

HOUSE BILL No. 2650

By Committee on K-12 Education Budget

Requested by Representative Goetz

1-31

1 AN ACT concerning education; relating to school districts; requiring each
2 school district to submit annually to the state board of education an at-
3 risk student accountability plan and show longitudinal academic
4 improvement in certain student subgroups and students identified as
5 eligible for at-risk programs and services; revising the definition of
6 evidence-based instruction relating to the provision of at-risk programs
7 and services; removing the requirement that the state board of
8 education approve and publish a list of evidence-based at-risk
9 educational programs; requiring the state board of education to publish
10 an online guidance resource for at-risk educational programs;
11 prohibiting the state board of education from revising curriculum
12 standards in English language arts and mathematics until 75% of all
13 students achieve academic proficiency; requiring school districts to be
14 in compliance with all state laws and rules and regulations to maintain
15 accreditation; amending K.S.A. 2023 Supp. 72-5153 and 72-5170 and
16 repealing the existing sections.

17

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

19 New Section 1. (a) Commencing in school year 2024-2025, each
20 school district board of education shall submit annually to the state board
21 of education an at-risk student accountability plan to attain at-risk student
22 proficiency in accordance with this section and to ensure the provision of
23 programs and services that are above and beyond regular education
24 services to students who are eligible for at-risk programs and services.
25 Such plan shall be submitted to the state board of education on a form and
26 in the manner required by the state board. The purpose of each school
27 district's at-risk student accountability plan shall be to:

28 (1) Demonstrate that the school district is using evidenced-based
29 instruction, as defined in K.S.A. 72-5153, and amendments thereto, for the
30 education of students who are identified as eligible for at-risk programs
31 and services;

32 (2) measure longitudinal academic improvement in a quantitative
33 manner;

34 (3) establish quantitative student academic improvement goals, meet
35 such goals and revise such goals until all school districts meet the state

1 board of education's goal to have 75% of all students achieve proficiency
2 by scoring at a level 3 or 4 on the state assessments for English language
3 arts and mathematics by 2030; and

4 (4) ensure that at-risk education fund moneys are expended in
5 accordance with the law by providing services above and beyond regular
6 education services.

7 (b) Each at-risk student accountability plan shall identify not less than
8 one subgroup of students who are enrolled and attending grade three in the
9 school year that such subgroup is required to be identified and not less
10 than one subgroup of students enrolled in and attending grade four in the
11 school year that such subgroup is required to be identified. Except as
12 provided in this subsection, one of the student subgroups identified by the
13 school district for either such grade level shall be the students who are
14 eligible for free meals pursuant to the national school lunch program. For
15 the other grade level, the school district shall identify any other student
16 subgroup used for state assessment purposes or shall identify a group of
17 students who are identified as eligible to receive at-risk educational
18 programs and services pursuant to the same at-risk identification criteria
19 established pursuant to K.S.A. 72-5153a, and amendments thereto. A
20 school district shall not identify a subgroup of students pursuant to this
21 subsection if such subgroup is comprised of 10 or fewer students. If both
22 subgroups of students who are eligible for free meals are comprised of 10
23 or fewer students, the school district shall identify another subgroup
24 pursuant to this subsection.

25 (c) Each school district board of education shall establish a four-year
26 quantitative academic improvement goal for each chosen student
27 subgroup. The academic improvement goal established pursuant to this
28 section shall be related to achievement of academic proficiency in the
29 areas of English language arts and mathematics. A school district board of
30 education shall use state assessment scores and may use one additional
31 quantitative assessment tool chosen by the school district to evaluate
32 whether such student subgroups are achieving at a level that is sufficient to
33 meet or exceed the quantitative academic improvement goal established
34 for each such student subgroup. Any additional assessment tool chosen by
35 the school district to measure quantitative student achievement shall be
36 specified on the school district's at-risk student accountability plan which
37 is intended to ensure the provision of programs and services that are above
38 and beyond regular education services to students who qualify for at-risk
39 programs and services. Once a school district establishes a four-year
40 quantitative academic improvement goal for a subgroup on the school
41 district's at-risk accountability plan, the school district shall not revise or
42 revoke such goal for such subgroup in order to meet or exceed such goal.

43 (d) Each school district board of education shall conduct a four-year

1 longitudinal academic evaluation of each student subgroup identified on
2 the school district's at-risk student accountability plan to evaluate whether
3 such students improved upon attainment of academic proficiency and met
4 or exceeded the quantitative academic improvement goal established by
5 the school district board of education.

6 (e) If the identified student subgroup meets or exceeds the
7 quantitative academic improvement goal established for such student
8 subgroup at the end of the four-year period, the school district board of
9 education shall repeat the process established pursuant to this section by
10 identifying another student subgroup, establishing a four-year quantitative
11 academic improvement goal for such subgroup and conducting a four-year
12 longitudinal academic evaluation of such subgroup in accordance with this
13 section.

14 (f) If the identified student subgroup does not meet or exceed the
15 quantitative academic improvement goal established for such subgroup at
16 the end of the four-year period:

17 (1) The state board of education shall deem such school district as not
18 meeting at-risk improvement requirements on the school district's at-risk
19 student achievement report published on the state board's website pursuant
20 to subsection (k) until such school district meets the quantitative academic
21 improvement goal established by the school district board of education for
22 the subsequent subgroup identified pursuant to subsection (b) that replaces
23 the subgroup that did not meet or exceed the four-year longitudinal
24 academic improvement goal; and

25 (2) the school district board of education shall continue to evaluate
26 the longitudinal academic performance of such student subgroup for one
27 additional school year.

28 (g) If, at the end of the one additional school year authorized pursuant
29 to subsection (f)(2) the identified student subgroup:

30 (1) Meets or exceeds the quantitative academic improvement goal
31 established by the school district board of education, then the school
32 district board of education shall repeat the process established pursuant to
33 this section for another student subgroup by identifying another student
34 subgroup, establishing a four-year quantitative academic improvement
35 goal for such subgroup and conducting a four-year longitudinal academic
36 evaluation of such subgroup in accordance with this section; or

37 (2) does not meet or exceed the quantitative academic improvement
38 goal established by the school district board of education at the end of such
39 additional school year, then the school district board of education shall
40 continue to make efforts for such student subgroup to meet or exceed the
41 quantitative academic improvement goal established for such student
42 subgroup in each school year following such additional school year until
43 such subgroup meets or exceeds the quantitative academic improvement

1 goal established by the school district board of education and the school
2 district board of education shall repeat the process established pursuant to
3 this section for another student subgroup by identifying another student
4 subgroup, establishing a four-year quantitative academic improvement
5 goal for such subgroup and conducting a four-year longitudinal academic
6 evaluation of such subgroup in accordance with this section.

7 (h) (1) Notwithstanding the provisions of K.S.A. 72-5131 et seq., and
8 amendments thereto, the school district's at-risk student weighting
9 entitlement in the school year following the school year in which the
10 school district failed to meet or exceed a four-year quantitative academic
11 improvement goal for either subgroup identified pursuant to this section
12 shall be determined and adjusted by the state board as follows:

13 (A) If only one student subgroup identified on the school district's at-
14 risk accountability plan fails to meet or exceed the quantitative academic
15 improvement goal established by the school district board of education, the
16 state board of education shall:

17 (i) Determine the BASE aid amount that was in effect in the final
18 year of the four-year evaluation period of such subgroup;

19 (ii) determine the difference between the BASE aid amount in the
20 current school year pursuant to K.S.A. 72-5132, and amendments thereto,
21 and the BASE aid amount determined pursuant to subsection (h)(1)(A)(i);

22 (iii) multiply the amount determined pursuant to subsection (h)(1)(A)
23 (ii) by 0.50;

24 (iv) add the amount determined pursuant to subsection (h)(1)(A)(i) to
25 the amount determined pursuant to subsection (h)(1)(A)(iii); and

26 (v) multiply the sum determined pursuant to subsection (h)(1)(A)(iv)
27 by the school district's at-risk student weighting determined pursuant to
28 K.S.A. 72-5153, and amendments thereto. The computed amount is the
29 amount of state aid attributable to the at-risk student weighting that the
30 school district shall be entitled to receive in the current school year; or

31 (B) if both student subgroups identified on the school district's at-risk
32 accountability plan fail to meet or exceed the quantitative academic
33 improvement goals established by the school district board of education,
34 the state board of education shall:

35 (i) Determine the BASE aid amount that was in effect in the final
36 year of the four-year evaluation period of such subgroups; and

37 (ii) multiply the amount determined pursuant to subsection (h)(1)(B)
38 (i) by the school district's at-risk student weighting determined pursuant to
39 K.S.A. 72-5153, and amendments thereto. The computed amount is the
40 amount of state aid attributable to the at-risk student weighting that the
41 school district shall be entitled to receive in the current school year;

42 (2) the state board of education shall determine a school district's at-
43 risk student weighting entitlement pursuant to this subsection for the

1 school year following the year in which the subgroup identified on the
2 school district's at-risk accountability plan fails to meet or exceed the four-
3 year quantitative academic improvement goal established by the school
4 district board of education; and

5 (3) the school district shall repeat the process established pursuant to
6 this section by identifying another student subgroup, establishing a four-
7 year quantitative academic improvement goal for such subgroup and
8 conducting a four-year longitudinal academic evaluation of such subgroup
9 in accordance with this section.

10 (i) Each school district board of education shall continue to follow the
11 school district's at-risk student accountability plan and update the plan
12 annually or as may be necessary to repeat the process established pursuant
13 to this section by every four or five years by identifying another student
14 subgroup, establishing a four-year quantitative academic improvement
15 goal for such subgroup and conducting a four-year longitudinal academic
16 evaluation of such subgroup in accordance with this section. Such process
17 shall continue until 75% of all students enrolled in school districts who
18 took the statewide assessments during the preceding school year achieve
19 academic proficiency by scoring at level 3 or 4 on the statewide
20 assessments in both English language arts and mathematics.

21 (j) (1) Each school district board of education shall submit annually
22 to the state board of education an at-risk student achievement report in a
23 form and in the manner established by the state board that includes:

24 (A) The school district's at-risk student accountability plan to attain
25 student proficiency established in accordance with this section that
26 includes the subgroups chosen by the board of education of the school
27 district and the quantitative academic improvement goals established for
28 such subgroups;

29 (B) an update on the current progress of the school district's plan to
30 attain at-risk student proficiency and an estimation of whether the school
31 district expects to meet or exceed the longitudinal academic improvement
32 goals established by the school district board of education pursuant to this
33 section;

34 (C) the at-risk programs, services and resources and the provisional
35 at-risk educational programs that the school district is using to support
36 student achievement for students identified as eligible to receive at-risk
37 program services;

38 (D) the number of students identified as eligible to receive at-risk or
39 provisional at-risk educational program services who were served or
40 provided assistance under the district's approved at-risk program;

41 (E) the data and research the school district utilized to determine what
42 programs and services are needed to implement the district's approved at-
43 risk program; and

1 (F) any other information required by the state board.

2 (2) Each school district shall track and report annually the
3 longitudinal performance of students that are continuously receiving at-
4 risk programs and services in the district's approved at-risk program and, if
5 applicable, shall include data regarding state assessment scores, Kansas
6 English language proficiency assessment results, four-year graduation
7 rates, progress monitoring, norm-referenced test results, criterion-based
8 test results, individualized education program goals, attendance and
9 average ACT composite scores.

10 (3) To achieve uniform reporting of the number of students who are
11 provided at-risk programs and services above and beyond that of a regular
12 education, school districts shall report the information required pursuant
13 to this subsection in a uniform manner required by the state board.

14 (k) The state board of education shall publish the plans and reports
15 submitted by school districts on the state board of education's website
16 through the link on the state department of education's website homepage
17 titled "accountability reports" with such reports published under a link
18 titled "school district at-risk student accountability plans and reports."
19 Each school district board of education shall publish the school district's
20 report on the school district's website and provide a link to the state
21 department of education's website where all such reports are displayed.

22 (l) On or before January 31 each year, the state department of
23 education shall prepare and present a summary of the reports submitted
24 pursuant to subsection (j) to the house of representatives standing
25 committee on K-12 education budget and the senate standing committee
26 on education.

27 (m) As used in this section, "longitudinal" means the repeated
28 examination and progress monitoring of the same individuals of a
29 particular cohort group of students over a period of time.

30 Sec. 2. K.S.A. 2023 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 that shall consist of all moneys deposited therein
33 or transferred thereto according to law. The expenses of a school district
34 directly attributable to providing at-risk student assistance or programs
35 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

1 such fund shall be credited to that fund.

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

4 (1) ~~At-risk and provisional at-risk~~ educational programs *that are*
5 *provided above and beyond regular educational services to students who*
6 *are identified as at-risk;*

7 (2) personnel providing educational services in conjunction with such
8 programs;

9 (3) support for instructional classroom personnel designed to provide
10 training for evidence-based best practices for at-risk educational programs;
11 or

12 (4) services contracted for by the school district to provide ~~such at-~~
13 ~~risk and provisional~~ at-risk educational programs.

14 (d) (1) ~~The state board shall identify and approve evidence-based best~~
15 ~~practices for~~ *provide an online at-risk best practices resource list of* at-risk
16 *educational programs and services that demonstrate best practices and*
17 *provide evidence-based* instruction of students receiving at-risk program
18 *services that have been or are currently being used by school districts to*
19 *provide at-risk programs and services to students above and beyond that*
20 *of a regular education. Such ~~best practices at-risk best practices resource~~*
21 *list shall include, but not be limited to, programs and services provided by*
22 *state-based national nonprofit organizations that:*

23 (A) Focus on students who are identified as students eligible to
24 receive at-risk program services or who face other identifiable barriers to
25 success;

26 (B) provide evidence-based instruction and support services to such
27 students inside and outside the school setting; and

28 (C) evaluate outcomes data for students, including, but not limited to,
29 school attendance, academic progress, graduation rates, pursuit of
30 postsecondary education or career advancement.

31 (2) The state board shall review and update such ~~best practices~~ *online*
32 *at-risk best practices resource list* as necessary ~~and as part of its five-year~~
33 ~~accreditation system review process.~~

34 (3) ~~The state board shall provide a list of approved at-risk educational~~
35 ~~programs to each school district.~~ The department shall publish the *such at-*
36 *risk best practices resource list* on the department's website with a link to
37 such *at-risk best practices resource list* prominently displayed on the
38 *department's website homepage.*

39 (4) ~~(A)~~(3) No expenditure shall be made from a school district's at-
40 risk education fund for any program or service that is not ~~included on the~~
41 ~~list of approved at-risk educational programs, unless such program is a~~
42 ~~provisional at-risk educational program authorized pursuant to subsection~~
43 ~~(c).~~

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

8 ~~(5)(4) The purpose of at-risk and provisional~~*School districts shall*
9 *provide* ~~at-risk educational programs and services~~~~is to provide students~~
10 ~~identified as eligible to receive at-risk programs and services with~~
11 ~~additional educational opportunities, interventions and evidence-based~~
12 ~~instructional services above and beyond regular educational services.~~

13 ~~(6)(5) Delivery of at-risk and provisional~~ at-risk programs or services
14 by a school district may include, but shall not be limited to, the following:

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

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

27 ~~(1) The number of students identified as eligible to receive at-risk or~~
28 ~~provisional at-risk educational program services who were served or~~
29 ~~provided assistance;~~

30 ~~(2) the type of at-risk and provisional at-risk educational programs~~
31 ~~and services provided, including the number of students provided~~
32 ~~assistance under the district's approved at-risk program;~~

33 ~~(3) the data and research the school district utilized in determining~~
34 ~~what programs and services were needed to implement the approved at-~~
35 ~~risk program;~~

36 ~~(4) the district shall track and report the longitudinal performance of~~
37 ~~students that are continuously receiving at-risk programs and services in~~
38 ~~the district's approved at-risk program and, if applicable, shall include data~~
39 ~~regarding state assessment scores, Kansas English language proficiency~~
40 ~~assessment results, four-year graduation rates, progress monitoring, norm-~~
41 ~~referenced test results, criterion-based test results, individualized education~~
42 ~~program goals, attendance and average ACT composite scores; and~~

43 ~~(5) any other information required by the state board.~~

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

5 ~~(g)~~ As used in this section:

6 (1) "At-risk educational program" means an at-risk program or
7 service that ~~is identified and approved by the state board as an~~ *offers*
8 *evidence-based best practice pursuant to subsection (d) instruction that is*
9 *provided to students above and beyond regular educational services;*

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

14 ~~(3) "provisional at-risk educational program" means an evidence-~~
15 ~~based at-risk educational program or service identified or developed by a~~
16 ~~school district as producing or likely to produce measurable success that~~
17 ~~has been submitted to the state board for review pursuant to subsection~~
18 ~~(d), method or best practice that has shown or is likely to show that such~~
19 ~~instruction will produce better student outcomes through four or more~~
20 ~~years of longitudinal results at a school district as evidenced through~~
21 ~~school district at-risk accountability plans and reports submitted pursuant~~
22 ~~to section 1, and amendments thereto.~~

23 Sec. 3. K.S.A. 2023 Supp. 72-5170 is hereby amended to read as
24 follows: 72-5170. (a) (1) In order to accomplish the mission for Kansas
25 education, the state board shall design and adopt a school district
26 accreditation system based upon improvement in performance that equals
27 or exceeds the educational goal set forth in K.S.A. 72-3218(c), and
28 amendments thereto, and is measurable. The state board shall hold all
29 school districts accountable through the Kansas education systems
30 accreditation rules and regulations, or any successor accreditation system
31 and accountability plan adopted by the state board. The state board also
32 shall ensure that all school districts and the public schools operated by
33 such districts have programs and initiatives in place for providing those
34 educational capacities set forth in K.S.A. 72-3218(c), and amendments
35 thereto. On or before January 15 of each year, the state board shall prepare
36 and submit a report on the school district accreditation system to the
37 governor and the legislature.

38 (2) The accountability measures established pursuant to paragraph (1)
39 shall be applied both at the district level and at the school level. Such
40 accountability measures shall be reported by the state board for each
41 school district and each school. All reports prepared pursuant to this
42 section shall be published in accordance with K.S.A. 2023 Supp. 72-1181,
43 and amendments thereto.

1 (3) *As required by the state board pursuant to K.A.R. 91-31-31 et*
2 *seq., as in effect on July 1, 2024, for a school district to be and remain*
3 *accredited pursuant to the state board's accreditation system the school*
4 *district shall be in compliance with or working with the state board to*
5 *achieve compliance with all applicable federal and state statutes and rules*
6 *and regulations.*

7 (4) If a school district is not fully accredited and a corrective action
8 plan is required by the state board, such corrective action plan, and any
9 subsequent reports prepared by the state board regarding the progress of
10 such school district in implementing and executing such corrective action
11 plan, shall be published on the state department of education's internet
12 website and such school district's internet website in accordance with
13 K.S.A. 2023 Supp. 72-1181, and amendments thereto.

14 ~~(4)~~(5) If a school district is not accredited, the superintendent, or the
15 superintendent's designee, shall appear before the committee on education
16 of the house of representatives and the committee on education of the
17 senate during the regular legislative session that occurs during the same
18 school year ~~in which~~ when such school district is not accredited. Such
19 school district shall provide a report to such committees on the challenges
20 and obstacles that are preventing such school district from becoming
21 accredited.

22 (b) The state board shall establish curriculum standards that reflect
23 high academic standards for the core academic areas of mathematics,
24 science, reading, writing and social studies. The curriculum standards ~~shall~~
25 *may* be reviewed at least every seven years. *The state board shall not*
26 *revise or update the English language arts or mathematics curriculum*
27 *standards that are in effect on July 1, 2024, until the state board's long-*
28 *term goal for all students submitted to the United States department of*
29 *education in the consolidated state plan is achieved such that 75% of all*
30 *students score in performance levels 3 and 4 combined on the statewide*
31 *assessments in English language arts and mathematics by 2030.* Nothing
32 in this subsection shall be construed in any manner so as to impinge upon
33 any school district's authority to determine its own curriculum.

34 (c) The state board shall provide for statewide assessments in the core
35 academic areas of mathematics, science, reading, writing and social
36 studies. The board shall ensure compatibility between the statewide
37 assessments and the curriculum standards established pursuant to
38 subsection (b). Such assessments shall be administered at three grade
39 levels, as determined by the state board. The state board shall determine
40 performance levels on the statewide assessments, the achievement of
41 which represents high academic standards in the academic area at the
42 grade level to which the assessment applies. The state board should specify
43 high academic standards both for individual performance and school

1 performance on the assessments.

2 (d) Each school year, on such date as specified by the state board,
3 each school district shall submit the Kansas education system accreditation
4 report to the state board in such form and manner as prescribed by the state
5 board.

6 (e) Whenever the state board determines that a school district has
7 failed either to meet the accreditation requirements established by rules
8 and regulations or standards adopted by the state board or provide
9 curriculum based on state standards and courses required by state law, the
10 state board shall so notify the school district. Such notice shall specify the
11 accreditation requirements that the school district has failed to meet and
12 the curriculum that it has failed to provide. Upon receipt of such notice,
13 the board of education of such school district is encouraged to reallocate
14 the resources of the school district to remedy all deficiencies identified by
15 the state board.

16 (f) Each school in every school district shall establish a school site
17 council composed of the principal and representatives of teachers and
18 other school personnel, parents of students attending the school, the
19 business community and other community groups. School site councils
20 shall be responsible for providing advice and counsel in evaluating state,
21 school district, and school site performance goals and objectives and in
22 determining the methods that should be employed at the school site to
23 meet these goals and objectives. Site councils may make recommendations
24 and proposals to the school board regarding budgetary items and school
25 district matters, including, but not limited to, identifying and implementing
26 the best practices for developing efficient and effective administrative and
27 management functions. Site councils also may help school boards analyze
28 the unique environment of schools, enhance the efficiency and maximize
29 limited resources, including outsourcing arrangements and cooperative
30 opportunities as a means to address limited budgets.

31 Sec. 4. K.S.A. 2023 Supp. 72-5153 and 72-5170 are hereby repealed.

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