such school district attending private or parochial schools of elementary or high school grades which are accredited by the state board of education, who shall reside on or along the highway or street constituting the regular route of a school bus, or who shall gather at some place on the regular route nearest or most easily accessible to their homes or such schools, where such transportation is provided for pupils attending the public schools, shall be entitled to the privilege of such school bus transportation upon such regular route as arranged for the benefit of pupils attending public schools. For the purposes of this section, regular route shall not include any route arranged by the school district for the transportation of exceptional children to special education services.

(b) Whenever any school district shall provide or furnish transportation under authority of article 64 of chapter 72 of the Kansas Statutes Annotated for pupils attending the public schools, it may provide or furnish transportation for pupils residing in the district and attending private or parochial schools of elementary or high school grades which are accredited by the state board of education to such extent and upon such conditions as the school district shall deem appropriate. The authorization contained in this subsection (b) shall be in addition to the requirement provided in subsection (a) of this section.

(c) Whenever any school district shall provide or furnish transportation under authority of this section for pupils attending private or parochial schools, such transportation shall be provided or furnished to such pupils under the same terms and conditions as are imposed upon pupils attending the public schools.

History: L. 1968, ch. 401, § 6; L. 1978, ch. 304, § 1; July 1.

Source or Prior Law: [72-8306](#).

72-3124. Same; provision of transportation authorized; applicability; conditions. (a) As used in this section:

(1) "School district" means a school district organized and operating under the laws of this state and no part of which is located in Johnson county, Sedgwick county, Shawnee county or Wyandotte county.

(2) "Non-resident pupil" or "pupil" means a pupil who is enrolled and in attendance at a school located in a district in which such pupil is not a resident and who: (A) Lives 2 1/2 or more miles from the attendance center the pupil would attend in the district in which the pupil resides and is not a resident of Johnson county, Sedgwick county, Shawnee county or Wyandotte county; or (B) is a member of the family of a pupil meeting the condition prescribed in subparagraph (A).

(3) "Member of the family" means a brother or sister of the whole or half blood or by adoption, a stepbrother or stepsister, and a foster brother or foster sister.

(b) The board of education of any school district may allow any pupil who is not a resident of the district to enroll in and attend school in such district. The board of education of such district may furnish or provide transportation to any non-resident pupil who is enrolled in and attending school in the district pursuant to this section. If the district agrees to furnish or provide transportation to a non-resident pupil, such transportation shall be furnished or provided until the end of the school year. Prior to providing or furnishing transportation to a non-resident pupil, the district shall notify the board of education of the district in which the pupil resides that transportation will be furnished or provided.

(c) Pupils attending school in a school district in which the pupil does not reside pursuant to this section shall be counted as regularly enrolled in and attending school in the district where the pupil is enrolled for the purpose of computations under the Kansas school equity and enhancement act, K.S.A. [72-5131](#) et seq., and amendments thereto, except computation of transportation weighting under such act, and for the purposes of the statutory provisions contained in article 64 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto. Such non-resident pupil shall not be charged for the costs of attendance at school.

History: L. 1997, ch. 183, § 2; L. 1999, ch. 20, § 1; L. 2000, ch. 155, § 1; L. 2001, ch. 22, § 1; L. 2008, ch. 172, § 1; L. 2010, ch. 149, § 1; L. 2012, ch. 155, § 2; L. 2015, ch. 4, § 29; L. 2015, ch. 92, § 5; L. 2017, ch. 95, § 61; July 1.

Source or Prior Law: [72-1046b](#).