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*[As Amended by Senate Committee of the Whole]*

*As Amended by Senate Committee*

*Session of 2004*

**SENATE BILL No. 359**

By Committee on Education

1-26

AN ACT concerning school districts; relating to enrollment; amending K.S.A. 2003 Supp. 72-6407 and repealing the existing section.

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

Section 1. K.S.A. 2003 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 1/10) that the pupil's attendance bears to full-time attendance. A pupil attending kindergarten shall be counted as 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 5/6 time, otherwise the pupil shall be counted as that proportion of one pupil (to the nearest 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 5/6 time, otherwise the pupil shall be counted as that proportion of one pupil (to the nearest 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,  
4 provided for by the district shall be counted as one pupil. A pupil enrolled  
5 in a district and attending special education and related services for pre-  
6 school-aged exceptional children provided for by the district shall be  
7 counted as  $\frac{1}{2}$  pupil. A preschool-aged at-risk pupil enrolled in a district  
8 and receiving services under an approved at-risk pupil assistance plan  
9 maintained by the district shall be counted as  $\frac{1}{2}$  pupil. A pupil in the  
10 custody of the secretary of social and rehabilitation services and enrolled  
11 in unified school district No. 259, Sedgwick county, Kansas, but housed,  
12 maintained, and receiving educational services at the Judge James V. Rid-  
13 del Boys Ranch, shall be counted as two pupils. A pupil residing at the  
14 Flint Hills job corps center shall not be counted. A pupil confined in and  
15 receiving educational services provided for by a district at a juvenile de-  
16 tention facility shall not be counted. A pupil enrolled in a district but  
17 housed, maintained, and receiving educational services at a state institu-  
18 tion shall not be counted.

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

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

25 (d) “Preschool-aged at-risk pupil” means an at-risk pupil who has  
26 attained the age of four years, is under the age of eligibility for attendance  
27 at kindergarten, and has been selected by the state board in accordance  
28 with guidelines consonant with guidelines governing the selection of pu-  
29 pils for participation in head start programs. The state board shall select  
30 not more than 5,500 preschool-aged at-risk pupils to be counted in any  
31 school year.

32 (e) “Enrollment” means:

33 (1) For districts scheduling the school days or school hours of the  
34 school term on a trimestral or quarterly basis, the number of pupils reg-  
35 ularly enrolled in the district on September 20 plus the number of pupils  
36 regularly enrolled in the district on February 20 less the number of pupils  
37 regularly enrolled on February 20 who were counted in the enrollment  
38 of the district on September 20; and for districts not specified in this  
39 ~~clause~~ *paragraph* (1), the number of pupils regularly enrolled in the dis-  
40 trict on September 20;

41 (2) if enrollment in a district in any school year has decreased from  
42 enrollment in the preceding school year, enrollment of the district in the  
43 current school year means whichever is the greater of (A) enrollment in

1 the preceding school year minus enrollment in such school year of pre-  
2 school-aged at-risk pupils, if any such pupils were enrolled, plus enroll-  
3 ment in the current school year of preschool-aged at-risk pupils, if any  
4 such pupils are enrolled, or (B) the sum of enrollment in the current  
5 school year of preschool-aged at-risk pupils, if any such pupils are enrolled  
6 and the average (mean) of the sum of (i) enrollment of the district in the  
7 current school year minus enrollment in such school year of preschool-  
8 aged at-risk pupils, if any such pupils are enrolled and (ii) enrollment in  
9 the preceding school year minus enrollment in such school year of pre-  
10 school-aged at-risk pupils, if any such pupils were enrolled and (iii) en-  
11 rollment in the school year next preceding the preceding school year  
12 minus enrollment in such school year of preschool-aged at-risk pupils, if  
13 any such pupils were enrolled; ~~or~~

14 (3) the number of pupils as determined under K.S.A. 72-6447, and  
15 amendments thereto; *or*

16 (4) *in the case of pupils enrolled in ~~alternate~~ alternative schools or*  
17 *alternative programs of the district, the [average] number of pupils en-*  
18 *rolled in such schools or programs during the week of September 20.*

19 (f) “Adjusted enrollment” means enrollment adjusted by adding at-  
20 risk pupil weighting, program weighting, low enrollment weighting, if any,  
21 correlation weighting, if any, school facilities weighting, if any, ancillary  
22 school facilities weighting, if any, special education and related services  
23 weighting, and transportation weighting to enrollment.

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

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

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

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

42 (k) “Transportation weighting” means an addend component as-  
43 signed to enrollment of districts on the basis of costs attributable to the

1 provision or furnishing of transportation.

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

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

17 (n) “Juvenile detention facility” means: (1) Any secure public or pri-  
18 vate facility which is used for the lawful custody of accused or adjudicated  
19 juvenile offenders and which shall not be a jail;

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

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

33 (o) “Special education and related services weighting” means an ad-  
34 dend component assigned to enrollment of districts on the basis of costs  
35 attributable to provision of special education and related services for pu-  
36 pils determined to be exceptional children.

37 Sec. 2. K.S.A. 2003 Supp. 72-6407 is hereby repealed.

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

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