

SENATE BILL No. 499

By Committee on Education

2-11

1 AN ACT concerning virtual schools; relating to virtual school state aid;
2 increasing certain state aid amounts; providing for additional state aid
3 for certain students who transfer to virtual schools; requiring a second
4 count date of students included in the full-time equivalent enrollment of
5 a virtual school; amending K.S.A. 72-3715 and repealing the existing
6 section.

7
8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. K.S.A. 72-3715 is hereby amended to read as follows: 72-
10 3715. (a) ~~In order to~~ *Each student 19 years of age or under shall be*
11 *included in the full-time equivalent enrollment of a virtual school, a if*
12 *such student shall be is in attendance at the virtual school on: (1) A single*
13 *school day on or before September 19 of each school year; and (2) on a*
14 *single school day on or after September 20, but before October 4 of each*
15 *school year the fall count date or the spring count date, as such terms are*
16 *defined in subsection (h).*

17 (b) A school district ~~which~~ *that* offers a virtual school shall determine
18 the full-time equivalent enrollment of each student *19 years of age or*
19 *under* enrolled in the virtual school ~~on September 20 of each~~ *during the*
20 school year as follows:

21 (1) *For students enrolled in the virtual school on the fall count date:*

22 (A) Determine the number of hours the student was in attendance on a
23 single school day on or before September 19 of ~~each~~ *the* school year;

24 (2)(B) determine the number of hours the student was in attendance
25 on a single school day on or after September 20, but before October 4 of
26 ~~each~~ *the* school year;

27 (3)(C) add the numbers obtained under ~~subsections (b)(1) and (b)(2)~~
28 *subparagraphs (A) and (B); and*

29 (4)(D) divide the sum obtained under ~~subsection (b)(3)~~ *subparagraph*
30 *(C) by 12. The quotient is the full-time equivalent enrollment of the*
31 *student; and*

32 (2) *for students enrolled in the virtual school on the spring count date*
33 *who were not enrolled in the virtual school on the fall count date:*

34 (A) *Determine the number of hours the student was in attendance on*
35 *a single day on or before February 19 of the school year;*

36 (B) *determine the number of hours the student was in attendance on a*

1 *single day on or after February 20, but before March 6 of the school year;*

2 *(C) add the numbers obtained under subparagraphs (A) and (B); and*

3 *(D) divide the sum obtained under subparagraph (C) by 12. The*
 4 *quotient is the full-time equivalent of the student.*

5 (c) The school days on which a district determines the full-time
 6 equivalent enrollment of a student under subsections (b)(1) and (2) shall be
 7 the school days on which the student has the highest number of hours of
 8 attendance at the virtual school. No more than six hours of attendance may
 9 be counted in a single school day. Attendance may be shown by a student's
 10 on-line activity or entries in the student's virtual school journal or log of
 11 activities.

12 (d) Subject to the availability of appropriations and within the limits
 13 of any such appropriations, each school year a school district ~~which that~~
 14 offers a virtual school shall receive virtual school state aid. The state board
 15 of education shall determine the amount of virtual school state aid a school
 16 district is to receive as follows:

17 (1) *For students enrolled in the virtual school who are 19 years of*
 18 *age or under:*

19 (A) Determine the number of students enrolled in virtual school on a
 20 full-time basis, ~~excluding those students who are over 19 years of age, on~~
 21 ~~the fall count date~~ and multiply the total number of such students by
 22 ~~\$5,000~~ \$5,600;

23 (B) *determine the number of students enrolled in virtual school on a*
 24 *full-time basis on the spring count date and multiply the total number of*
 25 *such students by \$2,800; and*

26 ~~(2)(C)~~ determine the full-time equivalent enrollment of students
 27 enrolled in virtual school on a part-time basis, ~~excluding those pupils who~~
 28 ~~are over 19 years of age, on the fall count date~~ and multiply the total full-
 29 time equivalent enrollment of such students by ~~\$1,700~~ \$2,000;

30 ~~(3)(2)~~ for students enrolled in a virtual school who are over 19 years
 31 of age, determine the number of one-hour credit courses such students
 32 have passed, not to exceed six credit courses per school year, and multiply
 33 the total number of such courses by \$709; and

34 ~~(4)(3)~~ add the amounts calculated under ~~subsections (d)(1) through~~
 35 ~~(d)(4) paragraphs (1) and (2)~~. The resulting sum is the amount of virtual
 36 school state aid the school district shall receive.

37 (e) (1) *Each year, the state board of education shall determine the*
 38 *number of students enrolled in each virtual school who:*

39 (A) *Transferred from a nonvirtual school of a school district in this*
 40 *state to a virtual school operated by a different school district in the*
 41 *preceding school year; and*

42 (B) *were enrolled in any of the grades nine through 12 of the*
 43 *nonvirtual school and:*

1 (i) Do not have sufficient credits to be expected to graduate in the
2 same school year as such student's cohort at the time such student first
3 enrolled in grade 9;

4 (ii) failed two or more courses; or

5 (iii) scored below grade level on any state assessment given to such
6 student.

7 (2) The state board shall multiply the number of students determined
8 in paragraph (1) by an amount equal to 45.6% of the BASE aid amount
9 for the preceding school year.

10 (3) The state board of education shall certify to the director of
11 accounts and reports an amount equal to the product determined in
12 paragraph (2) for each school district. An amount equal thereto shall be
13 transferred by the director from the state general fund to the state
14 foundation aid account of the state department of education in the state
15 general fund. Upon receipt of such amount, the state board shall disburse
16 the amount determined for each school district to the virtual school fund
17 of such school districts.

18 (4) The state board shall require the school district to remit or shall
19 deduct from future state foundation aid payments made to the school
20 district an amount equal to the number of students who transferred from a
21 nonvirtual school of such school district who met the requirements of
22 paragraph (1). Such amount shall be multiplied by 45.6% of the BASE aid
23 amount for the preceding school year.

24 (f) (1) There is hereby established in every school district ~~a fund~~
25 ~~which shall be called~~ the virtual school fund, which ~~fund~~ shall consist of
26 all moneys deposited therein or transferred thereto according to law. The
27 expenses of a school district directly attributable to virtual schools offered
28 by a school district may be paid from the virtual school fund. The cost of
29 an advance placement course provided to a student by a virtual school
30 shall be paid by the virtual school. Moneys deposited in or otherwise
31 transferred to the virtual school fund shall only be expended for those
32 costs directly attributable to the provision of virtual instruction.

33 (2) Any balance remaining in the virtual school fund at the end of the
34 budget year shall be carried forward into the virtual school fund for
35 succeeding budget years. Such fund shall not be subject to the provisions
36 of K.S.A. 79-2925 through 79-2937, and amendments thereto.

37 (3) In preparing the budget of such school district, the amounts
38 credited to and the amount on hand in the virtual school fund, and the
39 amount expended therefrom shall be included in the annual budget for the
40 information of the residents of the school district. Interest earned on the
41 investment of moneys in any such fund shall be credited to that fund.

42 ~~(f)~~(g) For the purposes of this section, a student enrolled in a virtual
43 school who is not a resident of the state of Kansas shall not be counted in

1 the full-time equivalent enrollment of the virtual school. The virtual school
2 shall record the permanent address of any student enrolled in such virtual
3 school.

4 ~~(g)~~(h) For purposes of *As used in this section:*

5 (1) *"Fall count date" means a single school day on or before*
6 *September 19 of the school year and a single school day on or after*
7 *September 20 but before October 4 of the school year.*

8 (2) *"Full-time" means attendance in a virtual school for no less than*
9 *six hours as determined pursuant to subsection (b).*

10 ~~(2)~~(3) *"Part-time" means attendance in a virtual school for less than*
11 *six hours as determined pursuant to subsection (b).*

12 (4) *"Spring count date" means a single school day on or before*
13 *February 19 of the school year and a single day on or after February 20*
14 *but before March 6 of the school year.*

15 Sec. 2. K.S.A. 72-3715 is hereby repealed.

16 Sec. 3. This act shall take effect and be in force from and after its
17 publication in the statute book.