

SENATE BILL No. 473

By Committee on Education

1-25

9 AN ACT concerning school districts; relating to school finance; relating
10 to certain pupils; amending K.S.A. 2007 Supp. 72-6407 and repealing
11 the existing section.
12

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

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

23 (2) Except as otherwise provided in paragraph (3) of this subsection,
24 a pupil in attendance full time shall be counted as one pupil. A pupil in
25 attendance part time shall be counted as that proportion of one pupil (to
26 the nearest $\frac{1}{10}$) that the pupil's attendance bears to full-time attendance.
27 A pupil enrolled in and attending half-day kindergarten shall be counted
28 as $\frac{1}{2}$ pupil. A pupil enrolled in and attending full-day kindergarten at an
29 attendance center with an enrollment of at least 61% pupils who are
30 eligible for free or reduced-price meals under the national school lunch
31 act shall be counted as one pupil in school year 2009-2010; a pupil en-
32 rolled in and attending full-day kindergarten at an attendance center with
33 an enrollment of at least 33% pupils who are eligible for free or reduced-
34 priced meals under the national school lunch act shall be counted as one
35 pupil in school year 2010-2011; and a pupil enrolled in and attending
36 full-day kindergarten shall be counted as one pupil in school year 2011-
37 2012 and each school year thereafter. A pupil enrolled in and attending
38 an institution of postsecondary education which is authorized under the
39 laws of this state to award academic degrees shall be counted as one pupil
40 if the pupil's postsecondary education enrollment and attendance to-
41 gether with the pupil's attendance in either of the grades 11 or 12 is at
42 least $\frac{5}{6}$ time, otherwise the pupil shall be counted as that proportion of
43 one pupil (to the nearest $\frac{1}{10}$) that the total time of the pupil's postsecon-

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

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

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

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

36 (d) "Preschool-aged at-risk pupil" means an at-risk pupil who has
37 attained the age of four years, is under the age of eligibility for attendance
38 at kindergarten, and has been selected by the state board in accordance
39 with guidelines consonant with guidelines governing the selection of pu-
40 pils for participation in head start programs.

41 (e) "Enrollment" means: (1) (A) Subject to the provisions of para-
42 graph (1)(B), for districts scheduling the school days or school hours of
43 the school term on a trimestral or quarterly basis, the number of pupils

1 regularly enrolled in the district on September 20 plus the number of
2 pupils regularly enrolled in the district on February 20 less the number
3 of pupils regularly enrolled on February 20 who were counted in the
4 enrollment of the district on September 20; and for districts not specified
5 in this paragraph (1), the number of pupils regularly enrolled in the dis-
6 trict on September 20; (B) a pupil who is a foreign exchange student shall
7 not be counted unless such student is regularly enrolled in the district on
8 September 20 and attending kindergarten or any of the grades one
9 through 12 maintained by the district for at least one semester or two
10 quarters or the equivalent thereof;

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

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

29 (f) "Adjusted enrollment" means enrollment adjusted by adding at-
30 risk pupil weighting, program weighting, low enrollment weighting, if any,
31 density at-risk weighting, if any, nonproficient pupil weighting, if any, high
32 enrollment weighting, if any, declining enrollment weighting, if any,
33 school facilities weighting, if any, ancillary school facilities weighting, if
34 any, cost of living weighting, if any, special education and related services
35 weighting, and transportation weighting to enrollment.

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

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

41 (i) "Low enrollment weighting" means an addend component as-
42 signed to enrollment of districts pursuant to K.S.A. 72-6412, and amend-
43 ments thereto, on the basis of costs attributable to maintenance of edu-

1 cational programs by such districts in comparison with costs attributable
2 to maintenance of educational programs by districts having to which high
3 enrollment weighting is assigned pursuant to K.S.A. 2007 Supp. 72-
4 6442b, and amendments thereto.

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

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

11 (l) “Cost of living weighting” means an addend component assigned
12 to enrollment of districts to which the provisions of K.S.A. 2007 Supp.
13 72-6449, and amendments thereto, apply on the basis of costs attributable
14 to the cost of living in the district.

15 (m) “Ancillary school facilities weighting” means an addend compo-
16 nent assigned to enrollment of districts to which the provisions of K.S.A.
17 72-6441, and amendments thereto, apply on the basis of costs attributable
18 to commencing operation of new school facilities. Ancillary school facil-
19 ities weighting may be assigned to enrollment of a district only if the
20 district has levied a tax under authority of K.S.A. 72-6441, and amend-
21 ments thereto, and remitted the proceeds from such tax to the state trea-
22 surer. Ancillary school facilities weighting is in addition to assignment of
23 school facilities weighting to enrollment of any district eligible for such
24 weighting.

25 (n) “Juvenile detention facility” has the meaning ascribed thereto by
26 72-8187, and amendments thereto.

27 (o) “Special education and related services weighting” means an ad-
28 dend component assigned to enrollment of districts on the basis of costs
29 attributable to provision of special education and related services for pu-
30 pils determined to be exceptional children.

31 (p) “Virtual school” means any kindergarten or grades one through
32 12 course offered for credit that uses distance-learning technologies
33 which predominantly use internet-based methods to deliver instruction
34 and for which the course content is available on an “anytime, anyplace”
35 basis, but the instruction occurs asynchronously with the teacher and
36 pupil in separate locations, not necessarily located within a local education
37 agency.

38 (q) “Declining enrollment weighting” means an addend component
39 assigned to enrollment of districts to which the provisions of K.S.A. 2007
40 Supp. 72-6451, and amendments thereto, apply on the basis of reduced
41 revenues attributable to the declining enrollment of the district.

42 (r) “High enrollment weighting” means an addend component as-
43 signed to enrollment of districts pursuant to K.S.A. 2007 Supp. 72-6442b,

1 and amendments thereto, on the basis of costs attributable to mainte-
2 nance of educational programs by such districts as a correlate to low
3 enrollment weighting assigned to enrollment of districts pursuant to
4 K.S.A. 72-6412, and amendments thereto.

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

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

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

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

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

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