

## SENATE BILL No. 589

By Committee on Ways and Means

3-13

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9 AN ACT concerning school finance; relating to at-risk pupils; amending  
10 K.S.A. 2005 Supp. 72-6414, 72-6414a and 72-9509 and repealing the  
11 existing sections.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 New Section 1. (a) As used in this section:

15 (1) "At-risk pupil" means a pupil who has one or more of the char-  
16 acteristics identified by the state board pursuant to subsection (b) which  
17 makes a pupil at risk of failing in school and who is enrolled in a district  
18 which maintains an approved at-risk pupil assistance plan.

19 (2) "District" or "school district" means any school district which sub-  
20 mits an application pursuant to this section.

21 (3) "Program" means the at-risk grant program.

22 (4) "State board" means the state board of education.

23 (5) "Services or programs" means instructional and noninstructional  
24 services or programs provided directly to an at-risk pupil including, but  
25 not limited to, counseling services, preschool programs, all-day kinder-  
26 garten and services provided to an exceptional child which is not currently  
27 in such child's IEP.

28 (b) There is hereby established the at-risk education grant program  
29 which shall be administered by the state board. The state board shall  
30 identify characteristics which make a pupil at risk of failing in school. If  
31 the state board identifies eligibility for free or reduced-price meals under  
32 the national lunch act or any other indicator of poverty as a characteristic  
33 of a pupil who is at risk of failing in school, the state board shall require  
34 that such pupil have at least one other such characteristic. The state board  
35 may adopt any rules and regulations the board deems necessary to im-  
36 plement the provisions of this act.

37 (c) To the extent that appropriations are available, each school district  
38 providing at-risk services is eligible to receive a grant of state moneys in  
39 an amount to be determined by the state board of education. Grants may  
40 be awarded on a three-year basis. A grant may be revoked if the school  
41 district fails to comply with the provisions of this act and the grant  
42 agreement.

43 (d) In order to be eligible for a grant of moneys under this section,

1 the board of education of the school district shall submit to the state board  
2 an application for a grant. The application shall include a brief description  
3 of the program, student and program needs, the services offered to meet  
4 the needs of students under the program, the number of students to be  
5 served and the characteristics which make the students at-risk and the  
6 expected outcomes of such program, including the anticipated progress  
7 of the students served under the program. The application also shall in-  
8 clude any other information requested by the state board. The application  
9 shall be in such form and shall be submitted at a time specified by the  
10 state board.

11 (e) (1) There is hereby established in every district a fund which shall  
12 be called the at-risk education program grant fund, which fund shall con-  
13 sist of all moneys deposited therein or transferred thereto according to  
14 law. All moneys received by the district pursuant to subsection (e) of  
15 K.S.A. 72-6414, and amendments thereto, shall be credited to the at-risk  
16 education program grant fund. The expenses of a district directly attrib-  
17 utable to providing at-risk services under the at-risk education program  
18 funded by moneys received pursuant to this section shall be paid from  
19 such fund.

20 (2) Any balance remaining in the at-risk education program grant  
21 fund at the end of the budget year shall be carried forward into such fund  
22 for succeeding budget years. Such fund shall not be subject to the pro-  
23 visions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In  
24 preparing the budget of such school district, the amounts credited to and  
25 the amount on hand in the at-risk education program grant fund, and the  
26 amount expended therefrom shall be included in the annual budget for  
27 the information of the residents of the school district. Interest earned on  
28 the investment of moneys in any such fund shall be credited to that fund.

29 (3) Moneys expended from the at-risk education program grant fund  
30 shall not be used to replace or substitute for moneys expended by the  
31 district for at-risk programs and services in the immediately preceding  
32 school year. No more than 2% of moneys received pursuant to this section  
33 shall be expended on administrative costs.

34 (f) All records of a school district relating to its at-risk program funded  
35 by grant moneys received pursuant to this section shall be subject to audit  
36 by the state board or the state board's designee.

37 (g) The state board may adopt rules and regulations for the devel-  
38 opment and implementation of this section. The state board shall estab-  
39 lish standards and criteria for reviewing, evaluating and approving appli-  
40 cations for grants. All grants shall be awarded by the state board in  
41 accordance with the standards and criteria established by the state board.  
42 The state board shall approve applications of school districts for grants,  
43 determine the amount of grants and be responsible for payment of grants

1 to school districts. If the amount of appropriations for the payment of  
2 grants under this section is insufficient to pay in full the amount each  
3 school district is determined to be eligible to receive for the school year,  
4 the state board shall prorate the amount appropriated among all school  
5 districts which are eligible to receive grants of state moneys in proportion  
6 to the amount each school district is determined to be eligible to receive.

7 (h) The amount of money awarded through a grant shall not exceed  
8 the amount of actual expenses incurred by the district in the establish-  
9 ment and maintenance of the district's at-risk program. If a district is paid  
10 more than it is entitled to receive, the state board shall notify the district  
11 of the amount of such overpayment, and such district shall remit the same  
12 to the state board. The state board shall remit any moneys so received to  
13 the state treasurer in accordance with the provisions of K.S.A. 75-4215,  
14 and amendments thereto. Upon receipt of each such remittance, the state  
15 treasurer shall deposit the entire amount in the state treasury to the credit  
16 of the state school district finance fund. If any district fails so to remit,  
17 the state board shall deduct the excess amounts so paid from future pay-  
18 ments becoming due to the district. If any district is paid less than the  
19 amount to which it is entitled under any distribution made under this act,  
20 the state board shall pay the additional amount due at any time within  
21 the school year in which the underpayment was made or within 60 days  
22 after the end of such school year.

23 (i) On or before October 1, 2006, and on or before October 1 of each  
24 year thereafter, the state board shall prepare and submit an annual report  
25 on the status of at-risk pupils, services and programs to the at-risk council,  
26 2010 commission and the legislative educational planning committee. An-  
27 nual reports shall include data relating to and supporting evaluations of  
28 goals, objectives and outcomes established by the state board in relation  
29 to at-risk pupils, services and programs. On or before the first day of the  
30 legislative session in 2007, and each year thereafter, the legislative edu-  
31 cational planning committee shall prepare and submit to the legislature  
32 a report on the status of at-risk pupils, services and programs and any  
33 recommendations relating thereto.

34 Sec. 2. K.S.A. 2005 Supp. 72-6414 is hereby amended to read as  
35 follows: 72-6414. (a) The at-risk pupil weighting of each district shall be  
36 determined by the state board by multiplying the number of at-risk pupils  
37 included in enrollment of the district by .193. The product is the at-risk  
38 pupil weighting of the district.

39 (b) Except as provided in subsection (d), of the amount a district  
40 receives from the at-risk pupil weighting, an amount produced by a pupil  
41 weighting of .01 shall be used by the district for achieving mastery of  
42 basic reading skills by completion of the third grade in accordance with  
43 standards and outcomes of mastery identified by the state board under

1 K.S.A. 72-7534, and amendments thereto.

2 (c) A district shall include such information in its at-risk pupil assis-  
3 tance plan as the state board may require regarding the district's reme-  
4 diation strategies and the results thereof in achieving the third grade  
5 reading standards and outcomes of mastery identified by the state board.  
6 The reporting requirements shall include information documenting re-  
7 mediation strategies and improvement made by pupils who performed  
8 below the expected standard on the second grade diagnostic reading test  
9 prescribed by the state board.

10 (d) A district whose pupils substantially achieve the state board stan-  
11 dards and outcomes of mastery of reading skills upon completion of third  
12 grade may be released, upon request, by the state board from the require-  
13 ments of subsection (b).

14 (e) *From and after July 1, 2006, all amounts of moneys which exceed*  
15 *the amount of moneys received by a school district in school year 2005-*  
16 *2006 shall be credited to the at-risk education program grant fund of the*  
17 *district.*

18 Sec. 3. K.S.A. 2005 Supp. 72-6414a is hereby amended to read as  
19 follows: 72-6414a. (a) There is hereby established in every district a fund  
20 which shall be called the at-risk education fund, which fund shall consist  
21 of all moneys deposited therein or transferred thereto according to law.  
22 ~~Notwithstanding any other provision of law, all moneys received by the~~  
23 ~~district from whatever source for at-risk assistance plans or programs shall~~  
24 ~~be credited to the at-risk education fund established by this section.~~ The  
25 expenses of a district directly attributable to providing at-risk assistance  
26 or programs shall be paid from the at-risk education fund.

27 (b) Any balance remaining in the at-risk education fund at the end  
28 of the budget year shall be carried forward into the at-risk education fund  
29 for succeeding budget years. Such fund shall not be subject to the pro-  
30 visions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In  
31 preparing the budget of such school district, the amounts credited to and  
32 the amount on hand in the at-risk education fund, and the amount ex-  
33 pended therefrom shall be included in the annual budget for the infor-  
34 mation of the residents of the school district. Interest earned on the in-  
35 vestment of moneys in any such fund shall be credited to that fund.

36 Sec. 4. K.S.A. 2005 Supp. 72-9509 is hereby amended to read as  
37 follows: 72-9509. (a) There is hereby established in every school district  
38 a fund which shall be called the "bilingual education fund," which fund  
39 shall consist of all moneys deposited therein or transferred thereto ac-  
40 cording to law. ~~Notwithstanding any other provision of law, all moneys~~  
41 ~~received by the school district from whatever source for bilingual edu-~~  
42 ~~cation programs established under this act shall be credited to the fund~~  
43 ~~established by this section.~~ The expenses of a district directly attributable

1 to such bilingual education programs shall be paid from the bilingual  
2 education fund.

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

12 Sec. 5. K.S.A. 2005 Supp. 72-6414, 72-6414a and 72-9509 are hereby  
13 repealed.

14 Sec. 6. This act shall take effect and be in force from and after its  
15 publication in the statute book.