

HOUSE BILL No. 2776

By Committee on Education

2-6

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

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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 this subsection.

17 (2) "School district" means U.S.D. No. 253, Emporia.

18 (3) "Base school year" means the school year 2007-2008.

19 (b) When computing the general fund budget of the school district
20 for school year 2008-2009, the adjusted enrollment of the school district
21 shall be the greater of:

22 (1) The adjusted enrollment of the district as defined by K.S.A. 72-
23 6407, and amendments thereto; or

24 (2) Ninety-eight percent of the adjusted enrollment of the school
25 district in the base school year.

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

35 (2) Except as otherwise provided in paragraph (3) of this subsection,
36 a pupil in attendance full time shall be counted as one pupil. A pupil in
37 attendance part time shall be counted as that proportion of one pupil (to
38 the nearest $\frac{1}{10}$) that the pupil's attendance bears to full-time attendance.
39 A pupil attending kindergarten shall be counted as $\frac{1}{2}$ pupil. A pupil en-
40 rolled in and attending an institution of postsecondary education which
41 is authorized under the laws of this state to award academic degrees shall
42 be counted as one pupil if the pupil's postsecondary education enrollment
43 and attendance together with the pupil's attendance in either of the

1 grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted
2 as that proportion of one pupil (to the nearest $\frac{1}{10}$) that the total time of
3 the pupil's postsecondary education attendance and attendance in grade
4 11 or 12, as applicable, bears to full-time attendance. A pupil enrolled in
5 and attending an area vocational school, area vocational-technical school
6 or approved vocational education program shall be counted as one pupil
7 if the pupil's vocational education enrollment and attendance together
8 with the pupil's attendance in any of grades nine through 12 is at least $\frac{5}{6}$
9 time, otherwise the pupil shall be counted as that proportion of one pupil
10 (to the nearest $\frac{1}{10}$) that the total time of the pupil's vocational education
11 attendance and attendance in any of grades nine through 12 bears to full-
12 time attendance. A pupil enrolled in a district and attending special ed-
13 ucation and related services, except special education and related services
14 for preschool-aged exceptional children, provided for by the district shall
15 be counted as one pupil. A pupil enrolled in a district and attending
16 special education and related services for preschool-aged exceptional chil-
17 dren provided for by the district shall be counted as $\frac{1}{2}$ pupil. A preschool-
18 aged at-risk pupil enrolled in a district and receiving services under an
19 approved at-risk pupil assistance plan maintained by the district shall be
20 counted as $\frac{1}{2}$ pupil. A pupil in the custody of the secretary of social and
21 rehabilitation services or in the custody of the commissioner of juvenile
22 justice and enrolled in unified school district No. 259, Sedgwick county,
23 Kansas, but housed, maintained, and receiving educational services at the
24 Judge James V. Riddel Boys Ranch, shall be counted as two pupils.

25 (3) A pupil residing at the Flint Hills job corps center shall not be
26 counted. A pupil confined in and receiving educational services provided
27 for by a district at a juvenile detention facility shall not be counted. A
28 pupil enrolled in a district but housed, maintained, and receiving edu-
29 cational services at a state institution shall not be counted. A pupil en-
30 rolled in a virtual school in a district but who is not a resident of the state
31 of Kansas shall not be counted.

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

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

38 (d) "Preschool-aged at-risk pupil" means an at-risk pupil who has
39 attained the age of four years, is under the age of eligibility for attendance
40 at kindergarten, and has been selected by the state board in accordance
41 with guidelines consonant with guidelines governing the selection of pu-
42 pils for participation in head start programs.

43 (e) "Enrollment" means: (1) (A) Subject to the provisions of para-

1 graph (1)(B), for districts scheduling the school days or school hours of
2 the school term on a trimestral or quarterly basis, the number of pupils
3 regularly enrolled in the district on September 20 plus the number of
4 pupils regularly enrolled in the district on February 20 less the number
5 of pupils regularly enrolled on February 20 who were counted in the
6 enrollment of the district on September 20; and for districts not specified
7 in this paragraph (1), the number of pupils regularly enrolled in the dis-
8 trict on September 20; (B) a pupil who is a foreign exchange student shall
9 not be counted unless such student is regularly enrolled in the district on
10 September 20 and attending kindergarten or any of the grades one
11 through 12 maintained by the district for at least one semester or two
12 quarters or the equivalent thereof;

13 (2) if enrollment in a district in any school year has decreased from
14 enrollment in the preceding school year, enrollment of the district in the
15 current school year means whichever is the greater of (A) enrollment in
16 the preceding school year minus enrollment in such school year of pre-
17 school-aged at-risk pupils, if any such pupils were enrolled, plus enroll-
18 ment in the current school year of preschool-aged at-risk pupils, if any
19 such pupils are enrolled, or (B) the sum of enrollment in the current
20 school year of preschool-aged at-risk pupils, if any such pupils are enrolled
21 and the average (mean) of the sum of (i) enrollment of the district in the
22 current school year minus enrollment in such school year of preschool-
23 aged at-risk pupils, if any such pupils are enrolled and (ii) enrollment in
24 the preceding school year minus enrollment in such school year of pre-
25 school-aged at-risk pupils, if any such pupils were enrolled and (iii) en-
26 rollment in the school year next preceding the preceding school year
27 minus enrollment in such school year of preschool-aged at-risk pupils, if
28 any such pupils were enrolled; or

29 (3) the number of pupils as determined under K.S.A. 72-6447 or
30 K.S.A. 2007 Supp. 72-6448, and amendments thereto.

31 (f) “Adjusted enrollment” means: (1) Enrollment adjusted by adding
32 at-risk pupil weighting, program weighting, low enrollment weighting, if
33 any, density at-risk weighting, if any, nonproficient pupil weighting, if any,
34 high enrollment weighting, if any, declining enrollment weighting, if any,
35 school facilities weighting, if any, ancillary school facilities weighting, if
36 any, cost of living weighting, if any, special education and related services
37 weighting, and transportation weighting to enrollment; or (2) *the adjusted*
38 *enrollment as determined by section 1, and amendments thereto.*

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

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

- 1 (i) “Low enrollment weighting” means an addend component assigned to enrollment of districts pursuant to K.S.A. 72-6412, and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such districts in comparison with costs attributable to maintenance of educational programs by districts having to which high enrollment weighting is assigned pursuant to K.S.A. 2007 Supp. 72-6442b, and amendments thereto.
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- 8 (j) “School facilities weighting” means an addend component assigned to enrollment of districts on the basis of costs attributable to commencing operation of new school facilities.
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- 11 (k) “Transportation weighting” means an addend component assigned to enrollment of districts on the basis of costs attributable to the provision or furnishing of transportation.
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- 14 (l) “Cost of living weighting” means an addend component assigned to enrollment of districts to which the provisions of K.S.A. 2007 Supp. 72-6449, and amendments thereto, apply on the basis of costs attributable to the cost of living in the district.
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- 18 (m) “Ancillary school facilities weighting” means an addend component assigned to enrollment of districts to which the provisions of K.S.A. 72-6441, and amendments thereto, apply on the basis of costs attributable to commencing operation of new school facilities. Ancillary school facilities weighting may be assigned to enrollment of a district only if the district has levied a tax under authority of K.S.A. 72-6441, and amendments thereto, and remitted the proceeds from such tax to the state treasurer. Ancillary school facilities weighting is in addition to assignment of school facilities weighting to enrollment of any district eligible for such weighting.
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- 28 (n) “Juvenile detention facility” has the meaning ascribed thereto by 72-8187, and amendments thereto.
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- 30 (o) “Special education and related services weighting” means an addend component assigned to enrollment of districts on the basis of costs attributable to provision of special education and related services for pupils determined to be exceptional children.
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- 34 (p) “Virtual school” means any kindergarten or grades one through 12 course offered for credit that uses distance-learning technologies which predominantly use internet-based methods to deliver instruction and for which the course content is available on an “anytime, anyplace” basis, but the instruction occurs asynchronously with the teacher and pupil in separate locations, not necessarily located within a local education agency.
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- 41 (q) “Declining enrollment weighting” means an addend component assigned to enrollment of districts to which the provisions of K.S.A. 2007 Supp. 72-6451, and amendments thereto, apply on the basis of reduced
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1 revenues attributable to the declining enrollment of the district.

2 (r) “High enrollment weighting” means an addend component as-
3 signed to enrollment of districts pursuant to K.S.A. 2007 Supp. 72-6442b,
4 and amendments thereto, on the basis of costs attributable to mainte-
5 nance of educational programs by such districts as a correlate to low
6 enrollment weighting assigned to enrollment of districts pursuant to
7 K.S.A. 72-6412, and amendments thereto.

8 (s) “High density at-risk pupil weighting” means an addend compo-
9 nent assigned to enrollment of districts to which the provisions of K.S.A.
10 2007 Supp. 72-6455, and amendments thereto, apply.

11 (t) “Nonproficient pupil” means a pupil who is not eligible for free
12 meals under the national school lunch act and who has scored less than
13 proficient on the mathematics or reading state assessment during the
14 preceding school year and who is enrolled in a district which maintains
15 an approved proficiency assistance plan.

16 (u) “Nonproficient pupil weighting” means an addend component
17 assigned to enrollment of districts on the basis of enrollment of nonprof-
18 icient pupils pursuant to K.S.A. 2007 Supp. 72-6454, and amendments
19 thereto.

20 (v) “Psychiatric residential treatment facility” has the meaning as-
21 cribed thereto by K.S.A. 72-8187, and amendments thereto.

22 Sec. 3. K.S.A. 2007 Supp. 72-6407 is hereby repealed.

23 Sec. 4. This act shall take effect and be in force from and after its
24 publication in the statute book.