

Session of 2020

**SENATE BILL No. 271**

By Committee on Ways and Means

1-15

1 AN ACT concerning education; relating to the Kansas school equity and  
2 enhancement act; extending the high-density at-risk weighting;  
3 amending K.S.A. 72-5151 and repealing the existing section.

identification of students eligible to receive at-risk programs and services;  
expenditures from the at-risk education fund; report on at-risk programs and  
services

sections

and 72-5153

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

72-5131,

6 Section 1. K.S.A. 72-5151 is hereby amended to read as follows: 72-  
7 5151. (a) The at-risk student weighting of each school district shall be  
8 determined by the state board as follows:

Insert Attachment A

9 (1) Determine the number of at-risk students included in the  
10 enrollment of the school district; and

11 (2) multiply the number determined under subsection (a)(1) by 0.484.  
12 The resulting sum is the at-risk student weighting of the school district.

13 (b) Except as provided in subsection (b)(4), the high-density at-risk  
14 student weighting of each school district shall be determined by the state  
15 board as follows:

16 (1) (A) If the enrollment of the school district is at least 35% at-risk  
17 students, but less than 50% at-risk students:

18 (i) Subtract 35% from the percentage of at-risk students included in  
19 the enrollment of the school district;

20 (ii) multiply the difference determined under subsection (b)(1)(A)(i)  
21 by 0.7; and

22 (iii) multiply the product determined under subsection (b)(1)(A)(ii)  
23 by the number of at-risk students included in the enrollment of the school  
24 district; or

25 (B) if the enrollment of the school district is 50% or more at-risk  
26 students, multiply the number of at-risk students included in the  
27 enrollment of the school district by 0.105; or

28 (2) (A) if the enrollment of a school in the school district is at least  
29 35% at-risk students, but less than 50% at-risk students:

30 (i) Subtract 35% from the percentage of at-risk students included in  
31 the enrollment of such school;

32 (ii) multiply the difference determined under subsection (b)(2)(A)(i)  
33 by 0.7; and

34 (iii) multiply the product determined under subsection (b)(2)(A)(ii)  
35 by the number of at-risk students included in the enrollment of such  
36 school; or

1 (B) if the enrollment of a school in the school district is 50% or more  
2 at-risk students, multiply the number of at-risk students included in the  
3 enrollment of such school by 0.105; and

4 (C) add the products determined under subsections (b)(2)(A)(iii) and  
5 (b)(2)(B) for each such school in the school district, respectively.

6 (3) The high-density at-risk weighting of the school district shall be  
7 the greater of the product determined under subsection (b)(1) or the sum  
8 determined under subsection (b)(2)(C).

9 (4) ~~Commencing in school year 2018-2019,~~ School districts that  
10 qualify to receive the high-density at-risk weighting pursuant to this  
11 section shall spend any money attributable to the school district's high-  
12 density at-risk weighting on the at-risk best practices developed by the  
13 state board pursuant to K.S.A. 72-5153(d), and amendments thereto. If a  
14 school district that qualifies for the high-density at-risk weighting does not  
15 spend such money on such best practices, the state board shall notify the  
16 school district that it shall either spend such money on such best practices  
17 or shall show improvement within five years of notification. Improvement  
18 shall include, but not be limited to, the following: (A) The percentage of  
19 students at grade level on state math and English language arts  
20 assessments; (B) the percentage of students that are college and career  
21 ready on state math and English language arts assessments; (C) the  
22 average composite ACT score; or (D) the four-year graduation rate. If a  
23 school district does not spend such money on such best practices and does  
24 not show improvement within five years, the school district shall not  
25 qualify to receive the high-density at-risk weighting in the succeeding  
26 school year.

27 ~~(5) The provisions of this subsection shall expire on July 1, 2020.~~

28 Sec. 2. K.S.A. 72-5151 is hereby repealed.

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

Insert Attachment B

and 72-5153 are

72-5131,

And by renumbering sections accordingly

Attachment A

New Section 1. (a) The state board of education shall require at-risk educational programs and services of school districts to provide additional educational opportunities, interventions and evidence-based instruction using the at-risk best practices identified pursuant to K.S.A. 72-5153, and amendments thereto, to assist students identified as eligible to receive at-risk programs and services in meeting state board of education outcome goals.

(b) A student shall be identified as eligible to receive at-risk programs and services if the student meets one or more of the following criteria:

- (1) Is not working on academic grade level;
- (2) is not meeting the requirements necessary for promotion to the next grade or is failing subjects or courses of study;
- (3) is not meeting the requirements necessary for graduation from high school or has the potential to drop out of school;
- (4) has insufficient mastery of skills or is not meeting state standards;
- (5) has been retained;
- (6) has a high rate of absenteeism;
- (7) has repeated suspensions or expulsions from school;
- (8) is homeless or migrant;
- (9) is identified as an English language learner;
- (10) has social-emotional needs that cause the student to be unsuccessful in school; or
- (11) is identified as a student with dyslexia.

(c) This section shall be a part of and supplemental to the Kansas school equity and enhancement act.

Sec. 2. K.S.A. 2019 Supp. 72-5131 is hereby amended to read as follows: 72-5131. K.S.A. 72-5131 through 72-5176, and amendments thereto, and K.S.A. 2019 Supp. 72-5178 and 72-5179, and amendments thereto, and section 1, and amendments thereto, shall be known and may be cited as the Kansas school equity and enhancement act.

Sec. 3. K.S.A. 2019 Supp. 72-5153 is hereby amended to read as follows: 72-5153. (a) There is hereby established in every school district an at-risk education fund, which shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to providing at-risk student ~~assistance or~~ programs, services and training shall be paid from the at-risk education fund.

(b) Any balance remaining in the at-risk education fund at the end of the budget year shall be carried forward into the at-risk education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the at-risk education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(c) ~~Commencing in school year 2018-2019~~, expenditures from the at-risk education fund of a school district shall only be made for the following purposes:

- (1) At-risk educational programs and services based on best practices identified pursuant to subsection (d);
- (2) personnel providing educational services in conjunction with such programs; ~~or~~
- (3) services contracted for by the school district to provide at-risk educational programs based on best practices identified pursuant to subsection (d); ~~or~~
- (4) training of personnel who provide at-risk educational programs and services.

(d) (1) The state board shall identify and approve evidence-based best practices for at-risk programs and instruction of students receiving at-risk program services. On and after July 1, 2019, such best practices shall include, but not be limited to, programs and services provided by state-based national nonprofit organizations that:

- (A) Focus on students who are identified as students eligible to receive at-risk program services or who face other identifiable barriers to success;
- (B) provide evidence-based instruction and support services to such students inside and outside the school setting; and
- (C) evaluate outcomes data for students, including, but not limited to, school attendance, academic progress, graduation rates, pursuit of postsecondary education or career advancement.

(2) The state board shall review and update such best practices as necessary and as part of its five-year accreditation system review process.

(e) Each year the board of education of each school district shall prepare and submit to the state board a report on the ~~assistance or~~ programs and services provided by the school district for students identified as eligible to receive at-risk ~~program programs and~~ programs and services. Such report shall include the number of students identified as eligible to receive at-risk ~~program programs and~~ programs and services who were served or provided assistance, the type of program or service provided, the research upon which the school district relied in determining that a need for the program or service ~~or assistance~~ existed, the results of providing such program or service ~~or assistance~~ and ~~any other information required by the state board~~ the following:

- (1) The number and percent of students who have been deemed eligible to receive at-risk programs and services at each attendance center;
- (2) the number and percent of students who were provided at-risk programs or services at each attendance center;
- (3) for each identification criteria listed in section 1, and amendments thereto, the number of students and percent of the total number of students that are identified under each such criteria at each attendance center;
- (4) what approved at-risk educational programs and services the attendance center is using to achieve measurable outcomes for each identification criteria listed in section 1, and amendments thereto; and
- (5) how each attendance center identifies and notifies employees who should have knowledge of a student who is eligible to receive at-risk programs and services and how each attendance center notifies the parent or guardian of such student of the student's eligibility to receive such programs and services.

(f) In order to achieve uniform reporting of the number of students provided ~~service or assistance~~ at-risk educational programs and services by school districts in at-risk student programs and services, school districts shall report the number of students served or assisted in the manner required by the state board.

(g) The state board shall compile the reports submitted pursuant to subsection (e) and shall prepare a summary report. On or before the first day of the regular legislative session of 2021, and each year thereafter, the state board shall submit such summary report to the senate standing committee on education and the house of representatives standing committee on education.

(h) As used in this section, the term "evidence-based instruction" means an education delivery system based on peer-reviewed research that consistently produces better student outcomes over a five-year period than would otherwise be achieved by the same students who are receiving at-risk program programs and services.