

1 ***As Amended by Senate Committee***

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3 ***As Amended by House Committee***

4 *Session of 2001*

5
6 **HOUSE BILL No. 2094**

7
8 By Committee on Education

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10 1-22

11
12 AN ACT concerning school districts; revising the definition of juvenile
13 detention facility for the provision of educational services and grants
14 of state moneys; amending K.S.A. 2000 Supp. 72-6407, 72-6430 and
15 72-8187 and repealing the existing sections.

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

18 Section 1. K.S.A. 2000 Supp. 72-6407 is hereby amended to read as
19 follows: 72-6407. (a) "Pupil" means any person who is regularly enrolled
20 in a district and attending kindergarten or any of the grades one through
21 12 maintained by the district or who is regularly enrolled in a district and
22 attending kindergarten or any of the grades one through 12 in another
23 district in accordance with an agreement entered into under authority of
24 K.S.A. 72-8233, and amendments thereto, or who is regularly enrolled in
25 a district and attending special education services provided for preschool-
26 aged exceptional children by the district. Except as otherwise provided
27 in this subsection, a pupil in attendance full time shall be counted as one
28 pupil. A pupil in attendance part time shall be counted as that proportion
29 of one pupil (to the nearest $\frac{1}{10}$) that the pupil's attendance bears to full-
30 time attendance. A pupil attending kindergarten shall be counted as $\frac{1}{2}$
31 pupil. A pupil enrolled in and attending an institution of postsecondary
32 education which is authorized under the laws of this state to award aca-
33 demic degrees shall be counted as one pupil if the pupil's postsecondary
34 education enrollment and attendance together with the pupil's attend-
35 ance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the
36 pupil shall be counted as that proportion of one pupil (to the nearest $\frac{1}{10}$
37 that the total time of the pupil's postsecondary education attendance and
38 attendance in grade 11 or 12, as applicable, bears to full-time attendance.
39 A pupil enrolled in and attending an area vocational school, area voca-
40 tional-technical school or approved vocational education program shall be
41 counted as one pupil if the pupil's vocational education enrollment and
42 attendance together with the pupil's attendance in any of grades nine
43 through 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted as that

1 proportion of one pupil (to the nearest $\frac{1}{10}$) that the total time of the
2 pupil's vocational education attendance and attendance in any of grades
3 nine through 12 bears to full-time attendance. A pupil enrolled in a dis-
4 trict and attending special education services, except special education
5 services for preschool-aged exceptional children, provided for by the dis-
6 trict shall be counted as one pupil. A pupil enrolled in a district and
7 attending special education services for preschool-aged exceptional chil-
8 dren provided for by the district shall be counted as $\frac{1}{2}$ pupil. A preschool-
9 aged at-risk pupil enrolled in a district and receiving services under an
10 approved at-risk pupil assistance plan maintained by the district shall be
11 counted as $\frac{1}{2}$ pupil. A pupil in the custody of the secretary of social and
12 rehabilitation services and enrolled in unified school district No. 259,
13 Sedgwick county, Kansas, but housed, maintained, and receiving educa-
14 tional services at the Judge James V. Riddel Boys Ranch, shall be counted
15 as two pupils. A pupil residing at the Flint Hills job corps center shall not
16 be counted. A pupil confined in and receiving educational services pro-
17 vided for by a district at a juvenile detention facility shall not be counted.
18 A pupil enrolled in a district but housed, maintained, and receiving ed-
19 ucational services at a state institution shall not be counted.

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

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

26 (d) "Preschool-aged at-risk pupil" means an at-risk pupil who has
27 attained the age of four years, is under the age of eligibility for attendance
28 at kindergarten, and has been selected by the state board in accordance
29 with guidelines consonant with guidelines governing the selection of pu-
30 pils for participation in head start programs. The state board shall select
31 not more than ~~1,794 preschool aged at risk pupils to be counted in the~~
32 ~~1999-2000 school year and not more than 2,230 preschool-aged at-risk~~
33 ~~pupils to be counted in any school year thereafter.~~

34 (e) "Enrollment" means, for districts scheduling the school days or
35 school hours of the school term on a trimestral or quarterly basis, the
36 number of pupils regularly enrolled in the district on September 20 plus
37 the number of pupils regularly enrolled in the district on February 20
38 less the number of pupils regularly enrolled on February 20 who were
39 counted in the enrollment of the district on September 20; and for dis-
40 tricts not hereinbefore specified, the number of pupils regularly enrolled
41 in the district on September 20. Notwithstanding the foregoing, if en-
42 rollment in a district in any school year has decreased from enrollment
43 in the preceding school year, enrollment of the district in the current

1 school year means whichever is the greater of (1) enrollment in the pre-
2 ceding school year minus enrollment in such school year of preschool-
3 aged at-risk pupils, if any such pupils were enrolled, plus enrollment in
4 the current school year of preschool-aged at-risk pupils, if any such pupils
5 are enrolled, or (2) the sum of enrollment in the current school year of
6 preschool-aged at-risk pupils, if any such pupils are enrolled and the av-
7 erage (mean) of the sum of (A) enrollment of the district in the current
8 school year minus enrollment in such school year of preschool-aged at-
9 risk pupils, if any such pupils are enrolled and (B) enrollment in the
10 preceding school year minus enrollment in such school year of preschool-
11 aged at-risk pupils, if any such pupils were enrolled and (C) enrollment
12 in the school year next preceding the preceding school year minus en-
13 rollment in such school year of preschool-aged at-risk pupils, if any such
14 pupils were enrolled.

15 (f) “Adjusted enrollment” means enrollment adjusted by adding at-
16 risk pupil weighting, program weighting, low enrollment weighting, if any,
17 correlation weighting, if any, school facilities weighting, if any, ancillary
18 school facilities weighting, if any, and transportation weighting to
19 enrollment.

20 (g) “At-risk pupil weighting” means an addend component assigned
21 to enrollment of districts on the basis of enrollment of at-risk pupils.

22 (h) “Program weighting” means an addend component assigned to
23 enrollment of districts on the basis of pupil attendance in educational
24 programs which differ in cost from regular educational programs.

25 (i) “Low enrollment weighting” means an addend component as-
26 signed to enrollment of districts having under 1,725 enrollment on the
27 basis of costs attributable to maintenance of educational programs by such
28 districts in comparison with costs attributable to maintenance of educa-
29 tional programs by districts having 1,725 or over enrollment.

30 (j) “School facilities weighting” means an addend component as-
31 signed to enrollment of districts on the basis of costs attributable to com-
32 mencing operation of new school facilities. School facilities weighting may
33 be assigned to enrollment of a district only if the district has adopted a
34 local option budget and budgeted therein the total amount authorized for
35 the school year. School facilities weighting may be assigned to enrollment
36 of the district only in the school year in which operation of a new school
37 facility is commenced and in the next succeeding school year.

38 (k) “Transportation weighting” means an addend component as-
39 signed to enrollment of districts on the basis of costs attributable to the
40 provision or furnishing of transportation.

41 (l) “Correlation weighting” means an addend component assigned to
42 enrollment of districts having 1,725 or over enrollment on the basis of
43 costs attributable to maintenance of educational programs by such dis-

1 tricts as a correlate to low enrollment weighting assigned to enrollment
2 of districts having under 1,725 enrollment.

3 (m) “Ancillary school facilities weighting” means an addend compo-
4 nent assigned to enrollment of districts to which the provisions of K.S.A.
5 2000 Supp. 72-6441, and amendments thereto, apply on the basis of costs
6 attributable to commencing operation of new school facilities. Ancillary
7 school facilities weighting may be assigned to enrollment of a district only
8 if the district has levied a tax under authority of K.S.A. 2000 Supp. 72-
9 6441, and amendments thereto, and remitted the proceeds from such tax
10 to the state treasurer. Ancillary school facilities weighting is in addition
11 to assignment of school facilities weighting to enrollment of any district
12 eligible for such weighting.

13 (n) “Juvenile detention facility” means any community juvenile cor-
14 rections center or facility, the Forbes Juvenile Attention Facility, the
15 Sappa Valley Youth Ranch of Oberlin, Salvation Army/Koch Center Youth
16 Services, the Clarence M. Kelley Youth Center, **the Clarence M. Kelley**
17 **Transitional Living Center**, Trego County Secure Care Center, St.
18 Francis Academy at Atchison, St. Francis Academy at Ellsworth, St. Fran-
19 cis Academy at Salina, ~~and~~ St. Francis Center at Salina, **King’s Achieve-**
20 **ment Center**, and *Liberty Juvenile Services and Treatment*.

21 Sec. 2. K.S.A. 2000 Supp. 72-6430 is hereby amended to read as
22 follows: 72-6430. Expenditures of a district for the following purposes are
23 not operating expenses:

24 (a) Payments to another district in an adjustment of rights as provided
25 in K.S.A. 72-6776, and amendments thereto, or upon transfer of territory
26 as provided in K.S.A. 72-7105, 72-7106 or 72-7107, and amendments to
27 such sections, if paid from any fund other than the general fund.

28 (b) Payments to another district under K.S.A. 72-7105a, and amend-
29 ments thereto.

30 (c) The maintenance of student activities which are reimbursed.

31 (d) Expenditures from any lawfully authorized fund of a district other
32 than its general fund.

33 (e) The provision of educational services for pupils residing at the
34 Flint Hills job corps center or for pupils confined in a juvenile detention
35 facility for which the district is reimbursed by a grant of state moneys as
36 provided in K.S.A. 2000 Supp. 72-8187, and amendments thereto. As
37 used in this subsection, the term juvenile detention facility means any
38 community juvenile corrections center or facility, the Forbes Juvenile
39 Attention Facility, the Sappa Valley Youth Ranch of Oberlin, Salvation
40 Army/Koch Center Youth Services, the Clarence M. Kelley Youth Center,
41 **the Clarence M. Kelley Transitional Living Center**, Trego County
42 Secure Care Center, St. Francis Academy at Atchison, St. Francis Acad-
43 emy at Ellsworth, St. Francis Academy at Salina, ~~and~~ St. Francis Center

1 at Salina, **King's Achievement Center**, and *Liberty Juvenile Services*
2 *and Treatment*.

3 (f) Programs financed in part or in whole by federal funds which may
4 be expended although not included in the budget of the district, excepting
5 funds received under the provisions of title I of public law 874 (but not
6 including in such exception amounts received for assistance in cases of
7 major disaster and amounts received under the low-rent housing pro-
8 gram), to the extent of the federal funds to be provided.

9 Sec. 3. K.S.A. 2000 Supp. 72-8187 is hereby amended to read as
10 follows: 72-8187. (a) In each school year, to the extent that appropriations
11 are available, each school district which has provided educational services
12 for pupils residing at the Flint Hills job corps center or for pupils confined
13 in a juvenile detention facility is eligible to receive a grant of state moneys
14 in an amount to be determined by the state board of education.

15 (b) In order to be eligible for a grant of state moneys provided for by
16 this section, each school district which has provided educational services
17 for pupils residing at the Flint Hills job corps center or for pupils confined
18 in a juvenile detention facility shall submit to the state board of education
19 an application for a grant and shall certify the amount expended, and not
20 reimbursed or otherwise financed, in the school year for the services
21 provided. The application and certification shall be prepared in such form
22 and manner as the state board shall require and shall be submitted at a
23 time to be determined and specified by the state board. Approval by the
24 state board of applications for grants of state moneys is prerequisite to
25 the award of grants.

26 (c) Each school district which is awarded a grant under this section
27 shall make such periodic and special reports of statistical and financial
28 information to the state board as it may request.

29 (d) All moneys received by a school district under authority of this
30 section shall be deposited in the general fund of the school district and
31 shall be considered reimbursement of the district for the purpose of the
32 school district finance and quality performance act.

33 (e) The state board of education shall approve applications of school
34 districts for grants, determine the amount of grants and be responsible
35 for payment of grants to school districts. In determining the amount of a
36 grant which a school district is eligible to receive, the state board shall
37 compute the amount of state financial aid the district would have received
38 on the basis of enrollment of pupils residing at the Flint Hills job corps
39 center or confined in a juvenile detention facility if such pupils had been
40 counted as two pupils under the school district finance and quality per-
41 formance act and compare such computed amount to the amount certi-
42 fied by the district under subsection (b). The amount of the grant the
43 district is eligible to receive shall be an amount equal to the lesser of the

1 amount computed under this subsection or the amount certified under
2 subsection (b). If the amount of appropriations for the payment of grants
3 under this section is insufficient to pay in full the amount each school
4 district is determined to be eligible to receive for the school year, the
5 state board shall prorate the amount appropriated among all school dis-
6 tricts which are eligible to receive grants of state moneys in proportion
7 to the amount each school district is determined to be eligible to receive.

8 (f) As used in this section:

9 (1) “Enrollment” means the number of pupils who are residing at the
10 Flint Hills job corps center or who are confined in a juvenile detention
11 facility and for whom a school district is providing educational services
12 on September 20, on November 20, or on April 20 of a school year,
13 whichever is the greatest number of pupils; and

14 (2) “juvenile detention facility” means any community juvenile cor-
15 rections center or facility, the Forbes Juvenile Attention Facility, the
16 Sappa Valley Youth Ranch of Oberlin, Salvation Army/Koch Center Youth
17 Services, the Clarence M. Kelley Youth Center, ***the Clarence M. Kelley***
18 ***Transitional Living Center***, Trego County Secure Care Center, St.
19 Francis Academy at Atchison, St. Francis Academy at Ellsworth, St. Fran-
20 cis Academy at Salina, ~~and~~ St. Francis Center at Salina, ***King’s Achieve-***
21 ***ment Center***, *and Liberty Juvenile Services and Treatment.*

22 Sec. 4. K.S.A. 2000 Supp. 72-6407, 72-6430 and 72-8187 are hereby
23 repealed.

24 Sec. 5. This act shall take effect and be in force from and after its
25 publication in the ~~statute book~~ **Kansas register**.

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