

## SENATE BILL No. 340

By Senator Vratil

8-5

---

9 AN ACT concerning school districts; relating to school finance; amend-  
10 ing K.S.A. 2009 Supp. 72-6407 and repealing the existing section.

11

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

13 Section 1. K.S.A. 2009 Supp. 72-6407 is hereby amended to read as  
14 follows: 72-6407. (a) (1) "Pupil" means any person who is regularly en-  
15 rolled in a district and attending kindergarten or any of the grades one  
16 through 12 maintained by the district or who is regularly enrolled in a  
17 district and attending kindergarten or any of the grades one through 12  
18 in another district in accordance with an agreement entered into under  
19 authority of K.S.A. 72-8233, and amendments thereto, or who is regularly  
20 enrolled in a district and attending special education services provided  
21 for preschool-aged exceptional children by the district.

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

1 portion of one pupil (to the nearest  $\frac{1}{10}$ ) that the pupil's attendance at the  
 2 non-virtual school bears to full-time attendance. Except as provided by  
 3 this section for preschool-aged exceptional children and virtual school  
 4 pupils, a pupil enrolled in a district and attending special education and  
 5 related services, provided for by the district shall be counted as one pupil.  
 6 A pupil enrolled in a district and attending special education and related  
 7 services provided for by the district and also attending a virtual school  
 8 shall be counted as that proportion of one pupil (to the nearest  $\frac{1}{10}$ ) that  
 9 the pupil's attendance at the non-virtual school bears to full-time attend-  
 10 ance. A pupil enrolled in a district and attending special education and  
 11 related services for preschool-aged exceptional children provided for by  
 12 the district shall be counted as  $\frac{1}{2}$  pupil. A preschool-aged at-risk pupil  
 13 enrolled in a district and receiving services under an approved at-risk  
 14 pupil assistance plan maintained by the district shall be counted as  $\frac{1}{2}$   
 15 pupil. ~~A pupil in the custody of the secretary of social and rehabilitation  
 16 services or in the custody of the commissioner of juvenile justice and  
 17 enrolled in unified school district No. 259, Sedgwick county, Kansas, but  
 18 housed, maintained, and receiving educational services at the Judge James  
 19 V. Riddell Boys Ranch, shall be counted as two pupils. Except as provided  
 20 in section 1, and amendments thereto, a pupil in the custody of the sec-  
 21 retary of social and rehabilitation services or in the custody of the com-  
 22 missioner of juvenile justice and enrolled in unified school district No.  
 23 409, Atchison, Kansas, but housed, maintained and receiving educational  
 24 services at the youth residential center located on the grounds of the  
 25 former Atchison juvenile correctional facility, shall be counted as two  
 26 pupils.~~

27 *(3) A pupil in the custody of the secretary of social and rehabilitation*  
 28 *services or in the custody of the commissioner of juvenile justice and*  
 29 *enrolled in unified school district No. 259, Sedgwick county, Kansas, but*  
 30 *housed, maintained and receiving educational services at the Judge James*  
 31 *V. Riddell Boys Ranch, shall be counted as two pupils. A pupil in the*  
 32 *custody of the secretary of social and rehabilitation services or in the*  
 33 *custody of the commissioner of juvenile justice and enrolled in unified*  
 34 *school district No. 409, Atchison, Kansas, but housed, maintained and*  
 35 *receiving educational services at the youth residential center located on*  
 36 *the grounds of the former Atchison juvenile correctional facility, shall be*  
 37 *counted as two pupils.*

38 *The provisions of this paragraph shall expire on June 30, 2011.*

39 ~~(4)~~ (4) A pupil residing at the Flint Hills job corps center shall not  
 40 be counted. A pupil confined in and receiving educational services pro-  
 41 vided for by a district at a juvenile detention facility shall not be counted.  
 42 A pupil enrolled in a district but housed, maintained, and receiving ed-  
 43 ucational services at a state institution or a psychiatric residential treat-

1 ment facility shall not be counted.

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

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

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

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

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

42 (3) the number of pupils as determined under K.S.A. 72-6447 or  
43 K.S.A. 2009 Supp. 72-6448, and amendments thereto.

- 1 (f) “Adjusted enrollment” means: (1) Enrollment adjusted by adding  
2 at-risk pupil weighting, program weighting, low enrollment weighting, if  
3 any, high density at-risk pupil weighting, if any, medium density at-risk  
4 pupil weighting, if any, nonproficient pupil weighting, if any, high en-  
5 rollment weighting, if any, declining enrollment weighting, if any, school  
6 facilities weighting, if any, ancillary school facilities weighting, if any, cost  
7 of living weighting, if any, special education and related services weight-  
8 ing, and transportation weighting to enrollment; or (2) adjusted enroll-  
9 ment as determined under K.S.A. 2009 Supp. 72-6457 or 72-6458, and  
10 amendments thereto.
- 11 (g) “At-risk pupil weighting” means an addend component assigned  
12 to enrollment of districts on the basis of enrollment of at-risk pupils.
- 13 (h) “Program weighting” means an addend component assigned to  
14 enrollment of districts on the basis of pupil attendance in educational  
15 programs which differ in cost from regular educational programs.
- 16 (i) “Low enrollment weighting” means an addend component as-  
17 signed to enrollment of districts pursuant to K.S.A. 72-6412, and amend-  
18 ments thereto, on the basis of costs attributable to maintenance of edu-  
19 cational programs by such districts in comparison with costs attributable  
20 to maintenance of educational programs by districts having to which high  
21 enrollment weighting is assigned pursuant to K.S.A. 2009 Supp. 72-  
22 6442b, and amendments thereto.
- 23 (j) “School facilities weighting” means an addend component as-  
24 signed to enrollment of districts on the basis of costs attributable to com-  
25 mencing operation of new school facilities.
- 26 (k) “Transportation weighting” means an addend component as-  
27 signed to enrollment of districts on the basis of costs attributable to the  
28 provision or furnishing of transportation.
- 29 (l) “Cost of living weighting” means an addend component assigned  
30 to enrollment of districts to which the provisions of K.S.A. 2009 Supp.  
31 72-6449, and amendments thereto, apply on the basis of costs attributable  
32 to the cost of living in the district.
- 33 (m) “Ancillary school facilities weighting” means an addend compo-  
34 nent assigned to enrollment of districts to which the provisions of K.S.A.  
35 72-6441, and amendments thereto, apply on the basis of costs attributable  
36 to commencing operation of new school facilities. Ancillary school facil-  
37 ities weighting may be assigned to enrollment of a district only if the  
38 district has levied a tax under authority of K.S.A. 72-6441, and amend-  
39 ments thereto, and remitted the proceeds from such tax to the state trea-  
40 surer. Ancillary school facilities weighting is in addition to assignment of  
41 school facilities weighting to enrollment of any district eligible for such  
42 weighting.
- 43 (n) “Juvenile detention facility” has the meaning ascribed thereto by

1 K.S.A. 72-8187, and amendments thereto.

2 (o) “Special education and related services weighting” means an ad-  
3 dded component assigned to enrollment of districts on the basis of costs  
4 attributable to provision of special education and related services for pu-  
5 pils determined to be exceptional children.

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

16 (q) “Declining enrollment weighting” means an addend component  
17 assigned to enrollment of districts to which the provisions of K.S.A. 2009  
18 Supp. 72-6451, and amendments thereto, apply on the basis of reduced  
19 revenues attributable to the declining enrollment of the district.

20 (r) “High enrollment weighting” means an addend component as-  
21 signed to enrollment of districts pursuant to K.S.A. 2009 Supp. 72-6442b,  
22 and amendments thereto, on the basis of costs attributable to mainte-  
23 nance of educational programs by such districts as a correlate to low  
24 enrollment weighting assigned to enrollment of districts pursuant to  
25 K.S.A. 72-6412, and amendments thereto.

26 (s) “High density at-risk pupil weighting” means an addend compo-  
27 nent assigned to enrollment of districts to which the provisions of K.S.A.  
28 2009 Supp. 72-6455, and amendments thereto, apply.

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

34 (u) “Nonproficient pupil weighting” means an addend component  
35 assigned to enrollment of districts on the basis of enrollment of nonprof-  
36 icient pupils pursuant to K.S.A. 2009 Supp. 72-6454, and amendments  
37 thereto.

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

40 (w) “Medium density at-risk pupil weighting” means an addend com-  
41 ponent assigned to enrollment of districts to which the provisions of  
42 K.S.A. 2009 Supp. 72-6459, and amendments thereto, apply.

43 Sec. 2. K.S.A. 2009 Supp. 72-6407 is hereby repealed.

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