

SENATE BILL No. 173

By Committee on Education

2-8

Proposed Amendment for SB 173
Senate Committee on Education
Balloon 5
High-Density At-Risk Student Weighting
February 25, 2021
Office of Revisor of Statutes

1 AN ACT concerning school districts; relating to the Kansas school equity
2 and enhancement act; requiring school districts to make certain
3 transfers to at-risk education funds; authorizing certain expenditures
4 from at-risk education funds; extending the high-density at-risk student
5 weighting; providing requirements for identification of students eligible
6 to receive at-risk programs and services; requiring a performance audit
7 for at-risk education; amending K.S.A. 72-5151 and K.S.A. 2020 Supp.
8 72-5131, 72-5153 and 72-5173 and repealing the existing sections.
9

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

11 New Section 1. (a) To assist students identified as eligible to receive
12 at-risk educational programs and services in meeting state board of
13 education outcome goals, the state board of education shall require school
14 districts to implement at-risk educational programs and services that
15 provide additional educational opportunities, interventions and evidence-
16 based instruction using the at-risk best practices identified pursuant to
17 K.S.A. 72-5153, and amendments thereto.

18 (b) A student shall be identified as eligible to receive at-risk programs
19 and services if the student meets one or more of the following criteria:

- 20 (1) Is not working on academic grade level;
- 21 (2) is not meeting the requirements necessary for promotion to the
22 next grade or is failing subjects or courses of study;
- 23 (3) is not meeting the requirements necessary for graduation from
24 high school or has the potential to drop out of school;
- 25 (4) has insufficient mastery of skills or is not meeting state standards;
- 26 (5) has been retained;
- 27 (6) has a high rate of absenteeism;
- 28 (7) has repeated suspensions or expulsions from school;
- 29 (8) is homeless or migrant;
- 30 (9) is identified as an English language learner;
- 31 (10) has social-emotional needs that cause the student to be
32 unsuccessful in school; or
- 33 (11) is identified as a student with dyslexia.

34 (c) This section shall be a part of and supplemental to the Kansas
35 school equity and enhancement act.

36 Sec. 2. K.S.A. 2020 Supp. 72-5131 is hereby amended to read as

1 (4) ~~Commencing in school year 2018-2019,~~ School districts that
 2 qualify to receive the high-density at-risk *student* weighting pursuant to
 3 this section shall spend any money attributable to the school district's high-
 4 density at-risk *student* weighting on the at-risk best practices developed by
 5 the state board pursuant to K.S.A. 72-5153(d), and amendments thereto. If
 6 a school district that qualifies for the high-density at-risk *student*
 7 weighting does not spend such money on such best practices, the state
 8 board shall notify the school district that it shall ~~either spend such money~~
 9 ~~on such best practices or shall show improvement within five years of~~
 10 ~~notification. Improvement shall include, but not be limited to, the~~
 11 ~~following: (A) The percentage of students at grade level on state math and~~
 12 ~~English language arts assessments; (B) the percentage of students that are~~
 13 ~~college and career ready on state math and English language arts~~
 14 ~~assessments; (C) the average composite ACT score; or (D) the four-year~~
 15 ~~graduation rate. If a school district does not spend such money on such~~
 16 ~~best practices and does not show improvement within five years,~~ the
 17 school district shall not qualify to receive the high-density at-risk *student*
 18 weighting in the succeeding school year.

repay such money to the school district's at-risk education fund. The state board shall notify the house and senate standing committees on education on or before January 15 of each year which school districts had to repay such money and the amount each such school district repaid for the preceding school year.

for three consecutive

19 (5) ~~The provisions of~~ This subsection shall expire on July 1, ~~2020-~~
 20 ~~2023~~

2024

21 (c) *The purpose of the at-risk student weighting and the high-density*
 22 *at-risk student weighting is to provide students identified as eligible to*
 23 *receive at-risk programs and services with evidence-based educational*
 24 *services in addition to regular instructional services.*

25 (d) *Upon a school district's receipt of state foundation aid, that*
 26 *portion of such state foundation aid that is directly attributable to such*
 27 *school district's at-risk student weighting and high-density at-risk student*
 28 *weighting, if any, shall be transferred to the district's at-risk education*
 29 *fund established under K.S.A. 72-5153, and amendments thereto.*

30 Sec. 4. K.S.A. 2020 Supp. 72-5153 is hereby amended to read as
 31 follows: 72-5153. (a) There is hereby established in every school district
 32 an at-risk education fund, ~~which~~ that shall consist of all moneys deposited
 33 therein or transferred thereto according to law. The expenses of a school
 34 district directly attributable to providing at-risk student assistance or
 35 programs shall be paid from the at-risk education fund.

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