

2021 Kansas Statutes

72-5153. Same; at-risk education fund; allowable expenditures; identification of best practices; provisional at-risk programs; reports to the state board. (a) There is hereby established in every school district an at-risk education fund that shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to providing at-risk student assistance or programs shall be paid from the at-risk education fund.

(b) Any balance remaining in the at-risk education fund at the end of the budget year shall be carried forward into the at-risk education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the at-risk education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district.

Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(c) Expenditures from the at-risk education fund of a school district shall only be made for the following purposes:

- (1) At-risk and provisional at-risk educational programs;
- (2) personnel providing educational services in conjunction with such programs;
- (3) support for instructional classroom personnel designed to provide training for evidence-based best practices for at-risk educational programs; or
- (4) services contracted for by the school district to provide at-risk and provisional at-risk educational programs.

(d) (1) The state board shall identify and approve evidence-based best practices for at-risk educational programs and instruction of students receiving at-risk program services. Such best practices shall include, but not be limited to, programs and services provided by state-based national nonprofit organizations that:

- (A) Focus on students who are identified as students eligible to receive at-risk program services or who face other identifiable barriers to success;
- (B) provide evidence-based instruction and support services to such students inside and outside the school setting; and
- (C) evaluate outcomes data for students, including, but not limited to, school attendance, academic progress, graduation rates, pursuit of postsecondary education or career advancement.

(2) The state board shall review and update such best practices as necessary and as part of its five-year accreditation system review process.

(3) The state board shall provide a list of approved at-risk educational programs to each school district. The department shall publish the list on the department's website with a link to such list prominently displayed on the website homepage.

(4) (A) No expenditure shall be made from a school district's at-risk education fund for any program or service that is not included on the list of approved at-risk educational programs, unless such program is a provisional at-risk educational program.

(B) Expenditures shall only be made for a provisional at-risk educational program for a period not to exceed three years after implementation of such provisional at-risk educational program by a school district. The state board shall review any such provisional at-risk educational program, and if such program satisfies the state board's requirements as an evidence-based best practice, then such program shall be included in the list of approved at-risk educational programs.

(5) The purpose of at-risk and provisional at-risk educational programs and services is to

provide students identified as eligible to receive at-risk programs and services with additional educational opportunities, interventions and evidence-based instructional services above and beyond regular educational services.

(6) Delivery of at-risk and provisional at-risk programs or services by a school district may include, but shall not be limited to, the following:

- (A) Extended school year;
- (B) before-school programs and services;
- (C) after-school programs and services;
- (D) summer school;
- (E) extra support within a class;
- (F) tutorial assistance; and
- (G) class within a class.

(e) Each year the board of education of each school district shall prepare and submit to the state board a report on the at-risk and provisional at-risk educational programs provided by the school district for students identified as eligible to receive at-risk program services. Such report shall include:

- (1) The number of students identified as eligible to receive at-risk or provisional at-risk educational program services who were served or provided assistance;
- (2) the type of at-risk and provisional at-risk educational programs and services provided, including the number of students provided assistance under the district's approved at-risk program;
- (3) the data and research the school district utilized in determining what programs and services were needed to implement the approved at-risk program;
- (4) the district shall track and report the longitudinal performance of students that are continuously receiving at-risk programs and services in the district's approved at-risk program and, if applicable, shall include data regarding state assessment scores, Kansas English language proficiency assessment results, four-year graduation rates, progress monitoring, norm-referenced test results, criterion-based test results, individualized education program goals, attendance and average ACT composite scores; and
- (5) any other information required by the state board.

(f) In order to achieve uniform reporting of the number of students provided service or assistance by school districts in at-risk student programs, school districts shall report the number of students served or assisted in the manner required by the state board.

(g) As used in this section:

(1) "At-risk educational program" means an at-risk program or service that is identified and approved by the state board as an evidence-based best practice pursuant to subsection (d);

(2) "evidence-based instruction" means an education delivery system based on peer-reviewed research that consistently produces better student outcomes over a five-year period than would otherwise be achieved by the same students who are receiving at-risk program services; and

(3) "provisional at-risk educational program" means an evidence-based at-risk educational program or service identified or developed by a school district as producing or likely to produce measurable success that has been submitted to the state board for review pursuant to subsection (d).

History: L. 2017, ch. 95, § 25; L. 2019, ch. 19, § 12; L. 2021, ch. 114, § 20; July 1.