

**SENATE BILL No. 251**

By Committee on Ways and Means

5-18

Proposed Amendments to SB 251  
 May 19, 2017  
 Senate Select Committee on Education Finance  
 Prepared by: Office of Revisor of Statutes  
 #10A  
 High-density at-risk count by school building  
 and accountability through best practices as  
 determined by the state board

1 AN ACT concerning education; relating to the instruction and financing  
 2 thereof; making and concerning appropriations for the fiscal years  
 3 ending June 30, 2018, and June 30, 2019, for the department of  
 4 education; creating the Kansas school equity and enhancement act;  
 5 amending K.S.A. 12-17,115 and 72-8803 and K.S.A. 2016 Supp. 10-  
 6 1116a, 12-1677, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-  
 7 1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-  
 8 64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-  
 9 7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-  
 10 8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-  
 11 8804, 72-8908, 72-9509, 72-9609, 72-99a02, 72-99a02, as amended by  
 12 section 92 of this act, 72-99a04, 74-4939a, 74-8925, 74-99b43, 75-  
 13 2319, 79-201x, 79-213, 79-2001 and 79-2925b and repealing the  
 14 existing sections; also repealing K.S.A. 2016 Supp. 46-1133, 72-6482  
 15 and 75-2319, as amended by section 46 of Senate Substitute for  
 16 Substitute for House Bill No. 2052.

17  
 18 *Be it enacted by the Legislature of the State of Kansas:*  
 19 Section 1.

DEPARTMENT OF EDUCATION

20  
 21 (a) There is appropriated for the above agency from the state general  
 22 fund for the fiscal year ending June 30, 2018, the following:

23 Operating expenditures (including official  
 24 hospitality) (652-00-1000-0053).....\$12,515,606

25 *Provided*, That any unencumbered balance in the operating expenditures  
 26 (including official hospitality) account in excess of \$100 as of June 30,  
 27 2017, is hereby reappropriated for fiscal year 2018.

28 Special education services  
 29 aid (652-00-1000-0700).....\$435,980,455

30 *Provided*, That any unencumbered balance in the special education  
 31 services aid account in excess of \$100 as of June 30, 2017, is hereby  
 32 reappropriated for fiscal year 2018: *Provided further*; That expenditures  
 33 shall not be made from the special education services aid account for the  
 34 provision of instruction for any homebound or hospitalized child unless  
 35 the categorization of such child as exceptional is conjoined with the  
 36 categorization of the child within one or more of the other categories of

1 adopt rules and regulations that establish the criteria for eligibility for at-  
2 risk program services. The provisions of this paragraph shall only apply to  
3 those school districts that offer instruction in kindergarten and grades one  
4 through 12.

5 (b) The high-density at-risk student weighting of each school district  
6 shall be determined by the state board as follows:

(A) 7 (1) If the enrollment of the school district is at least 35% at-risk  
8 students, but less than 50% at-risk students:

(i) 9 (A) Subtract 35% from the percentage of at-risk students included in  
10 the enrollment of the school district;

(ii) 11 (B) multiply the difference determined under subsection (b)(1)(A) by  
12 0.7; and

(iii) 13 (C) multiply the product determined under subsection (b)(1)(B) by  
14 the number of at-risk students included in the enrollment of the school  
15 district. ~~The resulting product is the high-density at-risk student weighting~~  
16 ~~of the school district; or~~

(B) 17 (2) if the enrollment of the school district is 50% or more at-risk  
18 students, multiply the number of at-risk students included in the  
19 enrollment of the school district by 0.105. ~~The resulting product is the~~  
20 ~~high-density at-risk student weighting of the school district.~~

21 (c) In recognition of the continuing work of the state board in  
22 evaluating at-risk educational programs and to allow the legislature time to  
23 review the at-risk weighting to ensure that the weighting is reasonably  
24 calculated to have students meet or exceed the educational goal set forth in  
25 K.S.A. 2016 Supp. 72-1127(c), and amendments thereto, the provisions of  
26 this section shall expire on July 1, 2020.

27 New Sec. 24. (a) If a student submits an application for free meals  
28 under the national school lunch act on or before the date on which the  
29 enrollment of the school district is calculated and it is later determined by  
30 the school district or the department of education that the student should  
31 not have been eligible for free meals, the school district or the department  
32 shall notify the state board of such determination. Except as provided in  
33 subsection (b), upon receipt of such notice, the state board shall recompute  
34 the adjusted enrollment of the school district and the general fund budget  
35 of the school district based on the adjusted enrollment of the school district  
36 excluding the at-risk student weighting and high density at-risk student  
37 weighting, if any, assigned to such student.

38 (b) If a student becomes ineligible to receive free meals under the  
39 national school lunch act for failure to submit, in a timely manner, any  
40 documentation necessary for verification of eligibility as required by the  
41 national school lunch act, but subsequently submits such documentation,  
42 such student shall not be excluded from the calculation of the adjusted  
43 enrollment of the school district if the school district forwards a copy of

Except as provided in subsection (b)(4),

; or  
(2)(A) If the enrollment of a school in the school district is at least 35% at-risk  
students, but less than 50% at-risk students:  
(i) Subtract 35% from the percentage of at-risk students included in the enrollment of  
such school;  
(ii) multiply the difference determined under subsection (b)(2)(A)(i) by 0.7; and  
(iii) multiply the product determined under subsection (b)(2)(A)(ii) by the number of at-  
risk students included in the enrollment of such school; or  
(B) if the enrollment of a school in the school district is 50% or more at-risk students,  
multiply the number of at-risk students included in the enrollment of such school by  
0.105; and  
(C) add the products determined under subsections (b)(2)(A)(iii) and (b)(2)(B) for each  
such school in the school district, respectively.  
(3) The high-density at-risk weighting of the school district shall be the greater of the  
product determined under subsection (b)(1) or the sum determined under subsection  
(b)(2)(C).  
(4) School districts that qualify to receive the high-density at-risk weighting pursuant to  
this section shall spend any money attributable to the school district's high-density at-  
risk weighting on the at-risk best practices developed by the state board pursuant to  
subsection (c). If a school district that qualifies for the high-density at-risk weighting  
does not spend such money on such best practices, the state board shall notify the  
school district that it shall either spend such money on such best practices or shall  
show improvement within three years of notification. Improvement shall include, but  
not be limited to, the following: (A) The percentage of students at grade level on state  
math and English language arts assessments; (B) the percentage of students that are  
college and career ready on state math and English language arts assessments; (C)  
the average composite ACT score; or (D) the four-year graduation rate. If a school  
district does not spend such money on such best practices and does not show  
improvement within three years, the school district shall not qualify to receive the  
high-density at-risk weighting in the succeeding school year.  
(c) On and after July 1, 2018, the state board shall identify and approve evidence-  
based best practices for at-risk programs and instruction of students receiving at-risk  
program services. The state board shall review and update such best practices  
annually.  
(d)