

## SENATE BILL No. 628

By Committee on Federal and State Affairs

2-14

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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.

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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. 251, north Lyon county;  
18 U.S.A. No. 252, southern Lyon county; U.S.D. No. 253, Emporia; and  
19 U.S.D. No. 284, Chase county.

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

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

24 (1) The adjusted enrollment of the district as defined by K.S.A. 72-  
25 6407, and amendments thereto; or

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

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

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

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

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

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

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

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

1 pupils for participation in head start programs.

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

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

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

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

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

43 (h) “Program weighting” means an addend component assigned to

- 1 enrollment of districts on the basis of pupil attendance in educational  
2 programs which differ in cost from regular educational programs.
- 3 (i) “Low enrollment weighting” means an addend component assigned  
4 to enrollment of districts pursuant to K.S.A. 72-6412, and amend-  
5 ments thereto, on the basis of costs attributable to maintenance of edu-  
6 cational programs by such districts in comparison with costs attributable  
7 to maintenance of educational programs by districts having to which high  
8 enrollment weighting is assigned pursuant to K.S.A. 2007 Supp. 72-  
9 6442b, and amendments thereto.
- 10 (j) “School facilities weighting” means an addend component assigned  
11 to enrollment of districts on the basis of costs attributable to com-  
12 mencing operation of new school facilities.
- 13 (k) “Transportation weighting” means an addend component assigned  
14 to enrollment of districts on the basis of costs attributable to the  
15 provision or furnishing of transportation.
- 16 (l) “Cost of living weighting” means an addend component assigned  
17 to enrollment of districts to which the provisions of K.S.A. 2007 Supp.  
18 72-6449, and amendments thereto, apply on the basis of costs attributable  
19 to the cost of living in the district.
- 20 (m) “Ancillary school facilities weighting” means an addend compo-  
21 nent assigned to enrollment of districts to which the provisions of K.S.A.  
22 72-6441, and amendments thereto, apply on the basis of costs attributable  
23 to commencing operation of new school facilities. Ancillary school facil-  
24 ities weighting may be assigned to enrollment of a district only if the  
25 district has levied a tax under authority of K.S.A. 72-6441, and amend-  
26 ments thereto, and remitted the proceeds from such tax to the state trea-  
27 surer. Ancillary school facilities weighting is in addition to assignment of  
28 school facilities weighting to enrollment of any district eligible for such  
29 weighting.
- 30 (n) “Juvenile detention facility” has the meaning ascribed thereto by  
31 72-8187, and amendments thereto.
- 32 (o) “Special education and related services weighting” means an ad-  
33 dend component assigned to enrollment of districts on the basis of costs  
34 attributable to provision of special education and related services for pu-  
35 pils determined to be exceptional children.
- 36 (p) “Virtual school” means any kindergarten or grades one through  
37 12 course offered for credit that uses distance-learning technologies  
38 which predominantly use internet-based methods to deliver instruction  
39 and for which the course content is available on an “anytime, anyplace”  
40 basis, but the instruction occurs asynchronously with the teacher and  
41 pupil in separate locations, not necessarily located within a local education  
42 agency.
- 43 (q) “Declining enrollment weighting” means an addend component

- 1 assigned to enrollment of districts to which the provisions of K.S.A. 2007  
2 Supp. 72-6451, and amendments thereto, apply on the basis of reduced  
3 revenues attributable to the declining enrollment of the district.
- 4 (r) “High enrollment weighting” means an addend component as-  
5 signed to enrollment of districts pursuant to K.S.A. 2007 Supp. 72-6442b,  
6 and amendments thereto, on the basis of costs attributable to mainte-  
7 nance of educational programs by such districts as a correlate to low  
8 enrollment weighting assigned to enrollment of districts pursuant to  
9 K.S.A. 72-6412, and amendments thereto.
- 10 (s) “High density at-risk pupil weighting” means an addend compo-  
11 nent assigned to enrollment of districts to which the provisions of K.S.A.  
12 2007 Supp. 72-6455, and amendments thereto, apply.
- 13 (t) “Nonproficient pupil” means a pupil who is not eligible for free  
14 meals under the national school lunch act and who has scored less than  
15 proficient on the mathematics or reading state assessment during the  
16 preceding school year and who is enrolled in a district which maintains  
17 an approved proficiency assistance plan.
- 18 (u) “Nonproficient pupil weighting” means an addend component  
19 assigned to enrollment of districts on the basis of enrollment of nonprof-  
20 icient pupils pursuant to K.S.A. 2007 Supp. 72-6454, and amendments  
21 thereto.
- 22 (v) “Psychiatric residential treatment facility” has the meaning as-  
23 cribed thereto by K.S.A. 72-8187, and amendments thereto.
- 24 Sec. 3. K.S.A. 2007 Supp. 72-6407 is hereby repealed.
- 25 Sec. 4. This act shall take effect and be in force from and after its  
26 publication in the statute book.