

HOUSE BILL No. 2608

By Legislative Educational Planning Committee

1-3

9 AN ACT concerning school districts; relating to enrollment; amending
10 K.S.A. 2007 Supp. 72-6407 and repealing the existing section.

11

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

13 New Section 1. (a) As used in this section:

14 (1) Words and phrases used in this section shall have the meanings
15 ascribed thereto by K.S.A. 72-6407, and amendments thereto, except as
16 provided by paragraphs (2), (3) and (4).

17 (2) "School district" means a school district in which: (A) A disaster
18 has occurred and which is located in an area in which the governor has
19 issued a proclamation declaring a state of disaster emergency pursuant to
20 K.S.A. 48-924, and amendments thereto, and the president of the United
21 States, pursuant to the federal Robert T. Stafford disaster relief and emer-
22 gency assistance act and the federal disaster relief and emergency assis-
23 tance amendments of 1988, has declared a major disaster to exist; and
24 (B) as a result of the destruction or damage to housing caused by such
25 disaster the enrollment of the district declined by at least 25 pupils or by
26 a number equal to 2% or more of the district's enrollment.

27 (3) "Disaster" means the occurrence of widespread or severe dam-
28 age, injury or loss of life or property resulting from any natural or man-
29 made cause including, but not limited to, fire, flood, earthquake, tornado,
30 wind, storm, drought, epidemics, air contamination, blight, infestation or
31 explosion and as a result of such disaster.

32 (4) "Base school year" means the school year first preceding the
33 school year in which the disaster first affected the enrollment of the school
34 district.

35 (b) When computing the general fund budget of a school district for
36 the second, third and fourth school years following the base school year,
37 the enrollment of the school district shall be the greater of:

38 (1) The enrollment of the district as defined by subsection (e) of
39 K.S.A. 72-6407, and amendments thereto; or

40 (2) the enrollment of the school district in the base school year less
41 any enrollment attributable to the special education weighting, school
42 facilities weighting, ancillary school facilities weighting, cost of living
43 weighting and preschool-aged at-risk pupils in the base school year; plus

1 any enrollment attributable to the special education weighting, school
2 facilities weighting, ancillary school facilities weighting, cost of living
3 weighting and preschool-aged at-risk pupils in the current school year.

4 (c) Districts desiring to determine enrollment under this section shall
5 submit any documentation or information required by the state board.

6 Sec. 2. K.S.A. 2007 Supp. 72-6407 is hereby amended to read as
7 follows: 72-6407. (a) (1) "Pupil" means any person who is regularly en-
8 rolled in a district and attending kindergarten or any of the grades one
9 through 12 maintained by the district or who is regularly enrolled in a
10 district and attending kindergarten or any of the grades one through 12
11 in another district in accordance with an agreement entered into under
12 authority of K.S.A. 72-8233, and amendments thereto, or who is regularly
13 enrolled in a district and attending special education services provided
14 for preschool-aged exceptional children by the district.

15 (2) Except as otherwise provided in paragraph (3) of this subsection,
16 a pupil in attendance full time shall be counted as one pupil. A pupil in
17 attendance part time shall be counted as that proportion of one pupil (to
18 the nearest $\frac{1}{10}$) that the pupil's attendance bears to full-time attendance.
19 A pupil attending kindergarten shall be counted as $\frac{1}{2}$ pupil. A pupil en-
20 rolled in and attending an institution of postsecondary education which
21 is authorized under the laws of this state to award academic degrees shall
22 be counted as one pupil if the pupil's postsecondary education enrollment
23 and attendance together with the pupil's attendance in either of the
24 grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted
25 as that proportion of one pupil (to the nearest $\frac{1}{10}$) that the total time of
26 the pupil's postsecondary education attendance and attendance in grade
27 11 or 12, as applicable, bears to full-time attendance. A pupil enrolled in
28 and attending an area vocational school, area vocational-technical school
29 or approved vocational education program shall be counted as one pupil
30 if the pupil's vocational education enrollment and attendance together
31 with the pupil's attendance in any of grades nine through 12 is at least $\frac{5}{6}$
32 time, otherwise the pupil shall be counted as that proportion of one pupil
33 (to the nearest $\frac{1}{10}$) that the total time of the pupil's vocational education
34 attendance and attendance in any of grades nine through 12 bears to full-
35 time attendance. A pupil enrolled in a district and attending special ed-
36 ucation and related services, except special education and related services
37 for preschool-aged exceptional children, provided for by the district shall
38 be counted as one pupil. A pupil enrolled in a district and attending
39 special education and related services for preschool-aged exceptional chil-
40 dren provided for by the district shall be counted as $\frac{1}{2}$ pupil. A preschool-
41 aged at-risk pupil enrolled in a district and receiving services under an
42 approved at-risk pupil assistance plan maintained by the district shall be
43 counted as $\frac{1}{2}$ pupil. A pupil in the custody of the secretary of social and

1 rehabilitation services or in the custody of the commissioner of juvenile
2 justice and enrolled in unified school district No. 259, Sedgwick county,
3 Kansas, but housed, maintained, and receiving educational services at the
4 Judge James V. Riddell Boys Ranch, shall be counted as two pupils.

5 (3) A pupil residing at the Flint Hills job corps center shall not be
6 counted. A pupil confined in and receiving educational services provided
7 for by a district at a juvenile detention facility shall not be counted. A
8 pupil enrolled in a district but housed, maintained, and receiving edu-
9 cational services at a state institution shall not be counted. A pupil en-
10 rolled in a virtual school in a district but who is not a resident of the state
11 of Kansas shall not be counted.

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

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

18 (d) “Preschool-aged at-risk pupil” means an at-risk pupil who has
19 attained the age of four years, is under the age of eligibility for attendance
20 at kindergarten, and has been selected by the state board in accordance
21 with guidelines consonant with guidelines governing the selection of pu-
22 pils for participation in head start programs.

23 (e) “Enrollment” means: (1) (A) Subject to the provisions of para-
24 graph (1)(B), for districts scheduling the school days or school hours of
25 the school term on a trimestral or quarterly basis, the number of pupils
26 regularly enrolled in the district on September 20 plus the number of
27 pupils regularly enrolled in the district on February 20 less the number
28 of pupils regularly enrolled on February 20 who were counted in the
29 enrollment of the district on September 20; and for districts not specified
30 in this paragraph (1), the number of pupils regularly enrolled in the dis-
31 trict on September 20; (B) a pupil who is a foreign exchange student shall
32 not be counted unless such student is regularly enrolled in the district on
33 September 20 and attending kindergarten or any of the grades one
34 through 12 maintained by the district for at least one semester or two
35 quarters or the equivalent thereof;

36 (2) if enrollment in a district in any school year has decreased from
37 enrollment in the preceding school year, enrollment of the district in the
38 current school year means whichever is the greater of (A) enrollment in
39 the preceding school year minus enrollment in such school year of pre-
40 school-aged at-risk pupils, if any such pupils were enrolled, plus enroll-
41 ment in the current school year of preschool-aged at-risk pupils, if any
42 such pupils are enrolled, or (B) the sum of enrollment in the current
43 school year of preschool-aged at-risk pupils, if any such pupils are enrolled

- 1 and the average (mean) of the sum of (i) enrollment of the district in the
2 current school year minus enrollment in such school year of preschool-
3 aged at-risk pupils, if any such pupils are enrolled and (ii) enrollment in
4 the preceding school year minus enrollment in such school year of pre-
5 school-aged at-risk pupils, if any such pupils were enrolled and (iii) en-
6 rollment in the school year next preceding the preceding school year
7 minus enrollment in such school year of preschool-aged at-risk pupils, if
8 any such pupils were enrolled; or
- 9 (3) the number of pupils as determined under K.S.A. 72-6447 ~~or~~,
10 K.S.A. 2007 Supp. 72-6448 *or section I*, and amendments thereto.
- 11 (f) “Adjusted enrollment” means enrollment adjusted by adding at-
12 risk pupil weighting, program weighting, low enrollment weighting, if any,
13 density at-risk weighting, if any, nonproficient pupil weighting, if any, high
14 enrollment weighting, if any, declining enrollment weighting, if any,
15 school facilities weighting, if any, ancillary school facilities weighting, if
16 any, cost of living 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 pursuant to K.S.A. 72-6412, and amend-
25 ments thereto, on the basis of costs attributable to maintenance of edu-
26 cational programs by such districts in comparison with costs attributable
27 to maintenance of educational programs by districts having to which high
28 enrollment weighting is assigned pursuant to K.S.A. 2007 Supp. 72-
29 6442b, and amendments thereto.
- 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.
- 33 (k) “Transportation weighting” means an addend component as-
34 signed to enrollment of districts on the basis of costs attributable to the
35 provision or furnishing of transportation.
- 36 (l) “Cost of living weighting” means an addend component assigned
37 to enrollment of districts to which the provisions of K.S.A. 2007 Supp.
38 72-6449, and amendments thereto, apply on the basis of costs attributable
39 to the cost of living in the district.
- 40 (m) “Ancillary school facilities weighting” means an addend compo-
41 nent assigned to enrollment of districts to which the provisions of K.S.A.
42 72-6441, and amendments thereto, apply on the basis of costs attributable
43 to commencing operation of new school facilities. Ancillary school facil-

- 1 ities weighting may be assigned to enrollment of a district only if the
2 district has levied a tax under authority of K.S.A. 72-6441, and amend-
3 ments thereto, and remitted the proceeds from such tax to the state trea-
4 surer. Ancillary school facilities weighting is in addition to assignment of
5 school facilities weighting to enrollment of any district eligible for such
6 weighting.
- 7 (n) “Juvenile detention facility” has the meaning ascribed thereto by
8 72-8187, and amendments thereto.
- 9 (o) “Special education and related services weighting” means an addend
10 component assigned to enrollment of districts on the basis of costs
11 attributable to provision of special education and related services for pu-
12 pils determined to be exceptional children.
- 13 (p) “Virtual school” means any kindergarten or grades one through
14 12 course offered for credit that uses distance-learning technologies
15 which predominantly use internet-based methods to deliver instruction
16 and for which the course content is available on an “anytime, anyplace”
17 basis, but the instruction occurs asynchronously with the teacher and
18 pupil in separate locations, not necessarily located within a local education
19 agency.
- 20 (q) “Declining enrollment weighting” means an addend component
21 assigned to enrollment of districts to which the provisions of K.S.A. 2007
22 Supp. 72-6451, and amendments thereto, apply on the basis of reduced
23 revenues attributable to the declining enrollment of the district.
- 24 (r) “High enrollment weighting” means an addend component
25 assigned to enrollment of districts pursuant to K.S.A. 2007 Supp. 72-6442b,
26 and amendments thereto, on the basis of costs attributable to mainte-
27 nance of educational programs by such districts as a correlate to low
28 enrollment weighting assigned to enrollment of districts pursuant to
29 K.S.A. 72-6412, and amendments thereto.
- 30 (s) “High density at-risk pupil weighting” means an addend compo-
31 nent assigned to enrollment of districts to which the provisions of K.S.A.
32 2007 Supp. 72-6455, and amendments thereto, apply.
- 33 (t) “Nonproficient pupil” means a pupil who is not eligible for free
34 meals under the national school lunch act and who has scored less than
35 proficient on the mathematics or reading state assessment during the
36 preceding school year and who is enrolled in a district which maintains
37 an approved proficiency assistance plan.
- 38 (u) “Nonproficient pupil weighting” means an addend component
39 assigned to enrollment of districts on the basis of enrollment of nonprof-
40 icient pupils pursuant to K.S.A. 2007 Supp. 72-6454, and amendments
41 thereto.
- 42 (v) “Psychiatric residential treatment facility” has the meaning as-
43 cribed thereto by K.S.A. 72-8187, and amendments thereto.

- 1 Sec. 3. K.S.A. 2007 Supp. 72-6407 is hereby repealed.
- 2 Sec. 4. This act shall take effect and be in force from and after its
- 3 publication in the statute book.