

## HOUSE BILL No. 2765

By Committee on Education

1-30

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9 AN ACT concerning school finance; relating to at-risk pupils; amending  
10 K.S.A. 2005 Supp. 72-6407 and repealing the existing section.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 2005 Supp. 72-6407 is hereby amended to read as  
14 follows: 72-6407. (a) (1) "Pupil" means any person who is regularly en-  
15 rolled in a district and attending kindergarten or any of the grades one  
16 through 12 maintained by the district or who is regularly enrolled in a  
17 district and attending kindergarten or any of the grades one through 12  
18 in another district in accordance with an agreement entered into under  
19 authority of K.S.A. 72-8233, and amendments thereto, or who is regularly  
20 enrolled in a district and attending special education services provided  
21 for preschool-aged exceptional children by the district.

22 (2) Except as otherwise provided in paragraph (3) of this subsection,  
23 a pupil in attendance full time shall be counted as one pupil. A pupil in  
24 attendance part time shall be counted as that proportion of one pupil (to  
25 the nearest  $\frac{1}{10}$ ) that the pupil's attendance bears to full-time attendance.  
26 A pupil attending kindergarten shall be counted as  $\frac{1}{2}$  pupil. A pupil en-  
27 rolled in and attending an institution of postsecondary education which  
28 is authorized under the laws of this state to award academic degrees shall  
29 be counted as one pupil if the pupil's postsecondary education enrollment  
30 and attendance together with the pupil's attendance in either of the  
31 grades 11 or 12 is at least  $\frac{5}{6}$  time, otherwise the pupil shall be counted  
32 as that proportion of one pupil (to the nearest  $\frac{1}{10}$ ) that the total time of  
33 the pupil's postsecondary education attendance and attendance in grade  
34 11 or 12, as applicable, bears to full-time attendance. A pupil enrolled in  
35 and attending an area vocational school, area vocational-technical school  
36 or approved vocational education program shall be counted as one pupil  
37 if the pupil's vocational education enrollment and attendance together  
38 with the pupil's attendance in any of grades nine through 12 is at least  $\frac{5}{6}$   
39 time, otherwise the pupil shall be counted as that proportion of one pupil  
40 (to the nearest  $\frac{1}{10}$ ) that the total time of the pupil's vocational education  
41 attendance and attendance in any of grades nine through 12 bears to full-  
42 time attendance. A pupil enrolled in a district and attending special ed-  
43 ucation and related services, except special education and related services

1 for preschool-aged exceptional children, provided for by the district shall  
2 be counted as one pupil. A pupil enrolled in a district and attending  
3 special education and related services for preschool-aged exceptional chil-  
4 dren provided for by the district shall be counted as  $\frac{1}{2}$  pupil. A preschool-  
5 aged at-risk pupil enrolled in a district and receiving services under an  
6 approved at-risk pupil assistance plan maintained by the district shall be  
7 counted as  $\frac{1}{2}$  pupil. A pupil in the custody of the secretary of social and  
8 rehabilitation services and enrolled in unified school district No. 259,  
9 Sedgwick county, Kansas, but housed, maintained, and receiving educa-  
10 tional services at the Judge James V. Riddel Boys Ranch, shall be counted  
11 as two pupils.

12 (3) A pupil residing at the Flint Hills job corps center shall not be  
13 counted. A pupil confined in and receiving educational services provided  
14 for by a district at a juvenile detention facility shall not be counted. A  
15 pupil enrolled in a district but housed, maintained, and receiving edu-  
16 cational services at a state institution shall not be counted. A pupil en-  
17 rolled in a virtual school in a district but who is not a resident of the state  
18 of Kansas shall not be counted.

19 (b) "Preschool-aged exceptional children" means exceptional chil-  
20 dren, except gifted children, who have attained the age of three years but  
21 are under the age of eligibility for attendance at kindergarten.

22 ~~(c) "At-risk pupils" means pupils who are eligible for free meals un-  
23 der the national school lunch act and who are enrolled in a district which  
24 maintains an approved at-risk pupil assistance plan.~~

25 (c) "*At-risk pupil*" means a pupil whose performance is below grade-  
26 level in either reading or mathematics as measured by the Kansas state  
27 assessment test, the Iowa test of basic skills or other standardized test  
28 approved by the state board of education.

29 (d) "Preschool-aged at-risk pupil" means ~~an at-risk~~ a pupil who has  
30 attained the age of four years, is under the age of eligibility for attendance  
31 at kindergarten, and has been selected by the state board in accordance  
32 with guidelines consonant with guidelines governing the selection of pu-  
33 pils for participation in head start programs.

34 (e) "Enrollment" means: (1) (A) Subject to the provisions of para-  
35 graph (1)(B), for districts scheduling the school days or school hours of  
36 the school term on a trimestral or quarterly basis, the number of pupils  
37 regularly enrolled in the district on September 20 plus the number of  
38 pupils regularly enrolled in the district on February 20 less the number  
39 of pupils regularly enrolled on February 20 who were counted in the  
40 enrollment of the district on September 20; and for districts not specified  
41 in this paragraph (1), the number of pupils regularly enrolled in the dis-  
42 trict on September 20; (B) a pupil who is a foreign exchange student shall  
43 not be counted unless such student is regularly enrolled in the district on

- 1 September 20 and attending kindergarten or any of the grades one  
2 through 12 maintained by the district for at least one semester or two  
3 quarters or the equivalent thereof;
- 4 (2) if enrollment in a district in any school year has decreased from  
5 enrollment in the preceding school year, enrollment of the district in the  
6 current school year means whichever is the greater of (A) enrollment in  
7 the preceding school year minus enrollment in such school year of pre-  
8 school-aged at-risk pupils, if any such pupils were enrolled, plus enroll-  
9 ment in the current school year of preschool-aged at-risk pupils, if any  
10 such pupils are enrolled, or (B) the sum of enrollment in the current  
11 school year of preschool-aged at-risk pupils, if any such pupils are enrolled  
12 and the average (mean) of the sum of (i) enrollment of the district in the  
13 current school year minus enrollment in such school year of preschool-  
14 aged at-risk pupils, if any such pupils are enrolled and (ii) enrollment in  
15 the preceding school year minus enrollment in such school year of pre-  
16 school-aged at-risk pupils, if any such pupils were enrolled and (iii) en-  
17 rollment in the school year next preceding the preceding school year  
18 minus enrollment in such school year of preschool-aged at-risk pupils, if  
19 any such pupils were enrolled; or
- 20 (3) the number of pupils as determined under K.S.A. 72-6447 or  
21 K.S.A. 2005 Supp. 72-6448, and amendments thereto.
- 22 (f) “Adjusted enrollment” means enrollment adjusted by adding at-  
23 risk pupil weighting, program weighting, low enrollment weighting, if any,  
24 correlation weighting, if any, declining enrollment weighting, if any,  
25 school facilities weighting, if any, ancillary school facilities weighting, if  
26 any, cost of living weighting, if any, special education and related services  
27 weighting, and transportation weighting to enrollment.
- 28 (g) “At-risk pupil weighting” means an addend component assigned  
29 to enrollment of districts on the basis of enrollment of at-risk pupils.
- 30 (h) “Program weighting” means an addend component assigned to  
31 enrollment of districts on the basis of pupil attendance in educational  
32 programs which differ in cost from regular educational programs.
- 33 (i) “Low enrollment weighting” means an addend component as-  
34 signed to enrollment of districts having under 1,662 enrollment on the  
35 basis of costs attributable to maintenance of educational programs by such  
36 districts in comparison with costs attributable to maintenance of educa-  
37 tional programs by districts having 1,662 or over enrollment.
- 38 (j) “School facilities weighting” means an addend component as-  
39 signed to enrollment of districts on the basis of costs attributable to com-  
40 mencing operation of new school facilities.
- 41 (k) “Transportation weighting” means an addend component as-  
42 signed to enrollment of districts on the basis of costs attributable to the  
43 provision or furnishing of transportation.

1 (l) “Cost of living weighting” means an addend component assigned  
2 to enrollment of districts to which the provisions of K.S.A. 2005 Supp.  
3 72-6449, and amendments thereto, apply on the basis of costs attributable  
4 to the cost of living in the district.

5 (m) “Ancillary school facilities weighting” means an addend compo-  
6 nent assigned to enrollment of districts to which the provisions of K.S.A.  
7 72-6441, and amendments thereto, apply on the basis of costs attributable  
8 to commencing operation of new school facilities. Ancillary school facil-  
9 ities weighting may be assigned to enrollment of a district only if the  
10 district has levied a tax under authority of K.S.A. 72-6441, and amend-  
11 ments thereto, and remitted the proceeds from such tax to the state trea-  
12 surer. Ancillary school facilities weighting is in addition to assignment of  
13 school facilities weighting to enrollment of any district eligible for such  
14 weighting.

15 (n) “Juvenile detention facility” means: (1) Any secure public or pri-  
16 vate facility which is used for the lawful custody of accused or adjudicated  
17 juvenile offenders and which shall not be a jail;

18 (2) any level VI treatment facility licensed by the Kansas department  
19 of health and environment which is a psychiatric residential treatment  
20 facility for individuals under the age of 21 which conforms with the reg-  
21 ulations of the centers for medicare/medicaid services and the joint com-  
22 mission on accreditation of health care organizations governing such fa-  
23 cilities; and

24 (3) the Forbes Juvenile Attention Facility, the Sappa Valley Youth  
25 Ranch of Oberlin, Salvation Army/Koch Center Youth Services, the Clar-  
26 ence M. Kelley Youth Center, the Clarence M. Kelley Transitional Living  
27 Center, Trego County Secure Care Center, St. Francis Academy at At-  
28 chison, St. Francis Academy at Ellsworth, St. Francis Academy at Salina,  
29 St. Francis Center at Salina, King’s Achievement Center, and Liberty  
30 Juvenile Services and Treatment.

31 (o) “Special education and related services weighting” means an ad-  
32 dend component assigned to enrollment of districts on the basis of costs  
33 attributable to provision of special education and related services for pu-  
34 pils determined to be exceptional children.

35 (p) “Virtual school” means any kindergarten or grades one through  
36 12 course offered for credit that uses distance-learning technologies  
37 which predominantly use internet-based methods to deliver instruction  
38 and for which the course content is available on an “anytime, anyplace”  
39 basis, but the instruction occurs asynchronously with the teacher and  
40 pupil in separate locations, not necessarily located within a local education  
41 agency.

42 (q) “Declining enrollment weighting” means an addend component  
43 assigned to enrollment of districts to which the provisions of K.S.A. 2005

- 1 Supp. 72-6451, and amendments thereto, apply on the basis of reduced
- 2 revenues attributable to the declining enrollment of the district.
- 3 (r) "Correlation weighting" means an addend component assigned to
- 4 enrollment of districts having 1,662 or over enrollment on the basis of
- 5 costs attributable to maintenance of educational programs by such dis-
- 6 tricts as a correlate to low enrollment weighting assigned to enrollment
- 7 of districts having under 1,662 enrollment.
- 8 Sec. 2. K.S.A. 2005 Supp. 72-6407 is hereby repealed.
- 9 Sec. 3. This act shall take effect and be in force from and after its
- 10 publication in the statute book.