

SESSION OF 2020

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2540**

As Amended by House Committee on K-12  
Education Budget

**Brief\***

HB 2540, as amended, would amend the Kansas School Equity and Enhancement Act regarding the funding and provision of services for at-risk students.

***High-Density At-Risk Weighting***

The bill would extend the sunset for the high-density at-risk weighting to July 1, 2025. The weighting is currently scheduled to expire on July 1, 2020.

***Required Transfer***

The bill would require school districts to transfer all of the moneys attributable to the at-risk weighting from their general funds to their at-risk funds.

***Approval of At-Risk Educational Programs***

The bill would amend law requiring the State Board of Education (State Board) to identify and approve at-risk educational programs as evidence-based best practices. The bill would require the State Board to provide a list of approved at-risk programs to each school district. The bill would require the list of approved programs to be published on the website of the Kansas State Department of Education (KSDE). A school district would be prohibited from making an

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

expenditure from its at-risk fund for any program or service that is not included on the approved list of programs, unless the program is categorized as a provisional at-risk educational program. The bill would define “provisional at-risk educational program” as an evidence-based at-risk program identified by a school district as likely to produce measurable success and that has been submitted to the State Board for review. The bill would authorize a school district to make expenditures from its at-risk fund for provisional at-risk educational programs for one year. The State Board would be required to review any such provisional programs and then include such program on the list of approved at-risk programs if it meets the State Board’s requirements as an evidence-based best practice.

### ***Reporting Requirements***

The bill would amend at-risk reporting requirements for school districts. School districts would be required to report the number of students served under each at-risk educational program. The bill would also require school districts to compare student performance for students receiving at-risk services with performance for all other students. Student performance indicators would include attendance, state assessment scores, four-year graduation rate, and average ACT composite score.

### **Background**

The bill was introduced by the House Committee on K-12 Education Budget at the request of Representative Erickson. In the House Committee hearing on the bill, proponent testimony was provided by a representative of the Kansas Policy Institute. The representative stated that a clearer list of approved at-risk programs was needed and that the State Board should identify what at-risk programs are working so other school districts can adopt successful programs.

Opponent testimony was provided by representatives of the Kansas Association of School Boards and the Kansas National Education Association. The opponents generally agreed that school districts should have flexibility in determining what at-risk programs are best suited for local circumstances and that it would be difficult to identify the effects of multiple at-risk programs on student performance. Written-only opponent testimony was provided by representatives of USD 229 (Blue Valley), USD 233 (Olathe), and USD 501 (Topeka).

No other testimony was provided.

The House Committee amended the bill to:

- Extend the sunset on the high-density at-risk weighting to July 1, 2025;
- Allow school districts to make expenditures from their at-risk funds for provisional at-risk educational programs and to require the State Board to review any such programs for addition to the list of approved at-risk programs; and
- Require school districts to compare student performance for students receiving at-risk services with the performance of all other students.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the KSDE indicates enactment of the bill would require expenditures of \$92,580, all from the State General Fund, and 1.0 FTE position for a research analyst who would research and monitor at-risk educational programs and publish the list of approved at-risk programs. This includes \$85,580 for salaries and wages, including fringe benefits, and \$7,000 for other operating expenditures including rent, office supplies, and communication expenditures. Any fiscal effect associated with the bill is not reflected in *The FY 2021 Governor's Budget Report*.