

As Amended by Senate Committee

As Amended by House Committee

Session of 2008

HOUSE BILL No. 2734

By Representative Aurand

2-1

12 AN ACT concerning school districts; relating to school finance; ~~relating~~
13 ~~to consolidation~~; amending K.S.A. 2007 Supp. ~~72-6445a~~ **72-6407, 72-**
14 **6445a and 72-6455** and repealing the existing ~~section~~ **sections**.
15

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

17 Section 1. K.S.A. 2007 Supp. 72-6445a is hereby amended to read
18 as follows: 72-6445a. (a) *(1)* For the purposes of the school district
19 finance and quality performance act, and notwithstanding any provision
20 of the act to the contrary, state financial aid for any district formed by
21 consolidation in accordance with the statutory provisions contained in
22 article 87 of chapter 72 of Kansas Statutes Annotated shall be computed
23 by the state board of education as follows:

24 ~~(1)~~ (A) Determine the amount of state financial aid each of the for-
25 mer districts which comprise the consolidated district received in the
26 school year preceding the date the consolidation was completed;

27 ~~(2)~~ (B) add the amounts determined under *paragraph (A) of this*
28 subsection (a)(1). The sum is the state financial aid of the consolidated
29 district for the school year in which the consolidation is completed. For
30 the next succeeding ~~two~~ **four** school years, the state financial aid shall be
31 the greater of: ~~(1)~~ (i) The amount received in the preceding school year;

32 or ~~(2)~~ (ii) the amount the district would receive under the school district
33 finance and quality performance act prior to amendment by this section.

34 ~~(b)~~ (2) The provisions of this subsection (a)(2) shall apply only if a
35 school district is disorganized in accordance with article 73 of chapter 72
36 of the Kansas Statutes Annotated, and amendments thereto, and if all the
37 territory which comprised such disorganized district is attached to a single
38 school district.

39 For the purposes of the school district finance and quality performance
40 act, and notwithstanding any provision of the act to the contrary, state
41 financial aid for any school district to which this subsection applies, shall
42 be computed by the state board of education as follows:

43 ~~(1)~~ (A) Determine the amount of state financial aid each of the for-

1 mer districts which comprise the enlarged district received in the school
 2 year preceding the date the ~~consolidation~~ attachment was completed;

3 ~~(2)~~ (B) add the amounts determined under ~~subsection (b)(1)~~ para-
 4 graph (A) of this subsection (a)(2). The sum is the state financial aid of
 5 the district for the school year in which the attachment is completed. For
 6 the next succeeding ~~two~~ **four** school years, the state financial aid shall be
 7 the greater of: ~~(1)~~ (i) The amount received in the preceding school year;
 8 or ~~(2)~~ (ii) the amount the district would receive under the school district
 9 finance and quality performance act prior to amendment by this section.

10 The provisions of this subsection (a)(2) shall apply to any school district
 11 to which all of the territory of a disorganized district has been attached
 12 pursuant to an order issued by the state board of education during school
 13 year 2002-2003, or any time thereafter, under article 73 of chapter 72 of
 14 the Kansas Statutes Annotated, and amendments thereto.

15 ~~(c) (3) Subject to the provisions of subsection (b), this section subsec-~~
 16 ~~tion (a) shall apply to districts which have consolidated or disorganized~~
 17 ~~on and after July 1, 2004.~~

18 ~~(b) (1) For the purposes of the school district finance and quality~~
 19 ~~performance act, and notwithstanding any provision of the act to the~~
 20 ~~contrary, state financial aid for any district formed by consolidation in~~
 21 ~~accordance with the statutory provisions contained in article 87 of chapter~~
 22 ~~72 of the Kansas Statutes Annotated, and amendments thereto, shall be~~
 23 ~~computed by the state board of education as follows:~~

24 ~~(A) Determine the amount of state financial aid each of the former~~
 25 ~~districts which comprise the consolidated district received in the school~~
 26 ~~year preceding the date the consolidation was completed;~~

27 ~~(B) add the amounts determined under paragraph (A) of this subsec-~~
 28 ~~tion (b)(1). The sum is the state financial aid of the consolidated district~~
 29 ~~for the school year in which the consolidation is completed. In the case of~~
 30 ~~school districts which have an enrollment of less than 150 pupils prior to~~
 31 ~~the consolidation, for the next succeeding two school years, the state fi-~~
 32 ~~nanical aid shall be the greater of: (i) The amount received in the preced-~~
 33 ~~ing school year; or (ii) the amount the district would receive under the~~
 34 ~~school district finance and quality performance act prior to amendment~~
 35 ~~by this section. In the case of school districts which have an enrollment~~
 36 ~~of more than 150 but less than 200 pupils prior to the consolidation, for~~
 37 ~~the next succeeding three school years, the state financial aid shall be the~~
 38 ~~greater of: (i) The amount received in the preceding school year; or (ii)~~
 39 ~~the amount the district would receive under the school district finance~~
 40 ~~and quality performance act prior to amendment by this section. In the~~
 41 ~~case of school districts which have an enrollment of 200 or more pupils~~
 42 ~~prior to the consolidation, for the next succeeding four school years, the~~
 43 ~~state financial aid shall be the greater of: (i) The amount received in the~~

1 ~~preceding school year; or (ii) the amount the district would receive under~~
2 ~~the school district finance and quality performance act prior to amend-~~
3 ~~ment by this section.~~
4 ~~(B) add the amounts determined under paragraph (A) of this~~
5 ~~subsection (b)(1). The sum is the state financial aid of the consol-~~
6 ~~idated district for the school year in which the consolidation is~~
7 ~~completed.~~
8 ~~—If any of the school districts had an enrollment of less than 150~~
9 ~~pupils on the day preceding the consolidation, the state financial~~
10 ~~aid of the newly consolidated district for the school year following~~
11 ~~the school year in which the consolidation was completed shall be~~
12 ~~the greater of: (i) The amount received in the preceding school~~
13 ~~year; or (ii) the amount the district would receive under the school~~
14 ~~district finance and quality performance act prior to amendment~~
15 ~~by this section.~~
16 ~~—If all of the school districts had an enrollment of at least 150~~
17 ~~pupils but any had less than 200 pupils on the day preceding the~~
18 ~~consolidation, the state financial aid of the newly consolidated dis-~~
19 ~~trict for the three school years following the school year in which~~
20 ~~the consolidation was completed shall be the greater of: (i) The~~
21 ~~amount received in the preceding school year; or (ii) the amount~~
22 ~~the district would receive under the school district finance and~~
23 ~~quality performance act prior to amendment by this section.~~
24 ~~—If all of the school districts had an enrollment of 200 or more~~
25 ~~pupils prior to the consolidation, the state financial aid of the~~
26 ~~newly consolidated district for the four school years following the~~
27 ~~school year in which the consolidation was completed shall be the~~
28 ~~greater of: (i) The amount received in the preceding school year;~~
29 ~~or (ii) the amount the district would receive under the school dis-~~
30 ~~trict finance and quality performance act prior to amendment by~~
31 ~~this section.~~
32 ~~(2) The provisions of this subsection (b)(2) shall apply only if a school~~
33 ~~district is disorganized in accordance with article 73 of chapter 72 of the~~
34 ~~Kansas Statutes Annotated, and amendments thereto, and if all the ter-~~
35 ~~ritory which comprised such disorganized district is attached to a single~~
36 ~~school district.~~
37 ~~—For the purposes of the school district finance and quality performance~~
38 ~~act, and notwithstanding any provision of the act to the contrary, state~~
39 ~~financial aid for any school district to which this subsection applies, shall~~
40 ~~be computed by the state board of education as follows:~~
41 ~~(A) Determine the amount of state financial aid each of the former~~
42 ~~districts which comprise the enlarged district received in the school year~~
43 ~~preceding the date the attachment was completed.~~

1 ~~—(B) add the amounts determined under paragraph (A) of this subsec-~~
2 ~~tion (b)(2). The sum is the state financial aid of the district for the school~~
3 ~~year in which the attachment is completed. In the case of school districts~~
4 ~~which have an enrollment of less than 150 pupils prior to the attachment,~~
5 ~~for the next succeeding two school years, the state financial aid shall be~~
6 ~~the greater of: (i) The amount received in the preceding school year; or~~
7 ~~(ii) the amount the district would receive under the school district finance~~
8 ~~and quality performance act prior to amendment by this section. In the~~
9 ~~case of school districts which have an enrollment of more than 150 but~~
10 ~~less than 200 pupils prior to the attachment, for the next succeeding three~~
11 ~~school years, the state financial aid shall be the greater of: (i) The amount~~
12 ~~received in the preceding school year; or (ii) the amount the district would~~
13 ~~receive under the school district finance and quality performance act prior~~
14 ~~to amendment by this section. In the case of school districts which have~~
15 ~~an enrollment of 200 or more pupils prior to the attachment, for the next~~
16 ~~succeeding four school years, the state financial aid shall be the greater~~
17 ~~of: (i) The amount received in the preceding school year; or (ii) the amount~~
18 ~~the district would receive under the school district finance and quality~~
19 ~~performance act prior to amendment by this section.~~

20 ~~(B) add the amounts determined under paragraph (A) of this~~
21 ~~subsection (b)(1). The sum is the state financial aid of the enlarged~~
22 ~~district for the school year in which the attachment is completed.~~

23 ~~—If any of the school districts had an enrollment of less than 150~~
24 ~~pupils on the day preceding the attachment, the state financial aid~~
25 ~~of the enlarged district for the school year following the school~~
26 ~~year in which the attachment was completed shall be the greater~~
27 ~~of: (i) The amount received in the preceding school year; or (ii) the~~
28 ~~amount the district would receive under the school district finance~~
29 ~~and quality performance act prior to amendment by this section.~~

30 ~~—If all of the school districts had an enrollment of at least 150~~
31 ~~pupils but any had less than 200 pupils on the day preceding the~~
32 ~~attachment, the state financial aid of the enlarged district for the~~
33 ~~three school years following the school year in which the attach-~~
34 ~~ment was completed shall be the greater of: (i) The amount re-~~
35 ~~ceived in the preceding school year; or (ii) the amount the district~~
36 ~~would receive under the school district finance and quality per-~~
37 ~~formance act prior to amendment by this section.~~

38 ~~—If all of the school districts had an enrollment of 200 or more~~
39 ~~pupils prior to the attachment, the state financial aid of the en-~~
40 ~~larged district for the four school years following the school year~~
41 ~~in which the attachment was completed shall be the greater of: (i)~~
42 ~~The amount received in the preceding school year; or (ii) the~~
43 ~~amount the district would receive under the school district finance~~

1 ~~**and quality performance act prior to amendment by this section.**~~

2 ~~*The provisions of this subsection (b)(2) shall apply to any school district*~~
3 ~~*to which all of the territory of a disorganized district has been attached*~~
4 ~~*pursuant to an order issued by the state board of education during school*~~
5 ~~*year 2008-2009, or any time thereafter, under article 73 of chapter 72 of*~~
6 ~~*the Kansas Statutes Annotated, and amendments thereto.*~~

7 ~~*(3) The provisions of this subsection (b) shall apply to districts which*~~
8 ~~*have consolidated or disorganized on and after July 1, 2008*~~ **2010.**

9 ~~*Sec. 2. K.S.A. 2007 Supp. 72-6445a is hereby repealed.*~~

10 **Sec. 2. K.S.A. 2007 Supp. 72-6407 is hereby amended to read**
11 **as follows: 72-6407. (a) (1) “Pupil” means any person who is reg-**
12 **ularly enrolled in a district and attending kindergarten or any of**
13 **the grades one through 12 maintained by the district or who is reg-**
14 **ularly enrolled in a district and attending kindergarten or any of**
15 **the grades one through 12 in another district in accordance with an**
16 **agreement entered into under authority of K.S.A. 72-8233, and**
17 **amendments thereto, or who is regularly enrolled in a district and**
18 **attending special education services provided for preschool-aged**
19 **exceptional children by the district.**

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

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

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

21 (b) *“Preschool-aged exceptional children” means exceptional*
22 *children, except gifted children, who have attained the age of three*
23 *years but are under the age of eligibility for attendance at*
24 *kindergarten.*

25 (c) *“At-risk pupils” means pupils who are eligible for free meals*
26 *under the national school lunch act and who are enrolled in a dis-*
27 *trict which maintains an approved at-risk pupil assistance plan.*

28 (d) *“Preschool-aged at-risk pupil” means an at-risk pupil who*
29 *has attained the age of four years, is under the age of eligibility for*
30 *attendance at kindergarten, and has been selected by the state*
31 *board in accordance with guidelines consonant with guidelines gov-*
32 *erning the selection of pupils for participation in head start*
33 *programs.*

34 (e) *“Enrollment” means: (1) (A) Subject to the provisions of par-*
35 *agraph (1)(B), for districts scheduling the school days or school*
36 *hours of the school term on a trimestral or quarterly basis, the num-*
37 *ber of pupils regularly enrolled in the district on September 20 plus*
38 *the number of pupils regularly enrolled in the district on February*
39 *20 less the number of pupils regularly enrolled on February 20 who*
40 *were counted in the enrollment of the district on September 20; and*
41 *for districts not specified in this paragraph (1), the number of pupils*
42 *regularly enrolled in the district on September 20; (B) a pupil who*
43 *is a foreign exchange student shall not be counted unless such stu-*

- 1 *dent is regularly enrolled in the district on September 20 and at-*
2 *tending kindergarten or any of the grades one through 12 main-*
3 *tained by the district for at least one semester or two quarters or*
4 *the equivalent thereof;*
- 5 (2) *if enrollment in a district in any school year has decreased*
6 *from enrollment in the preceding school year, enrollment of the*
7 *district in the current school year means whichever is the greater*
8 *of (A) enrollment in the preceding school year minus enrollment in*
9 *such school year of preschool-aged at-risk pupils, if any such pupils*
10 *were enrolled, plus enrollment in the current school year of pre-*
11 *school-aged at-risk pupils, if any such pupils are enrolled, or (B)*
12 *the sum of enrollment in the current school year of preschool-aged*
13 *at-risk pupils, if any such pupils are enrolled and the average*
14 *(mean) of the sum of (i) enrollment of the district in the current*
15 *school year minus enrollment in such school year of preschool-aged*
16 *at-risk pupils, if any such pupils are enrolled and (ii) enrollment in*
17 *the preceding school year minus enrollment in such school year of*
18 *preschool-aged at-risk pupils, if any such pupils were enrolled and*
19 *(iii) enrollment in the school year next preceding the preceding*
20 *school year minus enrollment in such school year of preschool-aged*
21 *at-risk pupils, if any such pupils were enrolled; or*
- 22 (3) *the number of pupils as determined under K.S.A. 72-6447 or*
23 *K.S.A. 2007 Supp. 72-6448, and amendments thereto.*
- 24 (f) *“Adjusted enrollment” means enrollment adjusted by adding*
25 *at-risk pupil weighting, program weighting, low enrollment weight-*
26 *ing, if any, high density at-risk weighting, if any, medium density at-*
27 *risk weighting, if any, nonproficient pupil weighting, if any, high en-*
28 *rollment weighting, if any, declining enrollment weighting, if any,*
29 *school facilities weighting, if any, ancillary school facilities weight-*
30 *ing, if any, cost of living weighting, if any, special education and*
31 *related services weighting, and transportation weighting to*
32 *enrollment.*
- 33 (g) *“At-risk pupil weighting” means an addend component as-*
34 *signed to enrollment of districts on the basis of enrollment of at-risk*
35 *pupils.*
- 36 (h) *“Program weighting” means an addend component assigned*
37 *to enrollment of districts on the basis of pupil attendance in edu-*
38 *cational programs which differ in cost from regular educational*
39 *programs.*
- 40 (i) *“Low enrollment weighting” means an addend component*
41 *assigned to enrollment of districts pursuant to K.S.A. 72-6412, and*
42 *amendments thereto, on the basis of costs attributable to mainte-*
43 *nance of educational programs by such districts in comparison with*

- 1 *costs attributable to maintenance of educational programs by dis-*
2 *tricts having to which high enrollment weighting is assigned pur-*
3 *suant to K.S.A. 2007 Supp. 72-6442b, and amendments thereto.*
- 4 (j) *“School facilities weighting” means an addend component*
5 *assigned to enrollment of districts on the basis of costs attributable*
6 *to commencing operation of new school facilities.*
- 7 (k) *“Transportation weighting” means an addend component*
8 *assigned to enrollment of districts on the basis of costs attributable*
9 *to the provision or furnishing of transportation.*
- 10 (l) *“Cost of living weighting” means an addend component as-*
11 *signed to enrollment of districts to which the provisions of K.S.A.*
12 *2007 Supp. 72-6449, and amendments thereto, apply on the basis*
13 *of costs attributable to the cost of living in the district.*
- 14 (m) *“Ancillary school facilities weighting” means an addend*
15 *component assigned to enrollment of districts to which the provi-*
16 *sions of K.S.A. 72-6441, and amendments thereto, apply on the basis*
17 *of costs attributable to commencing operation of new school facil-*
18 *ities. Ancillary school facilities weighting may be assigned to en-*
19 *rollment of a district only if the district has levied a tax under au-*
20 *thority of K.S.A. 72-6441, and amendments thereto, and remitted*
21 *the proceeds from such tax to the state treasurer. Ancillary school*
22 *facilities weighting is in addition to assignment of school facilities*
23 *weighting to enrollment of any district eligible for such weighting.*
- 24 (n) *“Juvenile detention facility” has the meaning ascribed*
25 *thereto by 72-8187, and amendments thereto.*
- 26 (o) *“Special education and related services weighting” means*
27 *an addend component assigned to enrollment of districts on the ba-*
28 *sis of costs attributable to provision of special education and related*
29 *services for pupils determined to be exceptional children.*
- 30 (p) *“Virtual school” means any kindergarten or grades one*
31 *through 12 course offered for credit that uses distance-learning*
32 *technologies which predominantly use internet-based methods to*
33 *deliver instruction and for which the course content is available on*
34 *an “anytime, anyplace” basis, but the instruction occurs asynchro-*
35 *nously with the teacher and pupil in separate locations, not neces-*
36 *sarily located within a local education agency.*
- 37 (q) *“Declining enrollment weighting” means an addend com-*
38 *ponent assigned to enrollment of districts to which the provisions*
39 *of K.S.A. 2007 Supp. 72-6451, and amendments thereto, apply on*
40 *the basis of reduced revenues attributable to the declining enroll-*
41 *ment of the district.*
- 42 (r) *“High enrollment weighting” means an addend component*
43 *assigned to enrollment of districts pursuant to K.S.A. 2007 Supp.*

1 *72-6442b, and amendments thereto, on the basis of costs attribut-*
2 *able to maintenance of educational programs by such districts as a*
3 *correlate to low enrollment weighting assigned to enrollment of dis-*
4 *tricts pursuant to K.S.A. 72-6412, and amendments thereto.*

5 (s) *“High density at-risk pupil weighting” means an addend*
6 *component assigned to enrollment of districts to which the provi-*
7 *sions of K.S.A. 2007 Supp. 72-6455, and amendments thereto, apply.*

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

13 (u) *“Nonproficient pupil weighting” means an addend compo-*
14 *nent assigned to enrollment of districts on the basis of enrollment*
15 *of nonproficient pupils pursuant to K.S.A. 2007 Supp. 72-6454, and*
16 *amendments thereto.*

17 (v) *“Psychiatric residential treatment facility” has the meaning*
18 *ascribed thereto by K.S.A. 72-8187, and amendments thereto.*

19 (w) *“Medium density at-risk pupil weighting” means an addend com-*
20 *ponent assigned to enrollment of districts to which the provisions of sec-*
21 *tion 4, and amendments thereto, apply.*

22 **Sec. 3. K.S.A. 2007 Supp. 72-6455 is hereby amended to read**
23 **as follows: 72-6455.** ~~The high density at-risk pupil weighting of each~~
24 ~~school district shall be determined by the state board as follows:~~

25 ~~—(a) Except as provided by subsection (d), if the district has an en-~~
26 ~~rollment of less than 40% at-risk pupils, the state board shall multiply the~~
27 ~~number of at-risk pupils by 0. The product is the high density at-risk pupil~~
28 ~~weighting of the district.~~

29 ~~—(b) Except as provided by subsection (d), if the district has an en-~~
30 ~~rollment of at least 40% but less than 50% at-risk pupils, the state board~~
31 ~~shall multiply the number of at-risk pupils by .04 in school year 2006-~~
32 ~~2007, by .05 in school year 2007-2008 and by .06 in school year 2008-~~
33 ~~2009 and each school year thereafter. The product is the high density at-~~
34 ~~risk pupil weighting of the district.~~

35 ~~—(c) If the district has an enrollment of 50% or more at-risk pupils,~~
36 ~~the state board shall multiply the number of at-risk pupils by .08 in school~~
37 ~~year 2006-2007, by .09 in school year 2007-2008 and by .10 in school year~~
38 ~~2008-2009 and each school year thereafter. The product is the high den-~~
39 ~~sity at-risk pupil weighting of the district.~~

40 ~~—(d) If the district has an enrollment of at least 35.1% at-risk pupils~~
41 ~~and an enrollment density of at least 212.1 pupils per square mile, the~~
42 ~~state board shall multiply the number of at-risk pupils by .08 in school~~
43 ~~year 2006-2007, by .09 in school year 2007-2008 and by .10 in school year~~

1 ~~2008-2009 and each school year thereafter. The product is the high den-~~
2 ~~sity at-risk pupil weighting of the district. (a) As used in this section, school~~
3 ~~district means any district having: (1) An enrollment of at least 50% at-~~
4 ~~risk pupils; or (2) an enrollment of at least 35.1% at-risk pupils and an~~
5 ~~enrollment density of at least 212.1 pupils per square mile.~~

6 (b) *The high density at-risk pupil weighting of each school district*
7 *shall be determined by the state board by multiplying the number of at-*
8 *risk pupils by .10. The product is the high density at-risk pupil weighting*
9 *of the district.*

10 (c) *If a school district becomes ineligible for high density at-risk pupil*
11 *weighting because enrollment of at-risk pupils in the district falls below*
12 *the requirements of subsection (a), the high density at-risk pupil weighting*
13 *of the district shall be the greater of: (1) The high density at-risk pupil*
14 *weighting in the current school year; (2) the high density at-risk pupil*
15 *weighting in the prior school year; or (3) the average of the high density*
16 *at-risk pupil weighting in the current school year and the preceding two*
17 *school years.*

18 **New Sec. 4. (a) As used in this section, “school district” means**
19 **any district having an enrollment of at least 40% but less than 50%**
20 **at-risk pupils.**

21 (b) *The medium density at-risk pupil weighting of each school*
22 *district shall be determined by the state board by multiplying the*
23 *number of at-risk pupils by .06. The product is the medium density*
24 *at-risk pupil weighting of the district.*

25 (c) *If a school district becomes ineligible for medium density at-*
26 *risk pupil weighting because enrollment of at-risk pupils in the dis-*
27 *trict falls below the requirement of subsection (a), the medium den-*
28 *sity at-risk pupil weighting of the district shall be the greater of: (1)*
29 *The medium density at-risk pupil weighting in the current school*
30 *year; (2) the medium density at-risk pupil weighting in the prior*
31 *school year; or (3) the average of the medium density at-risk pupil*
32 *weighting in the current school year and the preceding two school*
33 *years.*

34 **Sec. 5. K.S.A. 2007 Supp. 72-6407, 72-6445a and 72-6455 are**
35 **hereby repealed.**

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