

As Amended by House Committee

*{As Amended by Senate Committee of the Whole}*

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Session of 2026

**SENATE BILL No. 387**

By Committee on Government Efficiency

1-26

1 AN ACT concerning education; relating to school districts; requiring  
2 school districts to verify the household gross earned income of each  
3 student who ~~qualifies for free meals under the national school lunch~~  
4 ~~program~~ **is deemed an at-risk student; authorizing the state**  
5 **department of education to reimburse school districts for the cost of**  
6 **reduced-price meals; requiring legislative authorization to receive**  
7 **special assistance payments under federal law amending K.S.A. 2025**  
8 **Supp. 72-5132 and repealing the existing section.**  
9

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

11 New Section 1. (a) ~~Notwithstanding any other law to the contrary~~  
12 ***For purposes of the Kansas school equity and enhancement act, K.S.A.***  
13 ***72-5131 et seq., and amendments thereto.*** Each school year, each school  
14 ~~districts~~ **district** shall verify that each student enrolled in and attending  
15 school in such district who qualified ~~who is deemed an at-risk student; as~~  
16 ~~defined in K.S.A. 72-5132, and amendments thereto.~~ **by such school**  
17 **district meets the requirements to qualify** for free meals under the national  
18 ~~school lunch program~~ by submitting a national school lunch program  
19 application is eligible for such program **{ satisfies the requirements of**  
20 **K.S.A. 72-5132(c)(1), and amendments thereto. Such verification may**  
21 **be conducted through direct certification or}** based on ~~written evidence~~  
22 ~~of the applicant's student's household gross earned income as evidenced~~  
23 **by the form 1040 federal income tax return filed by such student's**  
24 **parent or person acting as parent. This section does not apply to**  
25 ~~students who qualified for free meals under the national school lunch~~  
26 ~~program by direct certification~~ **Such evidence may be submitted as part of**  
27 **the national school lunch program application or through another**  
28 **method. If no form 1040 is submitted, then other documentation may**  
29 **be submitted as evidence of household gross earned income. If a**  
30 **student does not { qualify** satisfy the requirements of K.S.A. 72-5132(c)  
31 **(1), and amendments thereto, through direct certification or} ~~provide~~**  
32 **written evidence of such student's household gross earned income, such**

1 *student shall not be deemed an at-risk student for the purposes of the*  
2 *Kansas school equity and enhancement act. ~~Each such student may~~*  
3 *~~submit an application and be eligible for the national school lunch~~*  
4 *~~program under federal law. Nothing in this subsection shall be~~*  
5 *~~construed to be verification under the national school lunch act.~~*

6 (b) *Subject to appropriations, the state department of education*  
7 *shall provide to each school district state aid for each reduced-price*  
8 *meal served to each student, not to exceed one breakfast and one lunch*  
9 *per student per school day. The state board shall determine the amount*  
10 *of such state aid by subtracting the actual federal reimbursement*  
11 *received for the reduced-price meal by the participating school district*  
12 *for the breakfast and lunch served to the student plus any amount*  
13 *reimbursed for such meal pursuant to K.S.A. 72-17,137, and*  
14 *amendments thereto, from the applicable federal reimbursement rate for*  
15 *a full-priced meal at the school site, as determined annually by the*  
16 *United States department of agriculture.*

17 ~~(c) Except as provided in subsection (c) (d), on and after July 1, 2026,~~  
18 ~~no school, school district or local education agency shall seek or~~  
19 ~~implement any authorization from the federal government to receive~~  
20 ~~special assistance payments as provided in the community eligibility~~  
21 ~~provision of 42 U.S.C. § 1759a(a)(1)(F) unless the legislature expressly~~  
22 ~~consents to and approves of such authorization by an act of the legislature.~~

23 ~~(e)(d) When the legislature is not in session, a school, school district~~  
24 ~~or local education agency may notify the legislative coordinating council~~  
25 ~~that such school, district or agency is seeking the legislative coordinating~~  
26 ~~council's approval for authorization to receive special assistance payments~~  
27 ~~as provided in the community eligibility provision of 42 U.S.C. § 1759a(a)~~  
28 ~~(1)(F). The legislative coordinating council shall meet within 14 calendar~~  
29 ~~days of receiving such notification. Pursuant to K.S.A. 46-1202, and~~  
30 ~~amendments thereto, the legislative coordinating council may approve or~~  
31 ~~deny such request or refer such request to a legislative committee for~~  
32 ~~review and recommendation.~~

33 Sec. 2. K.S.A. 2025 Supp. 72-5132 is hereby amended to read as  
34 follows: 72-5132. As used in the Kansas school equity and  
35 enhancement act, K.S.A. 72-5131 et seq., and amendments thereto:

36 (a) "Adjusted enrollment" means the enrollment of a school  
37 district, excluding the remote enrollment determined pursuant to  
38 K.S.A. 2025 Supp. 72-5180, and amendments thereto, adjusted by  
39 adding the following weightings, if any, to the enrollment of a school  
40 district: At-risk student weighting; bilingual weighting; career  
41 technical education weighting; high-density at-risk student weighting;  
42 high enrollment weighting; low enrollment weighting; school facilities  
43 weighting; ancillary school facilities weighting; cost-of-living

1 weighting; special education and related services weighting; and  
2 transportation weighting.

3 (b) "Ancillary school facilities weighting" means an addend  
4 component assigned to the enrollment of school districts pursuant to  
5 K.S.A. 72-5158, and amendments thereto, on the basis of costs  
6 attributable to commencing operation of one or more new school  
7 facilities by such school districts.

8 (c) (1) "At-risk student" means a student ~~who is eligible for free~~  
9 ~~meals under the national school lunch act, and~~ who is enrolled in a school  
10 district that maintains an approved at-risk student assistance program *and*:

11 (A) *Whose household gross earned income is not more than 130% of*  
12 *the applicable family size income level in the nonfarm income poverty*  
13 *guidelines prescribed by the federal office of management and budget, as*  
14 *adjusted annually in accordance with 42 U.S.C. § 1758(b)(1)(B); or*

15 (B) *who is qualified for free meals under the national school lunch*  
16 *act through direct certification.*

17 (2) "At-risk student" does not include any student enrolled in any  
18 of the grades one through 12 who is in attendance less than full time,  
19 or any student who is over 19 years of age. The provisions of this  
20 paragraph shall not apply to any student who has an individualized  
21 education program.

22 (d) "At-risk student weighting" means an addend component  
23 assigned to the enrollment of school districts pursuant to K.S.A. 72-  
24 5151(a), and amendments thereto, on the basis of costs attributable to  
25 the maintenance of at-risk educational programs by such school  
26 districts.

27 (e) "Base aid for student excellence" or "BASE aid" means an  
28 amount appropriated by the legislature in a fiscal year for the  
29 designated year. The amount of BASE aid shall be as follows:

30 (1) For school year 2018-2019, \$4,165;

31 (2) for school year 2019-2020, \$4,436;

32 (3) for school year 2020-2021, \$4,569;

33 (4) for school year 2021-2022, \$4,706;

34 (5) for school year 2022-2023, \$4,846; and

35 (6) for school year 2023-2024, and each school year thereafter, the  
36 BASE aid shall be the BASE aid amount for the immediately  
37 preceding school year plus an amount equal to the average percentage  
38 increase in the consumer price index for all urban consumers in the  
39 midwest region as published by the bureau of labor statistics of the  
40 United States department of labor during the three immediately  
41 preceding school years rounded to the nearest whole dollar amount.

42 (f) "Bilingual weighting" means an addend component assigned  
43 to the enrollment of school districts pursuant to K.S.A. 72-5150, and

1 amendments thereto, on the basis of costs attributable to the  
2 maintenance of bilingual educational programs by such school  
3 districts.

4 (g) "Board" means the board of education of a school district.

5 (h) "Budget per student" means the general fund budget of a  
6 school district divided by the enrollment of the school district.

7 (i) "Categorical fund" means and includes the following funds of  
8 a school district: Adult education fund; adult supplementary  
9 education fund; at-risk education fund; bilingual education fund;  
10 career and postsecondary education fund; driver training fund;  
11 educational excellence grant program fund; extraordinary school  
12 program fund; food service fund; parent education program fund;  
13 preschool-aged at-risk education fund; professional development  
14 fund; special education fund; and summer program fund.

15 (j) "Cost-of-living weighting" means an addend component  
16 assigned to the enrollment of school districts pursuant to K.S.A. 72-  
17 5159, and amendments thereto, on the basis of costs attributable to the  
18 cost of living in such school districts.

19 (k) "Current school year" means the school year during which  
20 state foundation aid is determined by the state board under K.S.A. 72-  
21 5134, and amendments thereto.

22 (l) (1) "Enrollment" means, except as provided in K.S.A. 2025  
23 Supp. 72-5180, and amendments thereto, whichever is the greater of:

24 (A) The number of students regularly enrolled in kindergarten  
25 and grades one through 12 in the school district on September 20 of  
26 the current school year plus the number of preschool-aged at-risk  
27 students regularly enrolled in the school district on September 20 of  
28 the current school year;

29 (B) the number of students regularly enrolled in kindergarten  
30 and grades one through 12 in the school district on September 20 of  
31 the preceding school year plus the number of preschool-aged at-risk  
32 students regularly enrolled in the school district on September 20 of  
33 the current school year;

34 (C) for any school district that has a military student, as that  
35 term is defined in K.S.A. 72-5139, and amendments thereto, enrolled  
36 in such district, and that received federal impact aid for the preceding  
37 school year, if the enrollment in such school district in the preceding  
38 school year has decreased from enrollment in the second preceding  
39 school year, the enrollment of the school district in the current school  
40 year means whichever is the greater of:

41 (i) The enrollment amounts determined under subparagraphs (A)  
42 or (B); or

43 (ii) the sum of the number of preschool-aged at-risk students

1 regularly enrolled in the school district on September 20 of the  
2 preceding school year and the arithmetic mean of the sum of:

3 (a) The number of students regularly enrolled in kindergarten  
4 and grades one through 12 in the school district on September 20 of  
5 the preceding school year;

6 (b) the number of students regularly enrolled in kindergarten and  
7 grades one through 12 in the school district on September 20 of the  
8 second preceding school year; and

9 (c) the number of students regularly enrolled in kindergarten and  
10 grades one through 12 in the school district on September 20 of the  
11 third preceding school year; or

12 (D) for school year 2024-2025, the number of preschool-aged at-  
13 risk students regularly enrolled in the school district on September 20  
14 of the current school year and the arithmetic mean of the sum of:

15 (i) The number of students regularly enrolled in kindergarten  
16 and grades one through 12 in the school district on September 20 of  
17 the preceding school year; and

18 (ii) the number of students regularly enrolled in kindergarten and  
19 grades one through 12 in the school district on September 20 of the  
20 second preceding school year.

21 (2) When enrollment is determined under paragraph (1), if the  
22 school district begins to offer kindergarten on a full-time basis in such  
23 school year, students regularly enrolled in kindergarten in the school  
24 district in the preceding school year shall be counted as one student  
25 regardless of actual attendance during such preceding school year.

26 (3) A foreign exchange student shall not be counted in the  
27 enrollment of a school district unless such student was regularly  
28 enrolled on September 20 and attending kindergarten or any of the  
29 grades one through 12 maintained by the district for at least one  
30 semester or two quarters, or the equivalent thereof.

31 (m) "February 20" has its usual meaning, except that in any year  
32 in which February 20 is not a day on which school is maintained, it  
33 means the first day after February 20 on which school is maintained.

34 (n) "Federal impact aid" means an amount equal to the federally  
35 qualified percentage of the amount of moneys a school district receives  
36 in the current school year under the provisions of title I of public law  
37 874 and congressional appropriations therefor, excluding amounts  
38 received for assistance in cases of major disaster and amounts received  
39 under the low-rent housing program. The amount of federal impact  
40 aid shall be determined by the state board in accordance with terms  
41 and conditions imposed under the provisions of the public law and  
42 rules and regulations thereunder.

43 (o) "General fund" means the fund of a school district from

1 which operating expenses are paid and in which is deposited all  
2 amounts of state foundation aid provided under this act, payments  
3 under K.S.A. 72-528, and amendments thereto, payments of federal  
4 funds made available under the provisions of title I of public law 874,  
5 except amounts received for assistance in cases of major disaster and  
6 amounts received under the low-rent housing program and such other  
7 moneys as are provided by law.

8 (p) "General fund budget" means the amount budgeted for  
9 operating expenses in the general fund of a school district.

10 (q) "High-density at-risk student weighting" means an addend  
11 component assigned to the enrollment of school districts pursuant to  
12 K.S.A. 72-5151(b), and amendments thereto, on the basis of costs  
13 attributable to the maintenance of at-risk educational programs by  
14 such school districts.

15 (r) "High enrollment weighting" means an addend component  
16 assigned to the enrollment of school districts pursuant to K.S.A. 72-  
17 5149(b), and amendments thereto, on the basis of costs attributable to  
18 maintenance of educational programs by such school districts.

19 (s) "Juvenile detention facility" means the same as such term is  
20 defined in K.S.A. 72-1173, and amendments thereto.

21 (t) "Local foundation aid" means the sum of the following  
22 amounts:

23 (1) An amount equal to any unexpended and unencumbered  
24 balance remaining in the general fund of the school district, except  
25 moneys received by the school district and authorized to be expended  
26 for the purposes specified in K.S.A. 72-5168, and amendments thereto;

27 (2) an amount equal to any remaining proceeds from taxes levied  
28 under authority of K.S.A. 72-7056 and 72-7072, prior to their repeal;

29 (3) an amount equal to the amount deposited in the general fund  
30 in the current school year from moneys received in such school year  
31 by the school district under the provisions of K.S.A. 72-3123(a), and  
32 amendments thereto;

33 (4) an amount equal to the amount deposited in the general fund  
34 in the current school year from moneys received in such school year  
35 by the school district pursuant to contracts made and entered into  
36 under authority of K.S.A. 72-3125, and amendments thereto;

37 (5) an amount equal to the amount credited to the general fund in  
38 the current school year from moneys distributed in such school year to  
39 the school district under the provisions of articles 17 and 34 of chapter  
40 12 of the Kansas Statutes Annotated, and amendments thereto, and  
41 under the provisions of articles 42 and 51 of chapter 79 of the Kansas  
42 Statutes Annotated, and amendments thereto;

43 (6) an amount equal to the amount of payments received by the

1 school district under the provisions of K.S.A. 72-3423, and  
2 amendments thereto; and

3 (7) an amount equal to the amount of any grant received by the  
4 school district under the provisions of K.S.A. 72-3425, and  
5 amendments thereto.

6 (u) "Low enrollment weighting" means an addend component  
7 assigned to the enrollment of school districts pursuant to K.S.A. 72-  
8 5149(a), and amendments thereto, on the basis of costs attributable to  
9 maintenance of educational programs by such school districts.

10 (v) "Operating expenses" means the total expenditures and  
11 lawful transfers from the general fund of a school district during a  
12 school year for all purposes, except expenditures for the purposes  
13 specified in K.S.A. 72-5168, and amendments thereto.

14 (w) "Preceding school year" means the school year immediately  
15 before the current school year.

16 (x) "Preschool-aged at-risk student" means an at-risk student  
17 who has attained the age of three years, is under the age of eligibility  
18 for attendance at kindergarten, and has been selected by the state  
19 board in accordance with guidelines governing the selection of  
20 students for participation in head start programs.

21 (y) "Preschool-aged exceptional children" means exceptional  
22 children, except gifted children, who have attained the age of three  
23 years but are under the age of eligibility for attendance at  
24 kindergarten. "Exceptional children" and "gifted children" mean the  
25 same as those terms are defined in K.S.A. 72-3404, and amendments  
26 thereto.

27 (z) "Psychiatric residential treatment facility" means the same as  
28 such term is defined in K.S.A. 72-1173, and amendments thereto.

29 (aa) (1) "Remote enrollment" means the number of students  
30 regularly enrolled in kindergarten and grades one through 12 in the  
31 school district who attended school through remote learning in excess  
32 of the remote learning limitations provided in K.S.A. 2025 Supp. 72-  
33 5180, and amendments thereto.

34 (2) This subsection shall not apply in any school year prior to the  
35 2021-2022 school year.

36 (bb) (1) "Remote learning" means a method of providing  
37 education in which the student, although regularly enrolled in a school  
38 district, does not physically attend the attendance center such student  
39 would otherwise attend in person on a full-time basis and curriculum  
40 and instruction are prepared, provided and supervised by teachers  
41 and staff of such school district to approximate the student learning  
42 experience that would take place in the attendance center classroom.

43 (2) "Remote learning" does not include virtual school as such

1 term is defined in K.S.A. 72-3712, and amendments thereto.

2 (3) This subsection shall not apply in any school year prior to the  
3 2021-2022 school year.

4 (cc) "School district" means a school district organized under the  
5 laws of this state that is maintaining public school for a school term in  
6 accordance with the provisions of K.S.A. 72-3115, and amendments  
7 thereto.

8 (dd) "School facilities weighting" means an addend component  
9 assigned to the enrollment of school districts pursuant to K.S.A. 72-  
10 5156, and amendments thereto, on the basis of costs attributable to  
11 commencing operation of one or more new school facilities by such  
12 school districts.

13 (ee) "School year" means the 12-month period ending June 30.

14 (ff) "September 20" has its usual meaning, except that in any  
15 year in which September 20 is not a day on which school is  
16 maintained, it means the first day after September 20 on which school  
17 is maintained.

18 (gg) "Special education and related services weighting" means an  
19 addend component assigned to the enrollment of school districts  
20 pursuant to K.S.A. 72-5157, and amendments thereto, on the basis of  
21 costs attributable to the maintenance of special education and related  
22 services by such school districts.

23 (hh) "State board" means the state board of education.

24 (ii) "State foundation aid" means the amount of aid distributed  
25 to a school district as determined by the state board pursuant to  
26 K.S.A. 72-5134, and amendments thereto.

27 (jj) (1) "Student" means any person who is regularly enrolled in a  
28 school district and attending kindergarten or any of the grades one  
29 through 12 maintained by the school district or who is regularly  
30 enrolled in a school district and attending kindergarten or any of the  
31 grades one through 12 in another school district in accordance with an  
32 agreement entered into under authority of K.S.A. 72-13,101, and  
33 amendments thereto, or who is regularly enrolled in a school district  
34 and attending special education services provided for preschool-aged  
35 exceptional children by the school district.

36 (2) (A) Except as otherwise provided in this subsection, the  
37 following shall be counted as one student:

38 (i) A student in attendance full time; and

39 (ii) a student enrolled in a school district and attending special  
40 education and related services, provided for by the school district.

41 (B) The following shall be counted as  $\frac{1}{2}$  student:

42 (i) A student enrolled in a school district and attending special  
43 education and related services for preschool-aged exceptional children

1 provided for by the school district; and

2 (ii) a preschool-aged at-risk student enrolled in a school district  
3 and receiving services under an approved at-risk student assistance  
4 plan maintained by the school district.

5 (C) A student in attendance part-time shall be counted as that  
6 proportion of one student, to the nearest  $\frac{1}{10}$ , that the student's  
7 attendance bears to full-time attendance.

8 (D) A student enrolled in and attending an institution of  
9 postsecondary education that is authorized under the laws of this state  
10 to award academic degrees shall be counted as one student if the  
11 student's postsecondary education enrollment and attendance together  
12 with the student's attendance in either of the grades 11 or 12 is at least  
13  $\frac{5}{6}$  time, otherwise the student shall be counted as that proportion of  
14 one student, to the nearest  $\frac{1}{10}$ , that the total time of the student's  
15 postsecondary education attendance and attendance in grades 11 or  
16 12, as applicable, bears to full-time attendance.

17 (E) A student enrolled in and attending a technical college, a  
18 career technical education program of a community college or other  
19 approved career technical education program shall be counted as one  
20 student, if the student's career technical education attendance together  
21 with the student's attendance in any of grades nine through 12 is at  
22 least  $\frac{5}{6}$  time, otherwise the student shall be counted as that proportion  
23 of one student, to the nearest  $\frac{1}{10}$ , that the total time of the student's  
24 career technical education attendance and attendance in any of grades  
25 nine through 12 bears to full-time attendance.

26 (F) A student enrolled in a school district and attending a non-  
27 virtual school and also attending a virtual school shall be counted as  
28 that proportion of one student, to the nearest  $\frac{1}{10}$ , that the student's  
29 attendance at the non-virtual school bears to full-time attendance.

30 (G) A student enrolled in a school district and attending special  
31 education and related services provided for by the school district and  
32 also attending a virtual school shall be counted as that proportion of  
33 one student, to the nearest  $\frac{1}{10}$ , that the student's attendance at the  
34 non-virtual school bears to full-time attendance.

35 (H) A student enrolled in a school district and attending school on  
36 a part-time basis through remote learning and also attending school in  
37 person on a part-time basis shall be counted as that proportion of one  
38 student, to the nearest  $\frac{1}{10}$ , that the student's in-person attendance  
39 bears to full-time attendance.

40 (I) A student enrolled in a school district who is not a resident of  
41 Kansas shall be counted as  $\frac{1}{2}$  of a student.

42 This subparagraph shall not apply to:

43 (i) A student whose parent or legal guardian is an employee of the

1 school district where such student is enrolled; or

2 (ii) a student who attended public school in Kansas during school  
3 year 2016-2017 and who attended public school in Kansas during the  
4 immediately preceding school year.

5 (3) The following shall not be counted as a student:

6 (A) An individual residing at the Flint Hills job corps center;

7 (B) except as provided in paragraph (2), an individual confined in  
8 and receiving educational services provided for by a school district at  
9 a juvenile detention facility; and

10 (C) an individual enrolled in a school district but housed,  
11 maintained and receiving educational services at a state institution or  
12 a psychiatric residential treatment facility.

13 (4) A student enrolled in virtual school pursuant to K.S.A. 72-  
14 3711 et seq., and amendments thereto, shall be counted in accordance  
15 with the provisions of K.S.A. 72-3715, and amendments thereto.

16 (5) A student enrolled in a school district who attends school  
17 through remote learning shall be counted in accordance with the  
18 provisions of this section and K.S.A. 2025 Supp. 72-5180, and  
19 amendments thereto.

20 (kk) "Total foundation aid" means an amount equal to the  
21 product obtained by multiplying the BASE aid by the adjusted  
22 enrollment of a school district.

23 (ll) "Transportation weighting" means an addend component  
24 assigned to the enrollment of school districts pursuant to K.S.A. 72-  
25 5148, and amendments thereto, on the basis of costs attributable to the  
26 provision or furnishing of transportation.

27 (mm) "Virtual school" means the same as such term is defined in  
28 K.S.A. 72-3712, and amendments thereto.

29 **Sec. 3. K.S.A. 2025 Supp. 72-5132 is hereby repealed.**

30 **Sec. ~~2~~ 4.** This act shall take effect and be in force from and after its  
31 publication in the statute book.