

SENATE BILL No. 341

By Committee on Ways and Means

1-31

1 AN ACT concerning school districts; relating to enrollment count for
2 kindergarten attendance; amending K.S.A. 2013 Supp. 72-6407, 72-
3 6414 and 72-8255 and repealing the existing sections.

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

6 Section 1. K.S.A. 2013 Supp. 72-6407 is hereby amended to read as
7 follows: 72-6407. (a) (1) "Pupil" means any person who is regularly
8 enrolled in a district and attending kindergarten or any of the grades one
9 through 12 maintained by the district or who is regularly enrolled in a
10 district and attending kindergarten or any of the grades one through 12 in
11 another district in accordance with an agreement entered into under
12 authority of K.S.A. 72-8233, and amendments thereto, or who is regularly
13 enrolled in a district and attending special education services provided for
14 preschool-aged exceptional children by the district.

15 (2) Except as otherwise provided in paragraph (3) of this subsection;

16 (A) A pupil in attendance full time shall be counted as one pupil.

17 (B) A pupil in attendance part time shall be counted as that proportion
18 of one pupil (to the nearest $\frac{1}{10}$) that the pupil's attendance bears to full-
19 time attendance.

20 (C) (i) *Except as provided in clause (ii), a pupil attending*
21 *kindergarten shall be counted as $\frac{1}{2}$ pupil follows:*

22 (a) *For school year 2014-2015, as $\frac{6}{10}$ pupil;*

23 (b) *for school year 2015-2016, as $\frac{7}{10}$ pupil;*

24 (c) *for school year 2016-2017, as $\frac{8}{10}$ pupil;*

25 (d) *for school year 2017-2018, as $\frac{9}{10}$ pupil; and*

26 (e) *for school year 2018-2019 and each school year thereafter, as one*
27 *pupil.*

28 (ii) *If a pupil is attending kindergarten part time, then such pupil*
29 *shall be counted as that proportion of one pupil (to the nearest $\frac{1}{10}$) that*
30 *the pupil's attendance bears to full-time attendance, or the enrollment*
31 *count for such pupil set forth in clause (i), whichever is less, except that in*
32 *no event shall such pupil be counted as less than $\frac{1}{2}$.*

33 (D) A pupil enrolled in and attending an institution of postsecondary
34 education which is authorized under the laws of this state to award
35 academic degrees shall be counted as one pupil if the pupil's postsecondary
36 education enrollment and attendance together with the pupil's attendance

1 in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall
2 be counted as that proportion of one pupil (to the nearest $\frac{1}{10}$) that the total
3 time of the pupil's postsecondary education attendance and attendance in
4 grade 11 or 12, as applicable, bears to full-time attendance.

5 (E) A pupil enrolled in and attending an area vocational school, area
6 vocational-technical school or approved vocational education program
7 shall be counted as one pupil if the pupil's vocational education enrollment
8 and attendance together with the pupil's attendance in any of grades nine
9 through 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted as that
10 proportion of one pupil (to the nearest $\frac{1}{10}$) that the total time of the pupil's
11 vocational education attendance and attendance in any of grades nine
12 through 12 bears to full-time attendance.

13 (F) A pupil enrolled in a district and attending a non-virtual school
14 and also attending a virtual school shall be counted as that proportion of
15 one pupil (to the nearest $\frac{1}{10}$) that the pupil's attendance at the non-virtual
16 school bears to full-time attendance.

17 (G) Except as provided by this section for preschool-aged exceptional
18 children and virtual school pupils, a pupil enrolled in a district and
19 attending special education and related services, provided for by the
20 district shall be counted as one pupil.

21 (H) A pupil enrolled in a district and attending special education and
22 related services provided for by the district and also attending a virtual
23 school shall be counted as that proportion of one pupil (to the nearest $\frac{1}{10}$)
24 that the pupil's attendance at the non-virtual school bears to full-time
25 attendance.

26 (I) A pupil enrolled in a district and attending special education and
27 related services for preschool-aged exceptional children provided for by
28 the district shall be counted as $\frac{1}{2}$ pupil.

29 (J) A preschool-aged at-risk pupil enrolled in a district and receiving
30 services under an approved at-risk pupil assistance plan maintained by the
31 district shall be counted as $\frac{1}{2}$ pupil.

32 (K) A pupil in the custody of the secretary of social and rehabilitation
33 services or in the custody of the commissioner of juvenile justice and
34 enrolled in unified school district No. 259, Sedgwick county, Kansas, but
35 housed, maintained, and receiving educational services at the Judge James
36 V. Riddel Boys Ranch, shall be counted as two pupils.

37 (L) Except as provided in section 1 of chapter 76 of the 2009 Session
38 Laws of the state of Kansas, and amendments thereto, a pupil in the
39 custody of the secretary of social and rehabilitation services or in the
40 custody of the commissioner of juvenile justice and enrolled in unified
41 school district No. 409, Atchison, Kansas, but housed, maintained and
42 receiving educational services at the youth residential center located on the
43 grounds of the former Atchison juvenile correctional facility, shall be

1 counted as two pupils.

2 (3) A pupil residing at the Flint Hills job corps center shall not be
3 counted. A pupil confined in and receiving educational services provided
4 for by a district at a juvenile detention facility shall not be counted. A pupil
5 enrolled in a district but housed, maintained, and receiving educational
6 services at a state institution or a psychiatric residential treatment facility
7 shall not be counted.

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

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

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

19 (e) "Enrollment" means: (1) (A) Subject to the provisions of
20 paragraph (1)(B), for districts scheduling the school days or school hours
21 of the school term on a trimestral or quarterly basis, the number of pupils
22 regularly enrolled in the district on September 20 plus the number of
23 pupils regularly enrolled in the district on February 20 less the number of
24 pupils regularly enrolled on February 20 who were counted in the
25 enrollment of the district on September 20; and for districts not specified
26 in this paragraph (1), the number of pupils regularly enrolled in the district
27 on September 20; (B) a pupil who is a foreign exchange student shall not
28 be counted unless such student is regularly enrolled in the district on
29 September 20 and attending kindergarten or any of the grades one through
30 12 maintained by the district for at least one semester or two quarters or
31 the equivalent thereof;

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

1 year of preschool-aged at-risk pupils, if any such pupils were enrolled; and
2 (iii) enrollment in the school year next preceding the preceding school year
3 minus enrollment in such school year of preschool-aged at-risk pupils, if
4 any such pupils were enrolled; or

5 (3) the number of pupils as determined under K.S.A. 72-6447 or
6 K.S.A. 2013 Supp. 72-6448, and amendments thereto.

7 (f) "Adjusted enrollment" means: (1) Enrollment adjusted by adding
8 at-risk pupil weighting, program weighting, low enrollment weighting, if
9 any, high density at-risk pupil weighting, if any, ~~medium density at-risk~~
10 ~~pupil weighting, if any,~~ nonproficient pupil weighting, if any, high
11 enrollment weighting, if any, declining enrollment weighting, if any,
12 school facilities weighting, if any, ancillary school facilities weighting, if
13 any, cost of living weighting, if any, special education and related services
14 weighting, and transportation weighting to enrollment; or (2) adjusted
15 enrollment as determined under K.S.A. 2013 Supp. 72-6457 or 72-6458,
16 and amendments thereto.

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

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

22 (i) "Low enrollment weighting" means an addend component
23 assigned to enrollment of districts pursuant to K.S.A. 72-6412, and
24 amendments thereto, on the basis of costs attributable to maintenance of
25 educational programs by such districts in comparison with costs
26 attributable to maintenance of educational programs by districts having to
27 which high enrollment weighting is assigned pursuant to K.S.A. 2013
28 Supp. 72-6442b, and amendments thereto.

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

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

35 (l) "Cost of living weighting" means an addend component assigned
36 to enrollment of districts to which the provisions of K.S.A. 2013 Supp. 72-
37 6449, and amendments thereto, apply on the basis of costs attributable to
38 the cost of living in the district.

39 (m) "Ancillary school facilities weighting" means an addend
40 component assigned to enrollment of districts to which the provisions of
41 K.S.A. 72-6441, and amendments thereto, apply on the basis of costs
42 attributable to commencing operation of new school facilities. Ancillary
43 school facilities weighting may be assigned to enrollment of a district only

1 if the district has levied a tax under authority of K.S.A. 72-6441, and
2 amendments thereto, and remitted the proceeds from such tax to the state
3 treasurer. Ancillary school facilities weighting is in addition to assignment
4 of school facilities weighting to enrollment of any district eligible for such
5 weighting.

6 (n) "Juvenile detention facility" has the meaning ascribed thereto by
7 72-8187, and amendments thereto.

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

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

22 (q) "Declining enrollment weighting" means an addend component
23 assigned to enrollment of districts to which the provisions of K.S.A. 2013
24 Supp. 72-6451, and amendments thereto, apply on the basis of reduced
25 revenues attributable to the declining enrollment of the district.

26 (r) "High enrollment weighting" means an addend component
27 assigned to enrollment of districts pursuant to K.S.A. 2013 Supp. 72-
28 6442b, and amendments thereto, on the basis of costs attributable to
29 maintenance of educational programs by such districts as a correlate to low
30 enrollment weighting assigned to enrollment of districts pursuant to
31 K.S.A. 72-6412, and amendments thereto.

32 (s) "High density at-risk pupil weighting" means an addend
33 component assigned to enrollment of districts to which the provisions of
34 K.S.A. 2013 Supp. 72-6455, and amendments thereto, apply.

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

40 (u) "Nonproficient pupil weighting" means an addend component
41 assigned to enrollment of districts on the basis of enrollment of
42 nonproficient pupils pursuant to K.S.A. 2013 Supp. 72-6454, and
43 amendments thereto.

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

3 ~~(w) "Medium density at-risk pupil weighting" means an addend-~~
4 ~~component assigned to enrollment of districts to which the provisions of~~
5 ~~K.S.A. 2013 Supp. 72-6459, and amendments thereto, apply.~~

6 Sec. 2. K.S.A. 2013 Supp. 72-6414 is hereby amended to read as
7 follows: 72-6414. (a) The at-risk pupil weighting of each district shall be
8 determined by the state board by multiplying the number of at-risk pupils
9 included in enrollment of the district by .278 for school year 2006-2007,
10 by .378 for school year 2007-2008 and by .456 for school year 2008-2009
11 and each school year thereafter. The product is the at-risk pupil weighting
12 of the district.

13 (b) Except as provided in subsection (d), of the amount a district
14 receives from the at-risk pupil weighting, an amount produced by a pupil
15 weighting of .01 shall be used by the district for achieving mastery of
16 basic reading skills by completion of the third grade in accordance with
17 standards and outcomes of mastery identified by the state board under
18 K.S.A. 72-7534, and amendments thereto.

19 (c) A district shall include such information in its at-risk pupil
20 assistance plan as the state board may require regarding the district's
21 remediation strategies and the results thereof in achieving the third grade
22 reading standards and outcomes of mastery identified by the state board.
23 The reporting requirements shall include information documenting
24 remediation strategies and improvement made by pupils who performed
25 below the expected standard on the second grade diagnostic reading test
26 prescribed by the state board.

27 (d) A district whose pupils substantially achieve the state board
28 standards and outcomes of mastery of reading skills upon completion of
29 third grade may be released, upon request, by the state board from the
30 requirements of subsection (b).

31 (e) (1) A district may expend amounts received from the at-risk pupil
32 weighting to pay for the cost of providing full-day kindergarten to any
33 pupil enrolled in the district and attending full-day kindergarten whether or
34 not such pupil is an at-risk pupil.

35 (2) Nothing in this subsection shall be construed as requiring school
36 districts to provide full-day kindergarten nor as requiring any pupil to
37 attend full-day kindergarten.

38 (3) As used in this subsection (e):

39 (A) "District" means any school district which offers both full-day
40 and half-day kindergarten.

41 (B) "Cost" means that portion of the cost of providing full-day
42 kindergarten which is not paid by the state.

43 (4) *The provisions of this subsection shall expire on June 30, 2018.*

1 (f) A school district may expend amounts received from the at-risk
2 weighting to pay the cost of providing preschool-aged at-risk, bilingual
3 and vocational education programs and services.

4 Sec. 3. K.S.A. 2013 Supp. 72-8255 is hereby amended to read as
5 follows: 72-8255. (a) In order to pay the cost of providing full-day
6 kindergarten, a school district may impose a fee to enroll in full-day
7 kindergarten.

8 (b) Nothing in this section shall be construed as requiring school
9 districts to provide full-day kindergarten nor as requiring any pupil to
10 attend full-day kindergarten.

11 (c) As used in this section:

12 (1) "School district" means any school district which offers both full-
13 day and half-day kindergarten.

14 (2) "Cost" means that portion of the cost of providing full-day
15 kindergarten which is not paid by the state.

16 (d) *The provisions of this section shall expire on June 30, 2018.*

17 Sec. 4. K.S.A. 2013 Supp. 72-6407, 72-6414 and 72-8255 are hereby
18 repealed.

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