

HOUSE BILL No. 2033

By Committee on Education

Requested by Representative Estes on behalf of Phillips Fundamental Learning Center

1-17

1 AN ACT concerning education; relating to at-risk educational programs;
2 including programs and services provided by nonprofit organizations
3 accredited by the international multisensory structured language
4 education council as approved at-risk educational programs; amending
5 K.S.A. 2024 Supp. 72-5153 and repealing the existing section.
6

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

8 Section 1. K.S.A. 2024 Supp. 72-5153 is hereby amended to read as
9 follows: 72-5153. (a) There is hereby established in every school district
10 an at-risk education fund that shall consist of all moneys deposited therein
11 or transferred thereto according to law. The expenses of a school district
12 directly attributable to providing at-risk student assistance or programs
13 shall be paid from the at-risk education fund.

14 (b) Any balance remaining in the at-risk education fund at the end of
15 the budget year shall be carried forward into the at-risk education fund for
16 succeeding budget years. Such fund shall not be subject to the provisions
17 of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing
18 the budget of such school district, the amounts credited to and the amount
19 on hand in the at-risk education fund, and the amount expended therefrom
20 shall be included in the annual budget for the information of the residents
21 of the school district. Interest earned on the investment of moneys in any
22 such fund shall be credited to that fund.

23 (c) Expenditures from the at-risk education fund of a school district
24 shall only be made for the following purposes:

25 (1) At-risk and provisional at-risk educational programs that are
26 provided above and beyond regular educational services to students who
27 are identified as at-risk;

28 (2) personnel providing educational services in conjunction with such
29 programs;

30 (3) support for instructional classroom personnel designed to provide
31 training for evidence-based best practices for at-risk educational programs;
32 or

33 (4) services contracted for by the school district to provide such at-
34 risk and provisional at-risk educational programs.

1 (d) (1) The state board shall identify, approve and provide a list of at-
2 risk educational programs that provide best practices and evidence-based
3 instruction to students who are identified as eligible to receive at-risk
4 programs and services that school districts shall use to provide at-risk
5 educational programs to students who are identified as eligible to receive
6 at-risk programs and services above and beyond that of a regular
7 education. Such list of approved at-risk educational programs shall
8 include, but not be limited to, programs and services provided by:

9 (A) State-based national nonprofit organizations that:

10 ~~(A)(i)~~ Focus on students who are identified as students eligible to
11 receive at-risk program services or who face other identifiable barriers to
12 success;

13 ~~(B)(ii)~~ provide evidence-based instruction and support services to
14 such students inside and outside the school setting; and

15 ~~(C)(iii)~~ evaluate outcomes data for students, including, but not limited
16 to, school attendance, academic progress, graduation rates, pursuit of
17 postsecondary education or career advancement; *and*

18 (B) *any other nonprofit organization that is accredited by the*
19 *international multisensory structured language education council.*

20 (2) The state board shall review and update such online at-risk best
21 practices list as necessary. The department shall publish such list of
22 approved at-risk educational programs on the department's website with a
23 link to such list prominently displayed on the department's website
24 homepage.

25 (3) (A) No expenditure shall be made from a school district's at-risk
26 education fund for any program or service that is not included on the list of
27 approved at-risk educational programs unless the expenditure is made for a
28 provisional at-risk educational program.

29 (B) The state board of education may authorize a school district to
30 make expenditures from the school district's at-risk education fund to
31 commence and implement a provisional at-risk educational program. The
32 state board shall approve any provisional at-risk educational program prior
33 to the implementation of the provisional at-risk educational program by a
34 school district. Any provisional at-risk educational program approved by
35 the state board and implemented by a school district shall be subject to
36 school district review while such program is implemented in the school
37 district to evaluate whether the program is producing or likely to produce
38 measurable success. If any provisional at-risk educational program is
39 determined by the state board to provide evidence-based instruction, the
40 state board shall include such program or service on the list of approved
41 at-risk educational programs.

42 (C) If the state board removes any program or service from the state
43 board's list of approved at-risk educational programs and services, a school

1 district that is implementing any such program or service may apply to the
2 state board to continue to make expenditures from the school district's at-
3 risk education fund for such program or service. When considering any
4 such application, the state board shall require such school district to
5 demonstrate that any of the following improvements are directly
6 attributable to the program or service:

7 (i) Academic improvement in either mathematics or English language
8 arts; or

9 (ii) an improvement in attendance, college and career readiness
10 measures or the educational climate through a measurable decrease in
11 detentions, expulsions, tardiness or other behavioral issues that hinder
12 student learning.

13 (4) School districts shall provide at-risk educational programs and
14 services to provide students identified as eligible to receive at-risk
15 programs and services with additional educational opportunities,
16 interventions and evidence-based instructional services above and beyond
17 regular educational services.

18 (e) As used in this section:

19 (1) "Above and beyond" means an at-risk educational program or
20 evidence-based instruction or practice that is provided in excess of regular
21 educational services and based on the needs of students identified as
22 eligible to receive at-risk educational programs and services and may
23 provide a collateral benefit to students who are not so identified without
24 any additional cost.

25 (2) "At-risk educational program" means an at-risk program or
26 service that is identified and approved by the state board as providing
27 evidence-based instruction to students who are identified as eligible to
28 receive at-risk educational programs and services above and beyond
29 regular educational services.

30 (3) "Evidence-based instruction" means an education delivery
31 practice based on peer reviewed research that consistently produces better
32 student outcomes over a one-year period than would otherwise be
33 achieved by the same students who are identified as eligible to receive at-
34 risk educational programs and services.

35 (4) "Provisional at-risk educational program" means an education
36 delivery practice that is identified or developed by a school district as a
37 program or service that is:

38 (A) Provided to students who are identified as eligible to receive at-
39 risk educational programs and services above and beyond regular
40 educational services;

41 (B) producing or likely to produce better student outcomes;

42 (C) subject to school district review to evaluate whether such
43 program provides evidence-based instruction; and

1 (D) is placed on the state board of education's list of approved at-risk
2 educational programs if the provisional at-risk educational program is
3 shown to provide evidence-based instruction to students who are identified
4 as eligible to receive at-risk educational programs and services.

5 Sec. 2. K.S.A. 2024 Supp. 72-5153 is hereby repealed.

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