

HOUSE BILL No. 2798

By Representative Kinzer

2-8

9 AN ACT concerning school districts; relating to school finance; amend-
10 ing 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 Section 1. K.S.A. 2007 Supp. 72-6407 is hereby amended to read as
14 follows: 72-6407. (a) (1) "Pupil" means any person who is regularly en-
15 rolled in a district and attending kindergarten or any of the grades one
16 through 12 maintained by the district or who is regularly enrolled in a
17 district and attending kindergarten or any of the grades one through 12
18 in another district in accordance with an agreement entered into under
19 authority of K.S.A. 72-8233, and amendments thereto, or who is regularly
20 enrolled in a district and attending special education services provided
21 for preschool-aged exceptional children by the district.

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

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

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

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

43 (2) if enrollment in a district in any school year has decreased from

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

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

18 (f) “Adjusted enrollment” means enrollment adjusted by adding at-
19 risk pupil weighting, program weighting, low enrollment weighting, if any,
20 density at-risk weighting, if any, nonproficient pupil weighting, if any, high
21 enrollment weighting, if any, declining enrollment weighting, if any,
22 school facilities weighting, if any, ancillary school facilities weighting, if
23 any, cost of living weighting, if any, special education and related services
24 weighting, and transportation weighting to enrollment.

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

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

30 (i) “Low enrollment weighting” means an addend component as-
31 signed to enrollment of districts pursuant to K.S.A. 72-6412, and amend-
32 ments thereto, on the basis of costs attributable to maintenance of edu-
33 cational programs by such districts in comparison with costs attributable
34 to maintenance of educational programs by districts having to which high
35 enrollment weighting is assigned pursuant to K.S.A. 2007 Supp. 72-
36 6442b, and amendments thereto.

37 (j) “School facilities weighting” means an addend component as-
38 signed to enrollment of districts on the basis of costs attributable to com-
39 mencing operation of new school facilities.

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

43 (l) “Cost of living weighting” means an addend component assigned

- 1 to enrollment of districts to which the provisions of K.S.A. 2007 Supp.
2 72-6449, and amendments thereto, apply on the basis of costs attributable
3 to the cost of living in the district.
- 4 (m) “Ancillary school facilities weighting” means an addend compo-
5 nent assigned to enrollment of districts to which the provisions of K.S.A.
6 72-6441, and amendments thereto, apply on the basis of costs attributable
7 to commencing operation of new school facilities. Ancillary school facil-
8 ities weighting may be assigned to enrollment of a district only if the
9 district has levied a tax under authority of K.S.A. 72-6441, and amend-
10 ments thereto, and remitted the proceeds from such tax to the state trea-
11 surer. Ancillary school facilities weighting is in addition to assignment of
12 school facilities weighting to enrollment of any district eligible for such
13 weighting.
- 14 (n) “Juvenile detention facility” has the meaning ascribed thereto by
15 72-8187, and amendments thereto.
- 16 (o) “Special education and related services weighting” means an ad-
17 dend component assigned to enrollment of districts on the basis of costs
18 attributable to provision of special education and related services for pu-
19 pils determined to be exceptional children.
- 20 (p) “Virtual school” means any kindergarten or grades one through
21 12 course offered for credit that uses distance-learning technologies
22 which predominantly use internet-based methods to deliver instruction
23 and for which the course content is available on an “anytime, anyplace”
24 basis, but the instruction occurs asynchronously with the teacher and
25 pupil in separate locations, not necessarily located within a local education
26 agency.
- 27 (q) “Declining enrollment weighting” means an addend component
28 assigned to enrollment of districts to which the provisions of K.S.A. 2007
29 Supp. 72-6451, and amendments thereto, apply on the basis of reduced
30 revenues attributable to the declining enrollment of the district.
- 31 (r) “High enrollment weighting” means an addend component as-
32 signed to enrollment of districts pursuant to K.S.A. 2007 Supp. 72-6442b,
33 and amendments thereto, on the basis of costs attributable to mainte-
34 nance of educational programs by such districts as a correlate to low
35 enrollment weighting assigned to enrollment of districts pursuant to
36 K.S.A. 72-6412, and amendments thereto.
- 37 (s) “High density at-risk pupil weighting” means an addend compo-
38 nent assigned to enrollment of districts to which the provisions of K.S.A.
39 2007 Supp. 72-6455, and amendments thereto, apply.
- 40 (t) “Nonproficient pupil” means a pupil who is not eligible for free
41 meals under the national school lunch act and who has scored less than
42 proficient on the mathematics or reading state assessment during the
43 preceding school year and who is enrolled in a district which maintains

1 an approved proficiency assistance plan.

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

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

8 (w) (1) *“School facilities” means any building or structure located on*
9 *land owned by the district and which is operated, maintained or used by*
10 *a school district for any purpose of the district including, but not limited*
11 *to, attendance centers, day care centers, preschool facilities and school*
12 *district administration buildings.*

13 (2) *“School facilities” does not mean any building or structure used*
14 *for residential purposes or buildings or structures leased from a school*
15 *district for nonschool sponsored activities.*

16 Sec. 2. K.S.A. 2007 Supp. 72-6407 is hereby repealed.

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