

SENATE BILL No. 572

By Committee on Education

2-12

AN ACT concerning school finance; relating to special education and related services for exceptional children; amending K.S.A. 72-6413 and K.S.A. 2001 Supp. 72-6407 and repealing the existing sections; also repealing K.S.A. 2001 Supp. 72-978, 72-979, 72-979a, 72-983 and 72-6446.

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

Section 1. K.S.A. 2001 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

1 nine through 12 bears to full-time attendance. A pupil enrolled in a dis-
2 trict and attending special education and related services, except special
3 education and related services for preschool-aged exceptional children *or*
4 *for exceptional infants or toddlers*, provided for by the district shall be
5 counted as one pupil. A pupil enrolled in a district and attending special
6 education and related services for preschool-aged exceptional children
7 provided for by the district shall be counted as $\frac{1}{2}$ pupil. *A pupil enrolled*
8 *in a district and attending special education and related services for ex-*
9 *ceptional infants or toddlers provided for by the district shall not be*
10 *counted, but shall be included in enrollment of the district for the purpose*
11 *of determining assignment of program weighting on the basis of costs*
12 *attributable to the provision of special education and related services.* A
13 preschool-aged at-risk pupil enrolled in a district and receiving services
14 under an approved at-risk pupil assistance plan maintained by the district
15 shall be counted as $\frac{1}{2}$ pupil. A pupil in the custody of the secretary of
16 social and rehabilitation services and enrolled in unified school district
17 No. 259, Sedgwick county, Kansas, but housed, maintained, and receiving
18 educational services at the Judge James V. Riddel Boys Ranch, shall be
19 counted as two pupils. A pupil residing at the Flint Hills job corps center
20 shall not be counted. A pupil confined in and receiving educational serv-
21 ices provided for by a district at a juvenile detention facility shall not be
22 counted. A pupil enrolled in a district but housed, maintained, and re-
23 ceiving educational services at a state institution shall not be counted.

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

27 (c) "*Exceptional infants or toddlers*" means exceptional children who
28 *have not attained the age of three years.*

29 ~~(d)~~ (d) "At-risk pupils" means pupils who are eligible for free meals
30 under the national school lunch act and who are enrolled in a district
31 which maintains an approved at-risk pupil assistance plan.

32 ~~(d)~~ (e) "Preschool-aged at-risk pupil" means an at-risk pupil who has
33 attained the age of four years, is under the age of eligibility for attendance
34 at kindergarten, and has been selected by the state board in accordance
35 with guidelines consonant with guidelines governing the selection of pu-
36 pils for participation in head start programs. The state board shall select
37 not more than ~~3,756~~ preschool-aged at-risk pupils to be counted in the
38 ~~2001-02 school year and not more than 5,500~~ preschool-aged at-risk pu-
39 pils to be counted in any school year thereafter.

40 ~~(e)~~ (f) "Enrollment" means, for districts scheduling the school days
41 or school hours of the school term on a trimestral or quarterly basis, the
42 number of pupils regularly enrolled in the district on September 20 plus
43 the number of pupils regularly enrolled in the district on February 20

1 less the number of pupils regularly enrolled on February 20 who were
2 counted in the enrollment of the district on September 20; and for dis-
3 tricts not hereinbefore specified, the number of pupils regularly enrolled
4 in the district on September 20. Notwithstanding the foregoing, if en-
5 rollment in a district in any school year has decreased from enrollment
6 in the preceding school year, enrollment of the district in the current
7 school year means whichever is the greater of (1) enrollment in the pre-
8 ceding school year minus enrollment in such school year of preschool-
9 aged at-risk pupils, if any such pupils were enrolled, plus enrollment in
10 the current school year of preschool-aged at-risk pupils, if any such pupils
11 are enrolled, or (2) the sum of enrollment in the current school year of
12 preschool-aged at-risk pupils, if any such pupils are enrolled and the av-
13 erage (mean) of the sum of (A) enrollment of the district in the current
14 school year minus enrollment in such school year of preschool-aged at-
15 risk pupils, if any such pupils are enrolled and (B) enrollment in the
16 preceding school year minus enrollment in such school year of preschool-
17 aged at-risk pupils, if any such pupils were enrolled and (C) enrollment
18 in the school year next preceding the preceding school year minus en-
19 rollment in such school year of preschool-aged at-risk pupils, if any such
20 pupils were enrolled.

21 ~~(f)~~ (g) “Adjusted enrollment” means enrollment adjusted by adding
22 at-risk pupil weighting, program weighting, low enrollment weighting, if
23 any, correlation weighting, if any, school facilities weighting, if any, an-
24 cillary school facilities weighting, if any, special education and related
25 services weighting, and transportation weighting to enrollment.

26 ~~(g)~~ (h) “At-risk pupil weighting” means an addend component as-
27 signed to enrollment of districts on the basis of enrollment of at-risk
28 pupils.

29 ~~(h)~~ (i) “Program weighting” means an addend component assigned
30 to enrollment of districts on the basis of pupil attendance in educational
31 programs which differ in cost from regular educational programs.

32 ~~(i)~~ (j) “Low enrollment weighting” means an addend component as-
33 signed to enrollment of districts having under 1,725 enrollment on the
34 basis of costs attributable to maintenance of educational programs by such
35 districts in comparison with costs attributable to maintenance of educa-
36 tional programs by districts having 1,725 or over enrollment.

37 ~~(j)~~ (k) “School facilities weighting” means an addend component as-
38 signed to enrollment of districts on the basis of costs attributable to com-
39 mencing operation of new school facilities. School facilities weighting may
40 be assigned to enrollment of a district only if the district has adopted a
41 local option budget and budgeted therein the total amount authorized for
42 the school year. School facilities weighting may be assigned to enrollment
43 of the district only in the school year in which operation of a new school

1 facility is commenced and in the next succeeding school year.

2 ~~(l)~~ (l) “Transportation weighting” means an addend component as-
3 signed to enrollment of districts on the basis of costs attributable to the
4 provision or furnishing of transportation.

5 ~~(m)~~ (m) “Correlation weighting” means an addend component as-
6 signed to enrollment of districts having 1,725 or over enrollment on the
7 basis of costs attributable to maintenance of educational programs by such
8 districts as a correlate to low enrollment weighting assigned to enrollment
9 of districts having under 1,725 enrollment.

10 ~~(n)~~ (n) “Ancillary school facilities weighting” means an addend com-
11 ponent assigned to enrollment of districts to which the provisions of
12 K.S.A. 2001 Supp. 72-6441, and amendments thereto, apply on the basis
13 of costs attributable to commencing operation of new school facilities.
14 Ancillary school facilities weighting may be assigned to enrollment of a
15 district only if the district has levied a tax under authority of K.S.A. 2001
16 Supp. 72-6441, and amendments thereto, and remitted the proceeds from
17 such tax to the state treasurer. Ancillary school facilities weighting is in
18 addition to assignment of school facilities weighting to enrollment of any
19 district eligible for such weighting.

20 ~~(o)~~ (o) “Juvenile detention facility” means any community juvenile
21 corrections 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, the Clarence M. Kelley
24 Transitional Living Center, Trego County Secure Care Center, St. Francis
25 Academy at Atchison, St. Francis Academy at Ellsworth, St. Francis
26 Academy at Salina, St. Francis Center at Salina, King’s Achievement Cen-
27 ter, and Liberty Juvenile Services and Treatment.

28 ~~(p)~~ (p) “Special education and related services weighting” means an
29 addend component assigned to enrollment of districts on the basis of costs
30 attributable to provision of special education and related services for pu-
31 pils determined to be exceptional children.

32 Sec. 2. K.S.A. 72-6413 is hereby amended to read as follows: 72-
33 6413. The program weighting of each district shall be determined by the
34 state board as follows:

35 (a) Compute full time equivalent enrollment in programs of bilingual
36 education and multiply the computed enrollment by 0.2;

37 (b) compute full time equivalent enrollment in approved vocational
38 education programs and multiply the computed enrollment by 0.5;

39 (c) *compute full time equivalent enrollment of exceptional children*
40 *with severe disabilities in special education and related services provided*
41 *in compliance with the special education for exceptional children act and*
42 *multiply the computed enrollment by 3.7;*

43 (d) *compute full time equivalent enrollment of exceptional children,*

1 *other than exceptional children with severe disabilities, in special educa-*
2 *tion and related services provided in compliance with the special educa-*
3 *tion for exceptional children act and multiply the computed enrollment*
4 *by 0.9;*

5 ~~(e)~~ (e) add the products obtained under *subsections (a) and (b), (b),*
6 *(c) and (d).* The sum is the program weighting of the district.

7 ~~(d) The provisions of this section shall take effect and be in force~~
8 ~~from and after July 1, 1992.~~

9 Sec. 3. K.S.A. 72-6413 and K.S.A. 2001 Supp. 72-978, 72-979, 72-
10 979a, 72-983, 72-6407 and 72-6446 are hereby repealed.

11 Sec. 4. This act shall take effect and be in force from and after its
12 publication in the statute book.

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