

**HOUSE BILL No. 2204**

By Committee on Education Budget

2-8

1 AN ACT creating the college credit scholarship program; amending  
2 K.S.A. 2010 Supp. 72-6407 and repealing the existing section.

3  
4 *Be it enacted by the Legislature of the State of Kansas:*

5 New Section 1. As used in sections 1 through 5, and amendments  
6 thereto, unless the context otherwise requires:

7 (a) "Department" means the Kansas department of education.

8 (b) "Eligible student" means a student enrolled in public  
9 school in the school year in which a scholarship application was first  
10 submitted for the student pursuant to section 2, and amendments thereto.

11 (c) "Parent" includes a guardian, custodian or other person  
12 with authority to act on behalf of the child.

13 (d) "Institution" means a postsecondary educational institution  
14 or a private postsecondary educational institution, as those terms are  
15 defined in K.S.A. 74-3201b, and amendments thereto, located within the  
16 state of Kansas.

17 (g) "Program" means the college credit scholarship program  
18 established by section 2, and amendments thereto.

19 (h) "Resident school district" means the school district in  
20 which the student resides.

21 (i) "State board" means the state board of education.

22 New Sec. 2. (a) There is hereby established the college credit  
23 scholarship program. The program shall be administered by the  
24 department. Any parent of an eligible student shall qualify for a  
25 scholarship pursuant to the program if:

26 (1) The eligible student is enrolled in a public school;

27 (2) the student has been accepted for admission at an  
28 institution;

29 (3) the student will also receive credit towards high school  
30 graduation for the course or courses taken at the institution; and

31 (4) the parent has submitted an application for a scholarship in  
32 the manner specified by the state board.

33 (b) Upon approval of an application for a scholarship, the  
34 department shall notify the resident school district that an eligible student  
35 has requested a scholarship under the program. Such notice shall include  
36 the name of the eligible student and the name of the institution the student

1 will attend.

2 (c) The maximum scholarship amount that may be granted under the  
3 program to an eligible student shall be the aggregate cost of tuition and  
4 fees to attend the institution.

5 (d) The department shall certify to the director of accounts and  
6 reports the amount of the scholarship to be awarded for each eligible  
7 student. The director of accounts and reports shall issue a warrant on the  
8 state treasurer, payable to the parent of each eligible student awarded a  
9 scholarship under the program, in the amount certified by the department.  
10 Upon receipt of such warrant, the parent to whom the warrant is made  
11 shall restrictively endorse the warrant to the institution for deposit into  
12 the account of the institution.

13 New Sec. 3. If a student fails to earn credit for the course or courses  
14 enrolled in, the parent of such student shall pay to the department the  
15 amount of the scholarship awarded for the course or courses for which  
16 the student failed to earn credit. Such payment shall be made within 60  
17 days of the date of final notification by the institution of the student's  
18 final grade in the course or courses. All moneys received by the  
19 department pursuant to this section shall be deposited in the state school  
20 district finance fund.

21 New Sec. 4. The state board shall not be liable for claims based on  
22 the award of or use of a scholarship awarded pursuant to sections 1  
23 through 5, and amendments thereto.

24 New Sec. 5. The state board shall adopt rules and regulations that it  
25 deems necessary to implement the provisions of sections 1 through 5, and  
26 amendments thereto, including, but not limited to:

27 (a) The calculation and awarding of scholarships under the  
28 program;

29 (b) procedures relating to the submission and approval of  
30 applications for scholarships; and

31 (c) procedures and safeguards relating to the issuance of  
32 vouchers to ensure that moneys awarded for scholarships are used for the  
33 purposes set forth in sections 1 through 5, and amendments thereto.

34 Sec. 6. K.S.A. 2010 Supp. 72-6407 is hereby amended to read as  
35 follows: 72-6407. (a) (1) "Pupil" means any person who is regularly  
36 enrolled in a district and attending kindergarten or any of the grades one  
37 through 12 maintained by the district or who is regularly enrolled in a  
38 district and attending kindergarten or any of the grades one through 12 in  
39 another district in accordance with an agreement entered into under  
40 authority of K.S.A. 72-8233, and amendments thereto, or who is regularly  
41 enrolled in a district and attending special education services provided for  
42 preschool-aged exceptional children by the district.

43 (2) ~~Except as otherwise provided in paragraph (3) of this subsection,~~

1 (A) *The following shall be counted as one pupil:*

2 (i) *A pupil in attendance full time shall be counted as one pupil. ;*  
3 *and*

4 (ii) *except as provided in subparagraph (B), a pupil enrolled in a*  
5 *district and attending special education and related services, provided*  
6 *for by the district.*

7 (B) *The following shall be counted as 1/2 pupil:*

8 (i) *A pupil attending kindergarten;*

9 (ii) *a pupil enrolled in a district and attending special education and*  
10 *related services for preschool-aged exceptional children provided for by*  
11 *the district; and*

12 (iii) *a preschool-aged at-risk pupil enrolled in a district and*  
13 *receiving services under an approved at-risk pupil assistance plan*  
14 *maintained by the district.*

15 (C) *The following shall be counted as two pupils:*

16 (i) *A pupil in the custody of the secretary of social and rehabilitation*  
17 *services or in the custody of the commissioner of juvenile justice and*  
18 *enrolled in unified school district No. 259, Sedgwick county, Kansas, but*  
19 *housed, maintained and receiving educational services at the Judge*  
20 *James V. Riddel Boys Ranch; and*

21 (ii) *a pupil in the custody of the secretary of social and*  
22 *rehabilitation services or in the custody of the commissioner of juvenile*  
23 *justice and enrolled in unified school district No. 409, Atchison, Kansas,*  
24 *but housed, maintained and receiving educational services at the youth*  
25 *residential center located on the grounds of the former Atchison juvenile*  
26 *correctional facility.*

27 (D) *A pupil in attendance part time shall be counted as that*  
28 *proportion of one pupil (to the nearest 1/10) that the pupil's attendance*  
29 *bears to full-time attendance. A pupil attending kindergarten shall be*  
30 *counted as 1/2 pupil.*

31 (E) *A pupil enrolled in and attending an institution of postsecondary*  
32 *education which is authorized under the laws of this state to award*  
33 *academic degrees shall be counted as one pupil if the pupil's*  
34 *postsecondary education enrollment and attendance together with the*  
35 *pupil's attendance in either of the grades 11 or 12 is at least 5/6 time,*  
36 *otherwise the pupil shall be counted as that proportion of one pupil (to the*  
37 *nearest 1/10) that the total time of the pupil's postsecondary education*  
38 *attendance and attendance in grade 11 or 12, as applicable, bears to full-*  
39 *time attendance.*

40 (F) *A pupil enrolled in and attending an area vocational school, area*  
41 *vocational-technical school or approved vocational education program*  
42 *shall be counted as one pupil if the pupil's vocational education*  
43 *enrollment and attendance together with the pupil's attendance in any of*

1 grades nine through 12 is at least  $\frac{5}{6}$  time, otherwise the pupil shall be  
2 counted as that proportion of one pupil (to the nearest  $\frac{1}{10}$ ) that the total  
3 time of the pupil's vocational education attendance and attendance in any  
4 of grades nine through 12 bears to full-time attendance.

5 (G) A pupil enrolled in a district and attending a nonvirtual school  
6 and also attending a virtual school shall be counted as that proportion of  
7 one pupil (to the nearest  $\frac{1}{10}$ ) that the pupil's attendance at the nonvirtual  
8 school bears to full-time attendance. ~~Except as provided by this section~~  
9 ~~for preschool-aged exceptional children and virtual school pupils, a pupil~~  
10 ~~enrolled in a district and attending special education and related services,~~  
11 ~~provided for by the district shall be counted as one pupil.~~

12 (H) A pupil enrolled in a district and attending special education and  
13 related services provided for by the district and also attending a virtual  
14 school shall be counted as that proportion of one pupil (to the nearest  $\frac{1}{10}$ )  
15 that the pupil's attendance at the nonvirtual school bears to full-time  
16 attendance. ~~A pupil enrolled in a district and attending special education~~  
17 ~~and related services for preschool-aged exceptional children provided for~~  
18 ~~by the district shall be counted as  $\frac{1}{2}$  pupil. A preschool-aged at-risk~~  
19 ~~pupil enrolled in a district and receiving services under an approved at-~~  
20 ~~risk pupil assistance plan maintained by the district shall be counted as~~  
21  ~~$\frac{1}{2}$  pupil. A pupil in the custody of the secretary of social and~~  
22 ~~rehabilitation services or in the custody of the commissioner of juvenile~~  
23 ~~justice and enrolled in unified school district No. 259, Sedgwick county,~~  
24 ~~Kansas, but housed, maintained, and receiving educational services at the~~  
25 ~~Judge James V. Riddell Boys Ranch, shall be counted as two pupils.~~  
26 ~~Except as provided in section 1 of chapter 76 of the 2009 Session Laws~~  
27 ~~of the state of Kansas, and amendments thereto, a pupil in the custody of~~  
28 ~~the secretary of social and rehabilitation services or in the custody of the~~  
29 ~~commissioner of juvenile justice and enrolled in unified school district~~  
30 ~~No. 409, Atchison, Kansas, but housed, maintained and receiving~~  
31 ~~educational services at the youth residential center located on the grounds~~  
32 ~~of the former Atchison juvenile correctional facility, shall be counted as~~  
33 ~~two pupils.~~

34 (3) *A pupil that has been awarded a scholarship under the college*  
35 *credit scholarship program, section 1 et seq., and amendments thereto,*  
36 *shall be counted as that proportion of one pupil (to the nearest  $\frac{1}{10}$ ) that*  
37 *the pupil's attendance bears to full-time attendance.*

38 (4) *The following shall not be counted:*

39 (A) A pupil residing at the Flint Hills job corps center ~~shall not be~~  
40 ~~counted. ;~~

41 (B) ~~except as provided in paragraph (2), a pupil confined in and~~  
42 ~~receiving educational services provided for by a district at a juvenile~~  
43 ~~detention facility shall not be counted. ; and~~

1 (C) a pupil enrolled in a district but housed, maintained, and  
2 receiving educational services at a state institution or a psychiatric  
3 residential treatment facility ~~shall not be counted~~.

4 (b) "Preschool-aged exceptional children" means exceptional  
5 children, except gifted children, who have attained the age of three years  
6 but are under the age of eligibility for attendance at kindergarten.

7 (c) "At-risk pupils" means pupils who are eligible for free meals  
8 under the national school lunch act and who are enrolled in a district  
9 which maintains an approved at-risk pupil assistance plan.

10 (d) "Preschool-aged at-risk pupil" means an at-risk pupil who has  
11 attained the age of four years, is under the age of eligibility for attendance  
12 at kindergarten, and has been selected by the state board in accordance  
13 with guidelines consonant with guidelines governing the selection of  
14 pupils for participation in head start programs.

15 (e) "Enrollment" means: (1) (A) Subject to the provisions of  
16 paragraph (1)(B), for districts scheduling the school days or school hours  
17 of the school term on a trimestral or quarterly basis, the number of pupils  
18 regularly enrolled in the district on September 20 plus the number of  
19 pupils regularly enrolled in the district on February 20 less the number of  
20 pupils regularly enrolled on February 20 who were counted in the  
21 enrollment of the district on September 20; and for districts not specified  
22 in this paragraph (1), the number of pupils regularly enrolled in the  
23 district on September 20; (B) a pupil who is a foreign exchange student  
24 shall not be counted unless such student is regularly enrolled in the  
25 district on September 20 and attending kindergarten or any of the grades  
26 one through 12 maintained by the district for at least one semester or two  
27 quarters or the equivalent thereof;

28 (2) if enrollment in a district in any school year has decreased from  
29 enrollment in the preceding school year, enrollment of the district in the  
30 current school year means whichever is the greater of (A) enrollment in  
31 the preceding school year minus enrollment in such school year of  
32 preschool-aged at-risk pupils, if any such pupils were enrolled, plus  
33 enrollment in the current school year of preschool-aged at-risk pupils, if  
34 any such pupils are enrolled, or (B) the sum of enrollment in the current  
35 school year of preschool-aged at-risk pupils, if any such pupils are  
36 enrolled and the average (mean) of the sum of (i) enrollment of the  
37 district in the current school year minus enrollment in such school year of  
38 preschool-aged at-risk pupils, if any such pupils are enrolled and (ii)  
39 enrollment in the preceding school year minus enrollment in such school  
40 year of preschool-aged at-risk pupils, if any such pupils were enrolled  
41 and (iii) enrollment in the school year next preceding the preceding  
42 school year minus enrollment in such school year of preschool-aged at-  
43 risk pupils, if any such pupils were enrolled; or

1 (3) the number of pupils as determined under K.S.A. 72-6447 or  
2 K.S.A. 2010 Supp. 72-6448, and amendments thereto.

3 (f) "Adjusted enrollment" means: (1) Enrollment adjusted by adding  
4 at-risk pupil weighting, program weighting, low enrollment weighting, if  
5 any, high density at-risk pupil weighting, if any, medium density at-risk  
6 pupil weighting, if any, nonproficient pupil weighting, if any, high  
7 enrollment weighting, if any, declining enrollment weighting, if any,  
8 school facilities weighting, if any, ancillary school facilities weighting, if  
9 any, cost of living weighting, if any, special education and related  
10 services weighting, and transportation weighting to enrollment; or (2)  
11 adjusted enrollment as determined under K.S.A. 2010 Supp. 72-6457 or  
12 72-6458, and amendments thereto.

13 (g) "At-risk pupil weighting" means an addend component assigned  
14 to enrollment of districts on the basis of enrollment of at-risk pupils.

15 (h) "Program weighting" means an addend component assigned to  
16 enrollment of districts on the basis of pupil attendance in educational  
17 programs which differ in cost from regular educational programs.

18 (i) "Low enrollment weighting" means an addend component  
19 assigned to enrollment of districts pursuant to K.S.A. 72-6412, and  
20 amendments thereto, on the basis of costs attributable to maintenance of  
21 educational programs by such districts in comparison with costs  
22 attributable to maintenance of educational programs by districts having to  
23 which high enrollment weighting is assigned pursuant to K.S.A. 2010  
24 Supp. 72-6442b, and amendments thereto.

25 (j) "School facilities weighting" means an addend component  
26 assigned to enrollment of districts on the basis of costs attributable to  
27 commencing operation of new school facilities.

28 (k) "Transportation weighting" means an addend component  
29 assigned to enrollment of districts on the basis of costs attributable to the  
30 provision or furnishing of transportation.

31 (l) "Cost-of-living weighting" means an addend component assigned  
32 to enrollment of districts to which the provisions of K.S.A. 2010 Supp.  
33 72-6449, and amendments thereto, apply on the basis of costs attributable  
34 to the cost of living in the district.

35 (m) "Ancillary school facilities weighting" means an addend  
36 component assigned to enrollment of districts to which the provisions of  
37 K.S.A. 72-6441, and amendments thereto, apply on the basis of costs  
38 attributable to commencing operation of new school facilities. Ancillary  
39 school facilities weighting may be assigned to enrollment of a district  
40 only if the district has levied a tax under authority of K.S.A. 72-6441, and  
41 amendments thereto, and remitted the proceeds from such tax to the state  
42 treasurer. Ancillary school facilities weighting is in addition to  
43 assignment of school facilities weighting to enrollment of any district

1 eligible for such weighting.

2 (n) "Juvenile detention facility" has the meaning ascribed thereto by  
3 K.S.A. 72-8187, and amendments thereto.

4 (o) "Special education and related services weighting" means an  
5 addend component assigned to enrollment of districts on the basis of  
6 costs attributable to provision of special education and related services for  
7 pupils determined to be exceptional children.

8 (p) "Virtual school" means any school or educational program that:  
9 (1) Is offered for credit; (2) uses distance-learning technologies which  
10 predominately use internet-based methods to deliver instruction; (3)  
11 involves instruction that occurs asynchronously with the teacher and  
12 pupil in separate locations; (4) requires the pupil to make academic  
13 progress toward the next grade level and matriculation from kindergarten  
14 through high school graduation; (5) requires the pupil to demonstrate  
15 competence in subject matter for each class or subject in which the pupil  
16 is enrolled as part of the virtual school; and (6) requires age-appropriate  
17 pupils to complete state assessment tests.

18 (q) "Declining enrollment weighting" means an addend component  
19 assigned to enrollment of districts to which the provisions of K.S.A. 2010  
20 Supp. 72-6451, and amendments thereto, apply on the basis of reduced  
21 revenues attributable to the declining enrollment of the district.

22 (r) "High enrollment weighting" means an addend component  
23 assigned to enrollment of districts pursuant to K.S.A. 2010 Supp. 72-  
24 6442b, and amendments thereto, on the basis of costs attributable to  
25 maintenance of educational programs by such districts as a correlate to  
26 low enrollment weighting assigned to enrollment of districts pursuant to  
27 K.S.A. 72-6412, and amendments thereto.

28 (s) "High density at-risk pupil weighting" means an addend  
29 component assigned to enrollment of districts to which the provisions of  
30 K.S.A. 2010 Supp. 72-6455, and amendments thereto, apply.

31 (t) "Nonproficient pupil" means a pupil who is not eligible for free  
32 meals under the national school lunch act and who has scored less than  
33 proficient on the mathematics or reading state assessment during the  
34 preceding school year and who is enrolled in a district which maintains  
35 an approved proficiency assistance plan.

36 (u) "Nonproficient pupil weighting" means an addend component  
37 assigned to enrollment of districts on the basis of enrollment of  
38 nonproficient pupils pursuant to K.S.A. 2010 Supp. 72-6454, and  
39 amendments thereto.

40 (v) "Psychiatric residential treatment facility" has the meaning  
41 ascribed thereto by K.S.A. 72-8187, and amendments thereto.

42 (w) "Medium density at-risk pupil weighting" means an  
43 addend component assigned to enrollment of districts to which the

1 provisions of K.S.A. 2010 Supp. 72-6459, and amendments thereto,  
2 apply.

3 Sec. 7. K.S.A. 2010 Supp. 72-6407 is hereby repealed.

4 Sec. 8. This act shall take effect and be in force from and after its  
5 publication in the statute book.