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**MEMORANDUM**

To: Committee on K-12 Education Budget  
From: Nick Myers, Office of Revisor of Statutes  
Date: February 7, 2024  
Subject: Bill Brief – House Bill 2650

**Section 1**

Section 1 of house Bill 2650 would establish new requirements for school districts to show and report on improvement in academic performance among student subgroups and students who are identified as eligible for at-risk programs and services. Commencing in school year 2024-2025, each board of education of a school district would be required to submit, and update as necessary, an at-risk student accountability plan to the state board of education. The purpose of each at-risk student accountability plan would be to:

1. Demonstrate that the school district is using evidence-based instruction for the instruction of at-risk students;
2. Measure longitudinal academic improvement in a quantitative manner;
3. Establish and meet quantitative student academic improvement goals until all school districts meet the state board of education's goal to have 75% of all students achieve proficiency by scoring at level 3 or 4 on the state English language arts (ELA) and math assessments; and
4. Ensure that at-risk fund moneys are expended in accordance with the law for educational services above and beyond regular educational services.

Beginning in school year 2024-2025, each school district's at-risk student accountability plan would be required to identify at least one subgroup of students in grade three and one subgroup of students in grade four. One of such subgroups must be the free lunch subgroup unless such subgroup is comprised of less than 10 students then another student subgroup must be

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selected. A student subgroup could include any subgroup used for state assessment purposes or any group of students who are identified as eligible for at-risk programs and services under the same at-risk identification criteria.

Upon the identification of such two subgroups, the board of education of the school district would be required to establish a four-year quantitative academic improvement goal for each such subgroup in the areas of ELA or math. To measure achievement, the school district would be required to use the state assessment scores and may choose one additional quantitative assessment tool. Such additional assessment tool must be specified on the school district's at-risk accountability plan. Once such goals are established, a school district shall not revise or revoke such goals.

After establishment of the improvement goals, the school district would be required to conduct a four-year longitudinal evaluation of each subgroup to determine whether each subgroup meets or exceeds such goals after such four-year period. If a subgroup meets or exceeds such goal, the school district would be required to repeat the process by selecting another student subgroup from the applicable grade level, establishing a four-year academic improvement goal, and conducting the longitudinal evaluation.

If the identified student subgroup does not meet or exceed such goal the state board of education would be required to deem such school district as not meeting at-risk improvement requirements on the school district's at-risk student achievement report published on the state board's website. This designation would remain until the school district repeats the process with another student subgroup in the applicable grade level and meets or exceeds the four-year academic improvement goal with a subsequent subgroup.

Additionally, if a subgroup fails to achieve the four-year goal, the school district would have one more year to evaluate the academic performance of the student subgroup. If such subgroup meets or exceeds the goal or does not meet or exceed the goal after such additional year, the school district would be required to repeat the process with another student subgroup from the applicable grade level.

If a school district fails to achieve a four-year academic improvement goal for one subgroup, the school district would not be entitled to receive the full amount of state aid that is attributable to the at-risk student weighting and would determine the district's at-risk student weighting amount as follows in the current school year:

- Current year BASE aid amount – Prior year BASE aid amount = BASE aid increase

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- $\text{BASE aid increase} \times 0.5 + \text{Prior year BASE aid amount} = \text{BASE aid amount used for at-risk student weighting determination.}$

If a school district fails to achieve a four-year academic improvement goal for both subgroups, the school district would not be entitled to receive the full amount of state aid that is attributable to the at-risk student weighting and would determine the district's at-risk student weighting using the prior year BASE aid amount in the current school year.

School districts would be required to continue this process and update their school district at-risk accountability plans as necessary until 75% of all students enrolled in all school districts achieve academic proficiency by scoring at level 3 or 4 on the statewide ELA and math assessments.

School districts would be required to report annually to the state board of education the following information:

- The at-risk student accountability plans;
- Current progress relating to attainment of such goals;
- The at-risk programs services and resources used by the school district for at-risk programs and services;
- The number of at-risk students identified and served;
- The data and research the school district used to determine at-risk programs and services;
- Longitudinal performance data of students who are continuously receiving at-risk programs and services;
- Any other information required by the state board of education.

The state board of education would be required to publish information reported by school districts on the state department of education's website homepage under a link titled "accountability reports" with all reports submitted by school district provided under a link titled "school district at-risk student accountability plans and reports." Each school district would also be required to provide the district's at-risk accountability plan on the school district's website.

On or before January 31 each year, the state department of education would be required to prepare and present a summary of the reports submitted by school districts to the house committee on K-12 education budget and the senate standing committee on education.

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**Section 2**

Section 2 of HB 2650 would amend K.S.A. 72-5153 relating to school district expenditures of at-risk fund moneys. Such amendments would require the state board of education to publish an online at-risk best practices resource list instead of approving evidence-based best practices and publishing a list of approved programs. Expenditures from school district at-risk education funds would no longer be tied to such approved program list but instead, must be made on the authorized uses identified pursuant to subsection (c) of the statute.

HB 2650 would also remove the requirements relating to authorizing at-risk fund expenditures upon provisional at-risk programs. The law would no longer establish requirements relating to provisional at-risk programs.

HB 2650 would also redefine the term “evidence-based instruction” to mean an education delivery system, method or best practice that has shown or is likely to show that such instruction will produce better student outcomes through four or more years of longitudinal results a school district as evidenced through school district at-risk accountability plans and reports submitted pursuant to section 1 of HB 2650.

**Section 3**

Section 3 of HB 2650 would amend K.S.A. 72-5170 to require that, pursuant to state board regulations K.A.R. 91-31-31 et seq, for a school district to be an remain accredited the school district shall be in compliance with or working with the state board to achieve compliance with all applicable federal and state statutes and rules and regulations.

HB 2650 would also prohibit the state board of education from revising or updating the ELA or math curriculum standards that are currently in effect until the state meets the state board’s long-term goal that was submitted to the U.S. department of education to have 75% of all students score in performance levels 3 and 4 combined on the ELA and math assessments.

If enacted, HB 2650 would take effect on July 1, 2024, upon its publication in the statute book.