

## HOUSE BILL No. 2004

By Legislative Educational Planning Committee

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AN ACT concerning schools; relating to the resolution of conflicts; amending K.S.A. 72-6407 and repealing the existing section; also repealing K.S.A. 72-6407a and 72-7108a.

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

Section 1. K.S.A. 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 and related services, except special

1 education and related services for preschool-aged exceptional children,  
2 provided for by the district shall be counted as one pupil. A pupil enrolled  
3 in a district and attending special education and related services for pre-  
4 school-aged exceptional children provided for by the district shall be  
5 counted as  $\frac{1}{2}$  pupil. A preschool-aged at-risk pupil enrolled in a district  
6 and receiving services under an approved at-risk pupil assistance plan  
7 maintained by the district shall be counted as  $\frac{1}{2}$  pupil. A pupil in the  
8 custody of the secretary of social and rehabilitation services and enrolled  
9 in unified school district No. 259, Sedgwick county, Kansas, but housed,  
10 maintained, and receiving educational services at the Judge James V. Rid-  
11 del Boys Ranch, shall be counted as two pupils. A pupil residing at the  
12 Flint Hills job corps center shall not be counted. A pupil confined in and  
13 receiving educational services provided for by a district at a juvenile de-  
14 tention facility shall not be counted. A pupil enrolled in a district but  
15 housed, maintained, and receiving educational services at a state institu-  
16 tion 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 ~~3,756 preschool-aged at-risk pupils to be counted in the~~  
29 ~~2001-02 school year and not more than~~ 5,500 preschool-aged at-risk pu-  
30 pils to be counted in any school year thereafter.

31 (e) "Enrollment" means: (1) For districts scheduling the school days  
32 or 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 specified in this clause (1), the number of pupils regularly en-  
38 rolled in the district on September 20; (2) if enrollment in a district in  
39 any school year has decreased from enrollment in the preceding school  
40 year, enrollment of the district in the current school year means which-  
41 ever is the greater of (A) enrollment in the preceding school year minus  
42 enrollment in such school year of preschool-aged at-risk pupils, if any  
43 such pupils were enrolled, plus enrollment in the current school year of

1 preschool-aged at-risk pupils, if any such pupils are enrolled, or (B) the  
2 sum of enrollment in the current school year of preschool-aged at-risk  
3 pupils, if any such pupils are enrolled and the average (mean) of the sum  
4 of (i) enrollment of the district in the current school year minus enroll-  
5 ment in such school year of preschool-aged at-risk pupils, if any such  
6 pupils are enrolled and (ii) enrollment in the preceding school year minus  
7 enrollment in such school year of preschool-aged at-risk pupils, if any  
8 such pupils were enrolled and (iii) enrollment in the school year next  
9 preceding the preceding school year minus enrollment in such school year  
10 of preschool-aged at-risk pupils, if any such pupils were enrolled; or (3)  
11 the number of pupils as determined under K.S.A. 72-6447, and amend-  
12 ments thereto.

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

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

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

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

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

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

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

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

11 (n) “Juvenile detention facility” means ~~any community juvenile cor-~~  
12 ~~rections center or facility;~~ *(1) Any secure public or private facility which*  
13 *is used for the lawful custody of accused or adjudicated juvenile offenders*  
14 *and which shall not be a jail;*

15 *(2) any level VI treatment facility licensed by the Kansas department*  
16 *of health and environment which is a psychiatric residential treatment*  
17 *facility for individuals under the age of 21 which conforms with the reg-*  
18 *ulations of the centers for medicare/medicaid services and the joint com-*  
19 *mission on accreditation of health care organizations governing such fa-*  
20 *cilities; and*

21 (3) the Forbes Juvenile Attention Facility, the Sappa Valley Youth  
22 Ranch of Oberlin, Salvation Army/Koch Center Youth Services, the Clar-  
23 ence M. Kelley Youth Center, the Clarence M. Kelley Transitional Living  
24 Center, Trego County Secure Care Center, St. Francis Academy at At-  
25 chison, St. Francis Academy at Ellsworth, St. Francis Academy at Salina,  
26 St. Francis Center at Salina, King’s Achievement Center, and Liberty  
27 Juvenile Services and Treatment.

28 (o) “Special education and related services weighting” means an ad-  
29 dend 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. 72-6407, 72-6407a and 72-7108a are hereby repealed.

33 Sec. 3. This act shall take effect and be in force from and after its  
34 publication in the statute book.

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