

SENATE BILL No. 20

By Special Committee on Education

1-14

1 AN ACT concerning school districts; relating to at-risk pupils; amending
2 K.S.A. 2010 Supp. 72-6407 and repealing the existing section.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Sec. 1. K.S.A. 2010 Supp. 72-6407 is hereby amended to read as
6 follows: 72-6407. (a) (1) "Pupil" means any person who is regularly
7 enrolled in a district and attending kindergarten or any of the grades one
8 through 12 maintained by the district or who is regularly enrolled in a
9 district and attending kindergarten or any of the grades one through 12 in
10 another district in accordance with an agreement entered into under
11 authority of K.S.A. 72-8233, and amendments thereto, or who is regularly
12 enrolled in a district and attending special education services provided for
13 preschool-aged exceptional children by the district.

14 (2) Except as otherwise provided in paragraph (3) of this subsection,
15 a pupil in attendance full time shall be counted as one pupil. A pupil in
16 attendance part time shall be counted as that proportion of one pupil (to
17 the nearest 1/10) that the pupil's attendance bears to full-time attendance.
18 A pupil attending kindergarten shall be counted as 1/2 pupil. A pupil
19 enrolled in and attending an institution of postsecondary education which
20 is authorized under the laws of this state to award academic degrees shall
21 be counted as one pupil if the pupil's postsecondary education enrollment
22 and attendance together with the pupil's attendance in either of the grades
23 11 or 12 is at least 5/6 time, otherwise the pupil shall be counted as that
24 proportion of one pupil (to the nearest 1/10) that the total time of the
25 pupil's postsecondary education attendance and attendance in grade 11 or
26 12, as applicable, bears to full-time attendance. A pupil enrolled in and
27 attending an area vocational school, area vocational-technical school or
28 approved vocational education program shall be counted as one pupil if
29 the pupil's vocational education enrollment and attendance together with
30 the pupil's attendance in any of grades nine through 12 is at least 5/6 time,
31 otherwise the pupil shall be counted as that proportion of one pupil (to the
32 nearest 1/10) that the total time of the pupil's vocational education
33 attendance and attendance in any of grades nine through 12 bears to full-
34 time attendance. A pupil enrolled in a district and attending a non-virtual
35 school and also attending a virtual school shall be counted as that
36 proportion of one pupil (to the nearest 1/10) that the pupil's attendance at

1 the non-virtual school bears to full-time attendance. Except as provided
2 by this section for preschool-aged exceptional children and virtual school
3 pupils, a pupil enrolled in a district and attending special education and
4 related services, provided for by the district shall be counted as one pupil.
5 A pupil enrolled in a district and attending special education and related
6 services provided for by the district and also attending a virtual school
7 shall be counted as that proportion of one pupil (to the nearest 1/10) that
8 the pupil's attendance at the non-virtual school bears to full-time
9 attendance. A pupil enrolled in a district and attending special education
10 and related services for preschool-aged exceptional children provided for
11 by the district shall be counted as 1/2 pupil. A preschool-aged at-risk
12 pupil enrolled in a district and receiving services under an approved at-
13 risk pupil assistance plan maintained by the district shall be counted as
14 1/2 pupil. A pupil in the custody of the secretary of social and
15 rehabilitation services or in the custody of the commissioner of juvenile
16 justice and enrolled in unified school district No. 259, Sedgwick county,
17 Kansas, but housed, maintained, and receiving educational services at the
18 Judge James V. Riddel Boys Ranch, shall be counted as two pupils.
19 Except as provided in section 1 of chapter 76 of the 2009 Session Laws
20 of the state of Kansas, and amendments thereto, a pupil in the custody of
21 the secretary of social and rehabilitation services or in the custody of the
22 commissioner of juvenile justice and enrolled in unified school district
23 No. 409, Atchison, Kansas, but housed, maintained and receiving
24 educational services at the youth residential center located on the grounds
25 of the former Atchison juvenile correctional facility, shall be counted as
26 two pupils.

27 (3) A pupil residing at the Flint Hills job corps center shall not be
28 counted. A pupil confined in and receiving educational services provided
29 for by a district at a juvenile detention facility shall not be counted. A
30 pupil enrolled in a district but housed, maintained, and receiving
31 educational services at a state institution or a psychiatric residential
32 treatment facility shall not be counted.

33 (b) "Preschool-aged exceptional children" means exceptional
34 children, except gifted children, who have attained the age of three years
35 but are under the age of eligibility for attendance at kindergarten.

36 (c) "At-risk pupils" means pupils who are *under age 21*, eligible for
37 free meals under the national school lunch act and ~~who are~~ enrolled in a
38 district which maintains an approved at-risk pupil assistance plan.

39 (d) "Preschool-aged at-risk pupil" means an at-risk pupil who has
40 attained the age of four years, is under the age of eligibility for attendance
41 at kindergarten, and has been selected by the state board in accordance
42 with guidelines consonant with guidelines governing the selection of
43 pupils for participation in head start programs.

1 (e) "Enrollment" means: (1) (A) Subject to the provisions of
2 paragraph (1)(B), for districts scheduling the school days or school hours
3 of the school term on a trimestral or quarterly basis, the number of pupils
4 regularly enrolled in the district on September 20 plus the number of
5 pupils regularly enrolled in the district on February 20 less the number of
6 pupils regularly enrolled on February 20 who were counted in the
7 enrollment of the district on September 20; and for districts not specified
8 in this paragraph (1), the number of pupils regularly enrolled in the
9 district on September 20; (B) a pupil who is a foreign exchange student
10 shall not be counted unless such student is regularly enrolled in the
11 district on September 20 and attending kindergarten or any of the grades
12 one through 12 maintained by the district for at least one semester or two
13 quarters or the equivalent thereof;

14 (2) if enrollment in a district in any school year has decreased from
15 enrollment in the preceding school year, enrollment of the district in the
16 current school year means whichever is the greater of (A) enrollment in
17 the preceding school year minus enrollment in such school year of
18 preschool-aged at-risk pupils, if any such pupils were enrolled, plus
19 enrollment in the current school year of preschool-aged at-risk pupils, if
20 any such pupils are enrolled, or (B) the sum of enrollment in the current
21 school year of preschool-aged at-risk pupils, if any such pupils are
22 enrolled and the average (mean) of the sum of (i) enrollment of the
23 district in the current school year minus enrollment in such school year of
24 preschool-aged at-risk pupils, if any such pupils are enrolled and (ii)
25 enrollment in the preceding school year minus enrollment in such school
26 year of preschool-aged at-risk pupils, if any such pupils were enrolled
27 and (iii) enrollment in the school year next preceding the preceding
28 school year minus enrollment in such school year of preschool-aged at-
29 risk pupils, if any such pupils were enrolled; or

30 (3) the number of pupils as determined under K.S.A. 72-6447 or
31 K.S.A. 2010 Supp. 72-6448, and amendments thereto.

32 (f) "Adjusted enrollment" means: (1) Enrollment adjusted by adding
33 at-risk pupil weighting, program weighting, low enrollment weighting, if
34 any, high density at-risk pupil weighting, if any, medium density at-risk
35 pupil weighting, if any, nonproficient pupil weighting, if any, high
36 enrollment weighting, if any, declining enrollment weighting, if any,
37 school facilities weighting, if any, ancillary school facilities weighting, if
38 any, cost of living weighting, if any, special education and related
39 services weighting, and transportation weighting to enrollment; or (2)
40 adjusted enrollment as determined under K.S.A. 2010 Supp. 72-6457 or
41 72-6458, and amendments thereto.

42 (g) "At-risk pupil weighting" means an addend component assigned
43 to enrollment of districts on the basis of enrollment of at-risk pupils.

1 (h) "Program weighting" means an addend component assigned to
2 enrollment of districts on the basis of pupil attendance in educational
3 programs which differ in cost from regular educational programs.

4 (i) "Low enrollment weighting" means an addend component
5 assigned to enrollment of districts pursuant to K.S.A. 72-6412, and
6 amendments thereto, on the basis of costs attributable to maintenance of
7 educational programs by such districts in comparison with costs
8 attributable to maintenance of educational programs by districts having to
9 which high enrollment weighting is assigned pursuant to K.S.A. 2010
10 Supp. 72-6442b, and amendments thereto.

11 (j) "School facilities weighting" means an addend component
12 assigned to enrollment of districts on the basis of costs attributable to
13 commencing operation of new school facilities.

14 (k) "Transportation weighting" means an addend component
15 assigned to enrollment of districts on the basis of costs attributable to the
16 provision or furnishing of transportation.

17 (l) "Cost of living weighting" means an addend component assigned
18 to enrollment of districts to which the provisions of K.S.A. 2010 Supp.
19 72-6449, and amendments thereto, apply on the basis of costs attributable
20 to the cost of living in the district.

21 (m) "Ancillary school facilities weighting" means an addend
22 component assigned to enrollment of districts to which the provisions of
23 K.S.A. 72-6441, and amendments thereto, apply on the basis of costs
24 attributable to commencing operation of new school facilities. Ancillary
25 school facilities weighting may be assigned to enrollment of a district
26 only if the district has levied a tax under authority of K.S.A. 72-6441, and
27 amendments thereto, and remitted the proceeds from such tax to the state
28 treasurer. Ancillary school facilities weighting is in addition to
29 assignment of school facilities weighting to enrollment of any district
30 eligible for such weighting.

31 (n) "Juvenile detention facility" has the meaning ascribed thereto by
32 72-8187, and amendments thereto.

33 (o) "Special education and related services weighting" means an
34 addend component assigned to enrollment of districts on the basis of
35 costs attributable to provision of special education and related services for
36 pupils determined to be exceptional children.

37 (p) "Virtual school" means any school or educational program that:
38 (1) Is offered for credit; (2) uses distance-learning technologies which
39 predominately use internet-based methods to deliver instruction; (3)
40 involves instruction that occurs asynchronously with the teacher and
41 pupil in separate locations; (4) requires the pupil to make academic
42 progress toward the next grade level and matriculation from kindergarten
43 through high school graduation; (5) requires the pupil to demonstrate

1 competence in subject matter for each class or subject in which the pupil
2 is enrolled as part of the virtual school; and (6) requires age-appropriate
3 pupils to complete state assessment tests.

4 (q) "Declining enrollment weighting" means an addend component
5 assigned to enrollment of districts to which the provisions of K.S.A. 2010
6 Supp. 72-6451, and amendments thereto, apply on the basis of reduced
7 revenues attributable to the declining enrollment of the district.

8 (r) "High enrollment weighting" means an addend component
9 assigned to enrollment of districts pursuant to K.S.A. 2010 Supp. 72-
10 6442b, and amendments thereto, on the basis of costs attributable to
11 maintenance of educational programs by such districts as a correlate to
12 low enrollment weighting assigned to enrollment of districts pursuant to
13 K.S.A. 72-6412, and amendments thereto.

14 (s) "High density at-risk pupil weighting" means an addend
15 component assigned to enrollment of districts to which the provisions of
16 K.S.A. 2010 Supp. 72-6455, and amendments thereto, apply.

17 (t) "Nonproficient pupil" means a pupil who is not eligible for free
18 meals under the national school lunch act and who has scored less than
19 proficient on the mathematics or reading state assessment during the
20 preceding school year and who is enrolled in a district which maintains
21 an approved proficiency assistance plan.

22 (u) "Nonproficient pupil weighting" means an addend component
23 assigned to enrollment of districts on the basis of enrollment of
24 nonproficient pupils pursuant to K.S.A. 2010 Supp. 72-6454, and
25 amendments thereto.

26 (v) "Psychiatric residential treatment facility" has the meaning
27 ascribed thereto by K.S.A. 72-8187, and amendments thereto.

28 (w) "Medium density at-risk pupil weighting" means an addend
29 component assigned to enrollment of districts to which the provisions of
30 K.S.A. 2010 Supp. 72-6459, and amendments thereto, apply.

31 Sec. 2. K.S.A. 2010 Supp. 72-6407 is hereby repealed.

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