

## HOUSE BILL No. 2319

By Representative Horst

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AN ACT concerning school districts; providing grants of state moneys for pupils residing at child care facilities; amending K.S.A. 2000 Supp. 72-6407, 72-6430 and 72-8187 and repealing the existing sections.

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

Section 1. K.S.A. 2000 Supp. 72-6407 is hereby amended to read as follows: 72-6407. (a) "Pupil" means any person who is regularly enrolled in a district and attending kindergarten or any of the grades one through 12 maintained by the district or who is regularly enrolled in a district and attending kindergarten or any of the grades one through 12 in another district in accordance with an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto, or who is regularly enrolled in a district and attending special education services provided for preschool-aged exceptional children by the district. Except as otherwise provided in this subsection, a pupil in attendance full time shall be counted as one pupil. A pupil in attendance part time shall be counted as that proportion of one pupil (to the nearest  $\frac{1}{10}$ ) that the pupil's attendance bears to full-time attendance. A pupil attending kindergarten shall be counted as  $\frac{1}{2}$  pupil. A pupil enrolled in and attending an institution of postsecondary education which is authorized under the laws of this state to award academic degrees shall be counted as one pupil if the pupil's postsecondary education enrollment and attendance together with the pupil's attendance in either of the grades 11 or 12 is at least  $\frac{5}{6}$  time, otherwise the pupil shall be counted as that proportion of one pupil (to the nearest  $\frac{1}{10}$ ) that the total time of the pupil's postsecondary education attendance and attendance in grade 11 or 12, as applicable, bears to full-time attendance. A pupil enrolled in and attending an area vocational school, area vocational-technical school or approved vocational education program shall be counted as one pupil if the pupil's vocational education enrollment and attendance together with the pupil's attendance in any of grades nine through 12 is at least  $\frac{5}{6}$  time, otherwise the pupil shall be counted as that proportion of one pupil (to the nearest  $\frac{1}{10}$ ) that the total time of the pupil's vocational education attendance and attendance in any of grades nine through 12 bears to full-time attendance. A pupil enrolled in a district and attending special education services, except special education

1 services for preschool-aged exceptional children, provided for by the dis-  
2 trict shall be counted as one pupil. A pupil enrolled in a district and  
3 attending special education 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. A pupil residing at the Flint Hills job corps center shall not  
12 be counted. *A pupil residing at a child care facility shall not be counted.*  
13 A pupil confined in and receiving educational services provided for by a  
14 district at a juvenile detention facility shall not be counted. A pupil en-  
15 rolled in a district but housed, maintained, and receiving educational serv-  
16 ices at a state institution shall not be counted.

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

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

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

31 (e) "Enrollment" means, for districts scheduling the school days or  
32 school hours of the school term on a trimestral or quarterly basis, the  
33 number of pupils regularly enrolled in the district on September 20 plus  
34 the number of pupils regularly enrolled in the district on February 20  
35 less the number of pupils regularly enrolled on February 20 who were  
36 counted in the enrollment of the district on September 20; and for dis-  
37 tricts not hereinbefore specified, the number of pupils regularly enrolled  
38 in the district on September 20. Notwithstanding the foregoing, if en-  
39 rollment in a district in any school year has decreased from enrollment  
40 in the preceding school year, enrollment of the district in the current  
41 school year means whichever is the greater of (1) enrollment in the pre-  
42 ceding school year minus enrollment in such school year of preschool-  
43 aged at-risk pupils, if any such pupils were enrolled, plus enrollment in

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

12 (f) "Adjusted enrollment" means enrollment adjusted by adding at-  
13 risk pupil weighting, program weighting, low enrollment weighting, if any,  
14 correlation weighting, if any, school facilities weighting, if any, ancillary  
15 school facilities weighting, if any, and transportation weighting to  
16 enrollment.

17 (g) "At-risk pupil weighting" means an addend component assigned  
18 to enrollment of districts on the basis of enrollment of at-risk pupils.

19 (h) "Program weighting" means an addend component assigned to  
20 enrollment of districts on the basis of pupil attendance in educational  
21 programs which differ in cost from regular educational programs.

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

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

35 (k) "Transportation weighting" means an addend component as-  
36 signed to enrollment of districts on the basis of costs attributable to the  
37 provision or furnishing of transportation.

38 (l) "Correlation weighting" means an addend component assigned to  
39 enrollment of districts having 1,725 or over enrollment on the basis of  
40 costs attributable to maintenance of educational programs by such dis-  
41 tricts as a correlate to low enrollment weighting assigned to enrollment  
42 of districts having under 1,725 enrollment.

43 (m) "Ancillary school facilities weighting" means an addend compo-

1 nent assigned to enrollment of districts to which the provisions of K.S.A.  
2 2000 Supp. 72-6441, and amendments thereto, apply on the basis of costs  
3 attributable to commencing operation of new school facilities. Ancillary  
4 school facilities weighting may be assigned to enrollment of a district only  
5 if the district has levied a tax under authority of K.S.A. 2000 Supp. 72-  
6 6441, and amendments thereto, and remitted the proceeds from such tax  
7 to the state treasurer. Ancillary school facilities weighting is in addition  
8 to assignment of school facilities weighting to enrollment of any district  
9 eligible for such weighting.

10 (n) "Juvenile detention facility" means any community juvenile cor-  
11 rections center or facility, the Forbes Juvenile Attention Facility, the  
12 Sappa Valley Youth Ranch of Oberlin, Salvation Army/Koch Center Youth  
13 Services, the Clarence M. Kelley Youth Center, Trego County Secure  
14 Care Center, St. Francis Academy at Atchison, St. Francis Academy at  
15 Ellsworth, St. Francis Academy at Salina, and St. Francis Center at Salina.

16 (o) "*Child care facility*" means a child care facility which is licensed  
17 by the state department of health and environment pursuant to the stat-  
18 utory provisions contained in article 5 of chapter 65 of Kansas Statutes  
19 Annotated and which provides residential care for children in the custody  
20 of the secretary of social and rehabilitation services or the commissioner  
21 of juvenile justice.

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

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

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

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

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

34 (e) The provision of educational services for pupils residing at the  
35 Flint Hills job corps center or *at a child care facility* or for pupils confined  
36 in a juvenile detention facility for which the district is reimbursed by a  
37 grant of state moneys as provided in K.S.A. 2000 Supp. 72-8187, and  
38 amendments thereto. As used in this subsection, the term *child care fa-*  
39 *ility means a child care facility which is licensed by the state department*  
40 *of health and environment pursuant to the statutory provisions contained*  
41 *in article 5 of chapter 65 of Kansas Statutes Annotated and which provides*  
42 *residential care for children in the custody of the secretary of social and*  
43 *rehabilitation services or the commissioner of juvenile justice and the term*

1 juvenile detention facility means any community juvenile corrections cen-  
2 ter or facility, the Forbes Juvenile Attention Facility, the Sappa Valley  
3 Youth Ranch of Oberlin, Salvation Army/Koch Center Youth Services,  
4 the Clarence M. Kelley Youth Center, Trego County Secure Care Center,  
5 St. Francis Academy at Atchison, St. Francis Academy at Ellsworth, St.  
6 Francis Academy at Salina, and St. Francis Center at Salina.

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

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

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

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

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

38 (e) The state board of education shall approve applications of school  
39 districts for grants, determine the amount of grants and be responsible  
40 for payment of grants to school districts. In determining the amount of a  
41 grant which a school district is eligible to receive, the state board shall  
42 compute the amount of state financial aid the district would have received  
43 on the basis of enrollment of pupils residing at the Flint Hills job corps

1 center *or at a child care facility* or confined in a juvenile detention facility  
2 if such pupils had been counted as two pupils under the school district  
3 finance and quality performance act and compare such computed amount  
4 to the amount certified by the district under subsection (b). The amount  
5 of the grant the district is eligible to receive shall be an amount equal to  
6 the lesser of the amount computed under this subsection or the amount  
7 certified under subsection (b). If the amount of appropriations for the  
8 payment of grants under this section is insufficient to pay in full the  
9 amount each school district is determined to be eligible to receive for the  
10 school year, the state board shall prorate the amount appropriated among  
11 all school districts which are eligible to receive grants of state moneys in  
12 proportion to the amount each school district is determined to be eligible  
13 to receive.

14 (f) As used in this section:

15 (1) "Enrollment" means the number of pupils who are residing at the  
16 Flint Hills job corps center *or at a child care facility* or who are confined  
17 in a juvenile detention facility and for whom a school district is providing  
18 educational services on September 20, on November 20, or on April 20  
19 of a school year, whichever is the greatest number of pupils; ~~and~~

20 (2) "juvenile detention facility" means any community juvenile cor-  
21 rections center or facility, the Forbes Juvenile Attention Facility, the  
22 Sappa Valley Youth Ranch of Oberlin, Salvation Army/Koch Center Youth  
23 Services, the Clarence M. Kelley Youth Center, Trego County Secure  
24 Care Center, St. Francis Academy at Atchison, St. Francis Academy at  
25 Ellsworth, St. Francis Academy at Salina, and St. Francis Center at Sa-  
26 lina; *and*

27 (3) "*child care facility*" means any *child care facility* which is licensed  
28 by the state department of health and environment pursuant to the stat-  
29 utory provisions contained in article 5 of chapter 65 of Kansas Statutes  
30 Annotated and which provides residential care for children in the custody  
31 of the secretary of social and rehabilitation services or the commissioner  
32 of juvenile justice.

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

35 Sec. 5. This act shall take effect and be in force from and after its  
36 publication in the statute book.

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