

SENATE BILL No. 211

By Committee on Federal and State Affairs

2-12

AN ACT enacting the Kansas parent control of education act; amending K.S.A. 72-1046a and 72-6407 and repealing the existing sections; also repealing K.S.A. 72-6407a.

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

New Section 1. This act shall be known and may be cited as the Kansas parent control of education act. It is the purpose of this act to establish a statewide program under which the parents of eligible children are empowered to exercise choice in the selection of schools for enrollment and attendance of such children.

New Sec. 2. As used in this act:

(a) "Program eligible child" means any person who is: (1) A resident of this state; (2) school age and eligible for enrollment in school and attendance at kindergarten or any of the grades one through 12; (3) if enrolled in and attending a private elementary or secondary school, complying with the requirements of section 8, and amendments thereto; (4) for the 2003-04 school year, a pupil who was enrolled and in attendance at school in a unified school district during the 2002-03 school year; (5) for the 2003-04 and 2004-05 school years, eligible for free meals under the national school lunch act; (6) for the 2005-06, 2006-07 and 2007-08 school years, eligible for free or reduced cost meals under the national school lunch act; and (7) for the 2008-09 school year and each school year thereafter, the term program eligible child means any person who meets the requirements of provisions (1) through (3) of this subsection.

(b) "Parent" means and includes natural parents, adoptive parents, stepparents, foster parents, and persons acting as parents.

(c) "Person acting as parent" means: (1) A guardian or conservator; or (2) a person, other than a parent, who is liable by law to maintain, care for, or support the child, or who has actual care and control of the child and is contributing the major portion of the cost of support of the child, or who has actual care and control of the child with the written consent of a person who has legal custody of the child, or who has been granted custody of the child by a court of competent jurisdiction.

(d) "Kansas school of choice" means: (1) Any public school operated in a unified school district by a board of education that has opted to accept

1 vouchers from the parents of program eligible children; and (2) any non-
2 public school operated by a board of education or other governing au-
3 thority that has opted to accept vouchers from the parents of program
4 eligible children.

5 (e) “Nonpublic school” means any nonpublic school which: (1) Is lo-
6 cated within the state of Kansas; and (2) is accredited by the state board
7 or is a private elementary or secondary school.

8 (f) “Private elementary or secondary school” means a school which is
9 defined in K.S.A. 72-53,100, and amendments thereto, and which is in
10 compliance with the requirements of K.S.A. 72-53,101, and amendments
11 thereto.

12 (g) “Voucher amount” means an amount determined in each school
13 year by the state board as follows: (1) For program eligible children who
14 have not been determined to be exceptional children and who are (A)
15 children enrolled in kindergarten, an amount for the 2003-04 school year
16 that is equal to 12.5% of the amount of base state aid per pupil for such
17 school year, for the 2004-05 school year that is equal to 15% of the amount
18 of base state aid per pupil for such school year, for the 2005-06 school
19 year that is equal to 17.5% of the amount of base state aid per pupil for
20 such school year, for the 2006-07 school year that is equal to 20% of the
21 amount of base state aid per pupil for such school year, for the 2007-08
22 school year that is equal to 22.5% of the amount of base state aid per
23 pupil for such school year, for the 2008-09 school year, and each school
24 year thereafter, that is equal to 25% of the amount of base state aid per
25 pupil for each such school year, respectively; (B) children enrolled in any
26 of the grades one through six, an amount for the 2003-04 school year that
27 is equal to 25% of the amount of base state aid per pupil for such school
28 year, for the 2004-05 school year that is equal to 30% of the amount of
29 base state aid per pupil for such school year, for the 2005-06 school year
30 that is equal to 35% of the amount of base state aid per pupil for such
31 school year, for the 2006-07 school year that is equal to 40% of the amount
32 of base state aid per pupil for such school year, for the 2007-08 school
33 year that is equal to 45% of the amount of base state aid per pupil for
34 such school year, for the 2008-09 school year and each school year there-
35 after that is equal to 50% of the amount of base state aid per pupil for
36 each such school year, respectively; (C) children enrolled in either of the
37 grades seven or eight, an amount for the 2003-04 school year that is equal
38 to 37.5% of the amount of base state aid per pupil for such school year,
39 for the 2004-05 school year that is equal to 45% of the amount of base
40 state aid per pupil for such school year, for the 2005-06 school year that
41 is equal to 52.5% of the amount of base state aid per pupil for such school
42 year, for the 2006-07 school year that is equal to 60% of the amount of
43 base state aid per pupil for such school year, for the 2007-08 school year

1 that is equal to 67.5% of the amount of base state aid per pupil for such
2 school year, for the 2008-09 school year and each school year thereafter
3 that is equal to 75% of the amount of base state aid per pupil for each
4 such school year, respectively; (D) children enrolled in any of the grades
5 nine through 12, an amount for the 2003-04 school year that is equal to
6 50% of the amount of base state aid per pupil for such school year, for
7 the 2004-05 school year that is equal to 60% of the amount of base state
8 aid per pupil for such school year, for the 2005-06 school year that is
9 equal to 70% of the amount of base state aid per pupil for such school
10 year, for the 2006-07 school year that is equal to 80% of the amount of
11 base state aid per pupil for such school year, for the 2007-08 school year
12 that is equal to 90% of the amount of base state aid per pupil for such
13 school year, for the 2008-09 school year and each school year thereafter
14 that is equal to the amount of base state aid per pupil for each such school
15 year, respectively; and (2) for program eligible children who have been
16 determined to be exceptional children, an amount that is equal to the
17 product obtained by multiplying by 1½ the amounts specified in provision
18 (1) for children enrolled in kindergarten and the respective grades for the
19 respective school years.

20 (h) “State financial aid” and “base state aid per pupil” have the mean-
21 ings respectively ascribed thereto in K.S.A. 72-6410, and amendments
22 thereto.

23 (i) “School district assessment program” means a program conducted
24 by a school district under which tests reflecting nationally recognized
25 standards for the sole purpose of measuring individual academic achieve-
26 ment are administered to pupils. The program shall include, but not by
27 way of limitation, utilization of such tests as the California achievement
28 test, the Iowa test of basic skills, the Metropolitan achievement test, and
29 the Stanford achievement test.

30 (j) “Satisfactory academic achievement” means scoring at or above
31 the national average on the tests administered under a school district
32 assessment program.

33 (k) “Postsecondary education trust fund beneficiary” or “trust fund
34 beneficiary” means any person who is: (1) A former program eligible child
35 who was enrolled at a Kansas school of choice; (2) enrolled at an eligible
36 postsecondary education institution; and (3) entitled to an amount held
37 in trust by the state in the Kansas school voucher savings trust fund.

38 (l) “Eligible postsecondary education institution” means an institu-
39 tion of postsecondary education which: (1) Qualifies as an eligible insti-
40 tution for federal student aid programs under title IV of the higher ed-
41 ucation act of 1965, as amended; and (2) the main campus or principal
42 place of operation of which institution is located in Kansas.

43 (m) “State board” means the state board of education.

1 New Sec. 3. (a) (1) In order to achieve the purpose of this act, the
2 state board shall establish and effectuate a program under which the
3 parent of any program eligible child receives from the state board in each
4 school year, upon application, a voucher that may be redeemed for pay-
5 ment of the costs of enrollment of the child at a Kansas school of choice
6 selected by the child's parent. Voucher applications shall be on a form
7 prescribed and furnished by the state board. The state board shall not
8 impose upon applicant parents any application requirements which are
9 unduly burdensome. The application shall request only such information
10 as necessary to determine program eligibility and to efficiently administer
11 the program. No voucher in excess of the voucher amount, as defined in
12 subsection (g) of section 2, and amendments thereto, shall be issued in
13 any school year. No parent shall apply for or receive a voucher for pay-
14 ment of the costs of enrollment of a child at a public Kansas school of
15 choice that the child is entitled to attend under the provisions of K.S.A.
16 72-1046, and amendments thereto.

17 (2) The provisions of this subsection are subject to the provisions of
18 subsection (d).

19 (b) The application for a voucher shall be submitted to the board of
20 education of the school district in which the child resides or in which the
21 Kansas school of choice selected by the child's parent for enrollment of
22 the child is located. If an application for a voucher is submitted to the
23 board of education of a school district, the board of education shall trans-
24 mit the application, within one business day, to the state board.

25 (c) The state board shall compute the savings realized by the state
26 for the 2003-04 school year and each school year thereafter due to main-
27 tenance of the program in each such school year, respectively, by: (1)
28 Determining the number of program eligible children who participated
29 in the program in each respective school year and multiplying such num-
30 ber by the voucher amount, as defined in subsection (g) of section 2, and
31 amendments thereto, for each such school year, respectively; (2) com-
32 puting the amount of state financial aid that would have been paid to
33 unified school districts in the 2003-04 school year and each school year
34 thereafter, respectively, on the basis of enrollment of such children in
35 each such school year; and (3) subtracting the product obtained under
36 (1) from the amount computed under (2) on the basis of computations
37 made for determining the savings realized for each school year, respec-
38 tively. An audit shall be conducted of the computations made by the state
39 board for determining the savings realized for each school year. The au-
40 ditor to conduct such audits shall be specified in accordance with K.S.A.
41 46-1122, and amendments thereto. The cost of such audits shall be borne
42 by the state board.

43 (d) For the 2004-05 school year and each school year thereafter, the

1 state board shall award vouchers to parents of program eligible children
2 in the order in which applications are received until the amount of savings
3 realized by the state due to maintenance of the program in the preceding
4 school year, as computed under subsection (c), is depleted. Application
5 forms shall be marked with the date and time of receipt.

6 New Sec. 4. (a) Subject to the provisions of subsection (b), a Kansas
7 school of choice shall admit program eligible children who have received
8 vouchers and who apply for admission, up to the limit of the school's
9 capacity after reserving places for children required or entitled to be
10 admitted to the school.

11 (b) A nonpublic Kansas school of choice shall establish criteria for
12 the admission of program eligible children. Such criteria shall be consis-
13 tent with the admissions criteria that the school regularly applies. In the
14 case of a public Kansas school of choice, the state board shall establish
15 criteria for the equitable allocation of places for program eligible children
16 if there are insufficient places to serve all such children requesting
17 placement.

18 (c) The state board shall establish a procedure for ensuring that no
19 school district experiences a decrease in enrollment in the 2003-04 school
20 year, as a result of participation by program eligible children in the pro-
21 gram, that is in excess of the percentage applicable to the district under
22 this subsection from the enrollment of the district in the 2002-03 school
23 year. For the purpose of this subsection, the percentage applicable to a
24 district with under 400 enrollment is 4%, the percentage applicable to a
25 district with 400-1,999 enrollment is 7%, and the percentage applicable
26 to a district with 2,000 or over enrollment is 10%. The provisions of this
27 subsection shall expire on June 30, 2004.

28 New Sec. 5. (a) A Kansas school of choice shall provide assurance to
29 the state board that the amount of the costs of enrollment charged a
30 program eligible child will not be greater than the amount of the costs of
31 enrollment regularly charged by the school. If the voucher amount for
32 any school year is in excess of the amount of the costs of enrollment
33 charged by a Kansas school of choice for enrollment of a program eligible
34 child, the state board shall remit the excess amount to the state treasurer.
35 All such amounts remitted to the state treasurer shall be deposited in the
36 state treasury to the credit of the Kansas school voucher savings trust
37 fund, shall be allocated within the fund to the account of the program
38 eligible child entitled to the voucher, and shall be held in trust for the
39 child for application toward tuition and fees charged for enrollment at an
40 eligible postsecondary education institution.

41 (b) Prior to the commencement of each school year:

42 (1) The state board shall prepare a list of all Kansas schools of choice
43 that will be accepting vouchers from the parents of program eligible chil-

1 dren for the school year. Such list shall be maintained on file in the state
2 department of education and shall be made available to members of the
3 public upon request; and

4 (2) the board of education of each school district shall provide the
5 parents of all known children who will be enrolling in school and who are
6 qualified to be program eligible children with information regarding the
7 program and the procedure to be followed in applying for participation
8 in the program.

9 New Sec. 6. (a) Vouchers received under this act shall be redeemed
10 upon certification by a Kansas school of choice that a program eligible
11 child is enrolled and in attendance at the school. The state board shall
12 certify to the director of accounts and reports the amount due the parent
13 of each program eligible child. The director of accounts and reports shall
14 issue a warrant to the parent of the program eligible child and shall cause
15 the warrant to be delivered to the school in which the child is enrolled.
16 The parent of the program eligible child shall use the warrant for payment
17 of the costs of enrollment of the child. If a program eligible child discon-
18 tinues attendance at a Kansas school of choice before the end of the
19 school year, the entire amount which the child would otherwise qualify
20 to have refunded, if any, up to the amount paid by the state pursuant to
21 the voucher redeemed by the parent of the child, shall be paid by the
22 school to the state board. The state board shall remit any amounts so
23 received to the state treasurer, and the state treasurer shall deposit the
24 same in the state treasury to the credit of the state school district finance
25 fund.

26 (b) The amount of any voucher redeemed under this act shall not be
27 considered gross income and shall not be taxable for Kansas income tax
28 purposes.

29 New Sec. 7. (a) (1) Each Kansas school of choice shall:

30 (A) Comply with the provisions of subsection (a) of section 5; and
31 (B) publish or otherwise make available information regarding the
32 school's program of instruction, achievement data regarding children at-
33 tending the school (which data shall be stated in the aggregate by grades
34 maintained by the school), incidence of drug abuse, and school discipline
35 and safety.

36 (2) Each Kansas school of choice, prior to commencing school in each
37 school year, shall certify to the state board the amount of the costs of
38 enrollment to be charged in such school year.

39 (b) The state board shall monitor the academic performance of pro-
40 gram eligible children attending Kansas schools of choice. If the state
41 board determines in any school year that none of the children attending
42 any such school are demonstrating satisfactory academic achievement or
43 that any such school is not meeting the requirements of subsection (a),

1 the school shall not be eligible to accept vouchers from the parents of
2 program eligible children in the succeeding school year.

3 New Sec. 8. (a) In order for a child enrolled in and attending a Kan-
4 sas school of choice that is a private elementary or secondary school to
5 remain a program eligible child, the child shall participate in the school
6 district assessment program conducted by the school district in which the
7 child resides or in which the private elementary or secondary school is
8 located.

9 (b) The board of education of each school district shall provide for
10 participation of any program eligible child enrolled in and attending a
11 Kansas school of choice that is a private elementary or secondary school
12 in the school district assessment program. In providing for participation
13 of the child in an assessment program, the board of education of the
14 school district shall determine the date, time, place and method of par-
15 ticipation; provide the parent of the child at least 15 calendar days' notice
16 of the date, time, place and method of participation in the assessment
17 program; evaluate the results obtained from assessment of the child; and
18 report the assessment results of the child to the parent of the child. Fail-
19 ure of the child to comply with the provisions of this section or to dem-
20 onstrate satisfactory academic achievement or progress toward satisfac-
21 tory academic achievement shall result in forfeiture of eligibility of the
22 child for participation in the program at the school in which the child is
23 enrolled and in attendance.

24 New Sec. 9. (a) For the purpose of encouraging Kansas schools of
25 choice to cooperate with the state in the provision of postsecondary ed-
26 ucation opportunities for Kansas children by maintaining the costs of en-
27 rollment under the voucher amount determined for each school year,
28 there is established in the state treasury the Kansas school voucher savings
29 trust fund. The fund shall consist of all amounts credited thereto under
30 the provisions of subsection (a) of section 5, and amendments thereto.
31 Amounts in the fund shall be held in trust accounts for program eligible
32 children for later application toward tuition and fees charged by eligible
33 postsecondary education institutions.

34 (b) In order to be eligible for payments from the trust fund, postse-
35 condary education trust fund beneficiaries shall submit an application for
36 payment to the state board. Applications shall contain such information
37 and be prepared and submitted in such form and manner as the state
38 board shall require.

39 (c) The amount of payment on behalf of a trust fund beneficiary from
40 the Kansas school voucher savings trust fund to an eligible postsecondary
41 education institution shall be the amount of the total tuition and required
42 fees of the beneficiary for an academic year or the amount credited to
43 the account of the beneficiary in the trust fund, whichever is the lesser

1 amount. Payments may be made on behalf of a trust fund beneficiary to
2 an eligible postsecondary education institution until the amount credited
3 to the account of the beneficiary is depleted or until the beneficiary attains
4 26 years of age, whichever occurs sooner. Any amount in the account of
5 a trust fund beneficiary upon attainment of 26 years of age by the ben-
6 eficiary or at the time of death of the beneficiary prior to attainment of
7 26 years of age shall be transferred from the Kansas school voucher sav-
8 ings trust fund to the state school district finance fund.

9 (d) Payments on behalf of a trust fund beneficiary from the trust fund
10 shall be made at the beginning of an academic year upon certification by
11 an eligible postsecondary education institution that the beneficiary is en-
12 rolled and in attendance at the institution. The state board shall certify
13 to the director of accounts and reports the amount due the trust fund
14 beneficiary. The director of accounts and reports shall issue a warrant to
15 the beneficiary and shall cause the warrant to be delivered to the insti-
16 tution at which the beneficiary is enrolled. The beneficiary shall use the
17 warrant for payment of tuition and fees at the institution. If the benefi-
18 ciary discontinues attendance at the institution before the end of the
19 academic year, the entire amount which the beneficiary would otherwise
20 qualify to have refunded, up to the amount paid by the state on behalf
21 of the beneficiary, shall be paid by the institution to the state board. The
22 state board shall remit any amount so received to the state treasurer and
23 the state treasurer shall deposit the same in the state treasury. If the
24 beneficiary has not attained 26 years of age, the state board shall direct
25 the state treasurer to credit the remitted amount to the account of the
26 beneficiary in the Kansas school voucher savings trust fund. If the ben-
27 eficiary has attained 26 years of age, the state board shall direct the state
28 treasurer to credit the remitted amount to the state school district finance
29 fund.

30 (e) All interest earnings received from investment of moneys in the
31 Kansas school voucher savings trust fund shall be credited to the fund.
32 On or before the 10th of each month, the director of accounts and reports
33 shall transfer from the state general fund to the trust fund interest earn-
34 ings based on: (1) The average daily balance of moneys in the trust fund
35 for the preceding month; and (2) the net earnings rate for the pooled
36 money investment portfolio for the preceding month. Sufficient liquidity
37 shall be maintained so that there shall be money available to make all
38 payments on behalf of trust fund beneficiaries which may be approved
39 by the state board.

40 New Sec. 10. Nothing in this act shall be applied or construed in any
41 manner so as to create, effectuate, change or superinduce any power,
42 duty or function of the state board with respect to regulation or super-
43 vision of nonpublic schools in this state. Nothing in this act shall be ap-

1 plied or construed in any manner so as to regulate or prohibit free exercise
2 in matters of curriculum, creed or practice of any nonpublic Kansas school
3 of choice.

4 New Sec. 11. Upon completion of the 2005-06 school year, the state
5 board shall evaluate the Kansas parent control of education program,
6 assess the impact the program has had on the educational system of the
7 state, determine the total amount of savings realized by the state due to
8 maintenance of the program, and make a recommendation to the gov-
9 ernor and the legislature with regard to continuation or termination of
10 the program.

11 Sec. 12. K.S.A. 72-1046a is hereby amended to read as follows: 72-
12 1046a. (a) The board of education of any school district is hereby au-
13 thorized to permit pupils who are not residents of the school district to
14 enroll in and attend the schools of the district. *Subject to the provisions*
15 *of subsections (b) and (c), the board of education may permit such pupils*
16 *to attend school without charge or, subject to the provisions of subsection*
17 *(b), may charge such pupils for attendance at school to offset, totally or*
18 *in part, the costs of providing for such attendance. Amounts received*
19 *under this subsection by the board of education of a school district for*
20 *enrollment and attendance of pupils at school in regular educational pro-*
21 *grams shall be deposited in the general fund of the school district.*

22 (b) Pupils who are not residents of a school district and are attending
23 the schools of the school district in accordance with the provisions of an
24 agreement entered into under authority of K.S.A. 72-8233, and amend-
25 ments thereto, shall not be charged for attendance at school. The costs
26 of providing for the attendance of such pupils at school shall be paid by
27 the school district of residence of the pupils in accordance with the pro-
28 visions of the agreement.

29 (c) *Pupils who are not residents of a school district and are attending*
30 *the schools of the school district as program eligible children in accord-*
31 *ance with the provisions of the Kansas parent control of education act*
32 *shall not be charged an amount greater than the voucher amount, deter-*
33 *mined under the act by the state board of education, for payment of the*
34 *costs of providing for the attendance of such pupils at school.*

35 (d) *Amounts received under this section by the board of education of*
36 *a school district for enrollment and attendance of pupils at school in reg-*
37 *ular educational programs shall be deposited in the general fund of the*
38 *school district.*

39 Sec. 13. K.S.A. 72-6407 is hereby amended to read as follows: 72-
40 6407. (a) "Pupil" means any person who is regularly enrolled in a district
41 and attending kindergarten or any of the grades one through 12 main-
42 tained by the district or who is regularly enrolled in a district and attend-
43 ing kindergarten or any of the grades one through 12 in another district

1 in accordance with an agreement entered into under authority of K.S.A.
2 72-8233, and amendments thereto, or who is regularly enrolled in a dis-
3 trict and attending special education services provided for preschool-aged
4 exceptional children by the district. Except as otherwise provided in this
5 subsection, a pupil in attendance full time shall be counted as one pupil.
6 A pupil in attendance part time shall be counted as that proportion of
7 one pupil (to the nearest $\frac{1}{10}$) that the pupil's attendance bears to full-
8 time attendance. A pupil attending kindergarten shall be counted as $\frac{1}{2}$
9 pupil. A pupil enrolled in and attending an institution of postsecondary
10 education which is authorized under the laws of this state to award aca-
11 demic degrees shall be counted as one pupil if the pupil's postsecondary
12 education enrollment and attendance together with the pupil's attend-
13 ance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the
14 pupil shall be counted as that proportion of one pupil (to the nearest $\frac{1}{10}$)
15 that the total time of the pupil's postsecondary education attendance and
16 attendance in grade 11 or 12, as applicable, bears to full-time attendance.
17 A pupil enrolled in and attending an area vocational school, area voca-
18 tional-technical school or approved vocational education program shall be
19 counted as one pupil if the pupil's vocational education enrollment and
20 attendance together with the pupil's attendance in any of grades nine
21 through 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted as that
22 proportion of one pupil (to the nearest $\frac{1}{10}$) that the total time of the
23 pupil's vocational education attendance and attendance in any of grades
24 nine through 12 bears to full-time attendance. A pupil enrolled in a dis-
25 trict and attending special education and related services, except special
26 education and related services for preschool-aged exceptional children,
27 provided for by the district shall be counted as one pupil. A pupil enrolled
28 in a district and attending special education and related services for pre-
29 school-aged exceptional children provided for by the district shall be
30 counted as $\frac{1}{2}$ pupil. A preschool-aged at-risk pupil enrolled in a district
31 and receiving services under an approved at-risk pupil assistance plan
32 maintained by the district shall be counted as $\frac{1}{2}$ pupil. A pupil in the
33 custody of the secretary of social and rehabilitation services and enrolled
34 in unified school district No. 259, Sedgwick county, Kansas, but housed,
35 maintained, and receiving educational services at the Judge James V. Rid-
36 del Boys Ranch, shall be counted as two pupils. A pupil residing at the
37 Flint Hills job corps center shall not be counted. A pupil confined in and
38 receiving educational services provided for by a district at a juvenile de-
39 tention facility shall not be counted. A pupil enrolled in a district but
40 housed, maintained, and receiving educational services at a state institu-
41 tion shall not be counted. *A pupil enrolled and attending school in a*
42 *district as a program eligible child in accordance with the provisions of*
43 *the Kansas parent control of education act shall not be counted.*

1 (b) “Preschool-aged exceptional children” means exceptional chil-
2 dren, except gifted children, who have attained the age of three years but
3 are under the age of eligibility for attendance at kindergarten.

4 (c) “At-risk pupils” means pupils who are eligible for free meals un-
5 der the national school lunch act and who are enrolled in a district which
6 maintains an approved at-risk pupil assistance plan.

7 (d) “Preschool-aged at-risk pupil” means an at-risk pupil who has
8 attained the age of four years, is under the age of eligibility for attendance
9 at kindergarten, and has been selected by the state board in accordance
10 with guidelines consonant with guidelines governing the selection of pu-
11 pils for participation in head start programs. The state board shall select
12 not more than ~~3,756 preschool-aged at-risk pupils to be counted in the~~
13 ~~2001-02 school year and not more than 5,500 preschool-aged at-risk pu-~~
14 ~~pils to be counted in any school year thereafter.~~

15 (e) “Enrollment” means: (1) For districts scheduling the school days
16 or school hours of the school term on a trimestral or quarterly basis, the
17 number of pupils regularly enrolled in the district on September 20 plus
18 the number of pupils regularly enrolled in the district on February 20
19 less the number of pupils regularly enrolled on February 20 who were
20 counted in the enrollment of the district on September 20; and for dis-
21 tricts not specified in this clause (1), the number of pupils regularly en-
22 rolled in the district on September 20; (2) if enrollment in a district in
23 any school year has decreased from enrollment in the preceding school
24 year, enrollment of the district in the current school year means which-
25 ever is the greater of (A) enrollment in the preceding school year minus
26 enrollment in such school year of preschool-aged at-risk pupils, if any
27 such pupils were enrolled, plus enrollment in the current school year of
28 preschool-aged at-risk pupils, if any such pupils are enrolled, or (B) the
29 sum of enrollment in the current school year of preschool-aged at-risk
30 pupils, if any such pupils are enrolled and the average (mean) of the sum
31 of (i) enrollment of the district in the current school year minus enroll-
32 ment in such school year of preschool-aged at-risk pupils, if any such
33 pupils are enrolled and (ii) enrollment in the preceding school year minus
34 enrollment in such school year of preschool-aged at-risk pupils, if any
35 such pupils were enrolled and (iii) enrollment in the school year next
36 preceding the preceding school year minus enrollment in such school year
37 of preschool-aged at-risk pupils, if any such pupils were enrolled; or (3)
38 the number of pupils as determined under K.S.A. 72-6447, and amend-
39 ments thereto.

40 (f) “Adjusted enrollment” means enrollment adjusted by adding at-
41 risk pupil weighting, program weighting, low enrollment weighting, if any,
42 correlation weighting, if any, school facilities weighting, if any, ancillary
43 school facilities weighting, if any, special education and related services

1 weighting, and transportation weighting to enrollment.

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

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

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

12 (j) “School facilities weighting” means an addend component as-
13 signed to enrollment of districts on the basis of costs attributable to com-
14 mencing operation of new school facilities. School facilities weighting may
15 be assigned to enrollment of a district only if the district has adopted a
16 local option budget and budgeted therein the total amount authorized for
17 the school year. School facilities weighting may be assigned to enrollment
18 of the district only in the school year in which operation of a new school
19 facility is commenced and in the next succeeding school year.

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

23 (l) “Correlation weighting” means an addend component assigned to
24 enrollment of districts having 1,725 or over enrollment on the basis of
25 costs attributable to maintenance of educational programs by such dis-
26 tricts as a correlate to low enrollment weighting assigned to enrollment
27 of districts having under 1,725 enrollment.

28 (m) “Ancillary school facilities weighting” means an addend compo-
29 nent assigned to enrollment of districts to which the provisions of K.S.A.
30 72-6441, and amendments thereto, apply on the basis of costs attributable
31 to commencing operation of new school facilities. Ancillary school facil-
32 ities weighting may be assigned to enrollment of a district only if the
33 district has levied a tax under authority of K.S.A. 72-6441, and amend-
34 ments thereto, and remitted the proceeds from such tax to the state trea-
35 surer. Ancillary school facilities weighting is in addition to assignment of
36 school facilities weighting to enrollment of any district eligible for such
37 weighting.

38 (n) “Juvenile detention facility” means ~~any community juvenile cor-~~
39 ~~rections center or facility;~~

40 (1) *Any secure public or private facility which is used for the lawful*
41 *custody of accused or adjudicated juvenile offenders and which shall not*
42 *be a jail;*

43 (2) *any level VI treatment facility licensed by the Kansas department*

1 *of health and environment which is a psychiatric residential treatment*
2 *facility for individuals under the age of 21 which conforms with the reg-*
3 *ulations of the centers for medicare/medicaid services and the joint com-*
4 *mission on accreditation of health care organizations governing such fa-*
5 *cilities; and*

6 (3) the Forbes Juvenile Attention Facility, the Sappa Valley Youth
7 Ranch of Oberlin, Salvation Army/Koch Center Youth Services, the Clar-
8 ence M. Kelley Youth Center, the Clarence M. Kelley Transitional Living
9 Center, Trego County Secure Care Center, St. Francis Academy at At-
10 chison, St. Francis Academy at Ellsworth, St. Francis Academy at Salina,
11 St. Francis Center at Salina, King's Achievement Center, and Liberty
12 Juvenile Services and Treatment.

13 (o) "Special education and related services weighting" means an ad-
14 dendum component assigned to enrollment of districts on the basis of costs
15 attributable to provision of special education and related services for pu-
16 pils determined to be exceptional children.

17 Sec. 14. K.S.A. 72-1046a and 72-6407 and 72-6407a are hereby
18 repealed.

19 Sec. 15. This act shall take effect and be in force from and after its
20 publication in the statute book.

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