

SENATE BILL No. 277

By Committee on Ways and Means

2-22

9 AN ACT concerning school districts; relating to defined terms; relating
10 to preschool-aged at-risk pupils; amending K.S.A. 2004 Supp. 72-6407
11 and repealing the existing section.
12

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

14 Section 1. K.S.A. 2004 Supp. 72-6407 is hereby amended to read as
15 follows: 72-6407. (a) (1) "Pupil" means any person who is regularly en-
16 rolled in a district and attending kindergarten or any of the grades one
17 through 12 maintained by the district or who is regularly enrolled in a
18 district and attending kindergarten or any of the grades one through 12
19 in another district in accordance with an agreement entered into under
20 authority of K.S.A. 72-8233, and amendments thereto, or who is regularly
21 enrolled in a district and attending special education services provided
22 for preschool-aged exceptional children by the district.

23 (2) Except as otherwise provided in paragraph (3) of this subsection,
24 a pupil in attendance full time shall be counted as one pupil. A pupil in
25 attendance part time shall be counted as that proportion of one pupil (to
26 the nearest $\frac{1}{10}$) that the pupil's attendance bears to full-time attendance.
27 A pupil attending kindergarten shall be counted as $\frac{1}{2}$ pupil. A pupil en-
28 rolled in and attending an institution of postsecondary education which
29 is authorized under the laws of this state to award academic degrees shall
30 be counted as one pupil if the pupil's postsecondary education enrollment
31 and attendance together with the pupil's attendance in either of the
32 grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted
33 as that proportion of one pupil (to the nearest $\frac{1}{10}$) that the total time of
34 the pupil's postsecondary education attendance and attendance in grade
35 11 or 12, as applicable, bears to full-time attendance. A pupil enrolled in
36 and attending an area vocational school, area vocational-technical school
37 or approved vocational education program shall be counted as one pupil
38 if the pupil's vocational education enrollment and attendance together
39 with the pupil's attendance in any of grades nine through 12 is at least $\frac{5}{6}$
40 time, otherwise the pupil shall be counted as that proportion of one pupil
41 (to the nearest $\frac{1}{10}$) that the total time of the pupil's vocational education
42 attendance and attendance in any of grades nine through 12 bears to full-
43 time attendance. A pupil enrolled in a district and attending special ed-

1 ucation and related services, except special education and related services
2 for preschool-aged exceptional children, provided for by the district shall
3 be counted as one pupil. A pupil enrolled in a district and attending
4 special education and related services for preschool-aged exceptional chil-
5 dren provided for by the district shall be counted as $\frac{1}{2}$ pupil. A preschool-
6 aged at-risk pupil enrolled in a district and receiving services under an
7 approved at-risk pupil assistance plan maintained by the district shall be
8 counted as $\frac{1}{2}$ pupil. A pupil in the custody of the secretary of social and
9 rehabilitation services and enrolled in unified school district No. 259,
10 Sedgwick county, Kansas, but housed, maintained, and receiving educa-
11 tional services at the Judge James V. Riddel Boys Ranch, shall be counted
12 as two pupils.

13 (3) A pupil residing at the Flint Hills job corps center shall not be
14 counted. A pupil confined in and receiving educational services provided
15 for by a district at a juvenile detention facility shall not be counted. A
16 pupil enrolled in a district but housed, maintained, and receiving edu-
17 cational services at a state institution shall not be counted. A pupil en-
18 rolled in a virtual school in a district but who is not a resident of the state
19 of Kansas shall not be counted.

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

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

26 (d) "Preschool-aged at-risk pupil" means an at-risk pupil who has
27 attained the age of four years, is under the age of eligibility for attendance
28 at kindergarten, and has been selected by the state board in accordance
29 with guidelines consonant with guidelines governing the selection of pu-
30 pils for participation in head start programs. The state board shall select
31 not more than ~~5,500~~ 6,000 preschool-aged at-risk pupils to be counted in
32 any school year.

33 (e) "Enrollment" means: (1) For districts scheduling the school days
34 or school hours of the school term on a trimestral or quarterly basis, the
35 number of pupils regularly enrolled in the district on September 20 plus
36 the number of pupils regularly enrolled in the district on February 20
37 less the number of pupils regularly enrolled on February 20 who were
38 counted in the enrollment of the district on September 20; and for dis-
39 tricts not specified in this clause (1), the number of pupils regularly en-
40 rolled in the district on September 20; (2) if enrollment in a district in
41 any school year has decreased from enrollment in the preceding school
42 year, enrollment of the district in the current school year means which-
43 ever is the greater of (A) enrollment in the preceding school year minus

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

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

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

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

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

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

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

41 (l) “Correlation weighting” means an addend component assigned to
42 enrollment of districts having 1,725 or over enrollment on the basis of
43 costs attributable to maintenance of educational programs by such dis-

1 tricts as a correlate to low enrollment weighting assigned to enrollment
2 of districts having under 1,725 enrollment.

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

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

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

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

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

33 (p) “Virtual school” means any kindergarten or grades one through
34 12 course offered for credit that uses distance-learning technologies
35 which predominantly use internet-based methods to deliver instruction
36 and for which the course content is available on an “anytime, anyplace”
37 basis, but the instruction occurs asynchronously with the teacher and
38 pupil in separate locations, not necessarily located within a local education
39 agency.

40 Sec. 2. K.S.A. 2004 Supp. 72-6407 is hereby repealed.

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