

HOUSE BILL No. 2445

By Representative Rooker

1-5

1 AN ACT concerning education; relating to the financing thereof; relating
2 to the Kansas school equity and enhancement act; **making and**
3 **concerning appropriations for the fiscal year ending June 30, 2019,**
4 **for the department of education;** amending K.S.A. 2017 Supp. 72-
5 5132, 72-5133, 72-5143, 72-5145, 72-5148, 72-5149, 72-5150, 72-
6 5151, 72-5155, **72-5170, 72-5171, 72-5173,** 72-53,113 ~~and,~~ 72-53,116
7 **and 72-5461** and repealing the existing sections; also repealing K.S.A.
8 2017 Supp. 72-1171, 72-6463, 72-6464, 72-6465, 72-6466, 72-6467,
9 72-6468, 72-6469, 72-6470, 72-6471, 72-6472, 72-6473, 72-6474, 72-
10 6475, 72-6477, 72-6478, 72-6479, 72-6480 and 72-6481.

11
12 *Be it enacted by the Legislature of the State of Kansas:*

13 **Section 1.**

14 **DEPARTMENT OF EDUCATION**

15 (a) There is appropriated for the above agency from the state
16 general fund for the fiscal year ending June 30, 2019, the following:

17 **Operating expenditures**

18 (including official hospitality) (652-00-1000-0053).....\$15,000

19 *Provided, That during the fiscal year ending June 30, 2019, in addition*
20 *to the other purposes for which expenditures may be made by the*
21 *above agency from moneys appropriated for the operating*
22 *expenditures (including official hospitality) account for fiscal year*
23 *2019 by chapter 95 or 104 of the 2017 Session Laws of Kansas, this or*
24 *any other appropriation act of the 2018 regular session of the*
25 *legislature, expenditures shall be made by the above agency to*
26 *implement the jobs for America's graduates - Kansas pilot program:*
27 *Provided further, That such program shall select a total of 75 students*
28 *for participation in the program with 25 students selected from the*
29 *Wichita school district (U.S.D. no. 259), 25 students selected from the*
30 *Topeka school district (U.S.D. no. 501) and 25 students selected from*
31 *the Kansas City school district (U.S.D. no. 500): And provided further,*
32 *That students shall be selected for participation in the program on or*
33 *before September 20, 2018: And provided further, That the selected*
34 *students shall enroll in and attend classes at schools operated by such*
35 *student's resident school district for ½ of such student's total school*
36 *attendance, and shall enroll in classes provided by a virtual school*

1 operated by the southeast Kansas education service center -
 2 Greenbush for the remaining ½ of such student's total school
 3 attendance: *And provided further*, That expenditures shall be made in
 4 an amount not to exceed \$15,000 to acquire laptop computer devices
 5 for use by students participating in such pilot program.

6 State foundation aid (652-00-1000-0820).....\$29,324,200

7 Special education services aid (652-00-1000-0700).....\$44,400,363

8 Supplemental state aid (652-00-1000-0840).....\$5,994,000

9 Community mental health center pilot program.....\$7,500,000

10 *Provided*, That during the fiscal year ending June 30, 2019, in addition
 11 to the other purposes for which expenditures may be made by the
 12 above agency from moneys appropriated for the community mental
 13 health center pilot program account for fiscal year 2019 by chapter 95
 14 of the 2017 Session Laws of Kansas, this or any other appropriation
 15 act of the 2018 regular session of the legislature, expenditures shall be
 16 made by the above agency to improve social-emotional wellness and
 17 outcomes for students by increasing schools' access to counselors,
 18 social workers and psychologists statewide, which includes
 19 establishing collaborative relationships with community mental health
 20 centers, including a pilot program for school districts and their
 21 respective community mental health centers for fiscal year 2019.

22 CMHC pilot program – online database.....\$2,500,000

23 ~~Section 1:~~ **Sec. 2.** On and after July 1, 2018, K.S.A. 2017 Supp. 72-
 24 5132 is hereby amended to read as follows: 72-5132. As used in the
 25 Kansas school equity and enhancement act, K.S.A. 2017 Supp. 72-5131 et
 26 seq., and amendments thereto:

27 (a) "Adjusted enrollment" means the enrollment of a school district
 28 adjusted by adding the following weightings, if any, to the enrollment of a
 29 school district: At-risk student weighting; bilingual weighting; career
 30 technical education weighting; ~~declining enrollment weighting~~; high-
 31 density at-risk student weighting; high enrollment weighting; low
 32 enrollment weighting; school facilities weighting; ancillary school
 33 facilities weighting; cost-of-living weighting; special education and related
 34 services weighting; and transportation weighting.

35 (b) "Ancillary school facilities weighting" means an addend
 36 component assigned to the enrollment of school districts pursuant to
 37 K.S.A. 2017 Supp. 72-5158, and amendments thereto, on the basis of costs
 38 attributable to commencing operation of one or more new school facilities
 39 by such school districts.

40 (c) (1) "At-risk student" means a student who is eligible for free
 41 meals under the national school lunch act, and who is enrolled in a school
 42 district that maintains an approved at-risk student assistance program.

43 (2) The term "at-risk student" shall not include any student enrolled

1 in any of the grades one through 12 who is in attendance less than full
2 time, or any student who is over 19 years of age. The provisions of this
3 paragraph shall not apply to any student who has an individualized
4 education program.

5 (d) "At-risk student weighting" means an addend component assigned
6 to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-
7 5151(a), and amendments thereto, on the basis of costs attributable to the
8 maintenance of at-risk educational programs by such school districts.

9 (e) "Base aid for student excellence" or "BASE aid" means an amount
10 appropriated by the legislature in a fiscal year for the designated year. The
11 amount of BASE aid shall be as follows:

12 (1) For school year ~~2017-2018, \$4,006~~ **2018-2019, \$4,170;**

13 (2) for school year ~~2018-2019, \$4,128~~ **2019-2020, \$4,307;**

14 **(3) for school year 2020-2021, \$4,444;**

15 **(4) for school year 2021-2022, \$4,581;**

16 **(5) for school year 2022-2023, \$4,718; and**

17 ~~(6)~~ **(6)** for school year ~~2019-2020~~ **2023-2024**, and each school year
18 thereafter, the BASE aid shall be the BASE aid amount for the
19 immediately preceding school year plus an amount equal to the average
20 percentage increase in the consumer price index for all urban consumers in
21 the midwest region as published by the bureau of labor statistics of the
22 United States department of labor during the three immediately preceding
23 school years.

24 (f) "Bilingual weighting" means an addend component assigned to
25 the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5150,
26 and amendments thereto, on the basis of costs attributable to the
27 maintenance of bilingual educational programs by such school districts.

28 (g) "Board" means the board of education of a school district.

29 (h) "Budget per student" means the general fund budget of a school
30 district divided by the enrollment of the school district.

31 (i) "Categorical fund" means and includes the following funds of a
32 school district: Adult education fund; adult supplementary education fund;
33 at-risk education fund; bilingual education fund; career and postsecondary
34 education fund; driver training fund; educational excellence grant program
35 fund; extraordinary school program fund; food service fund; parent
36 education program fund; preschool-aged at-risk education fund;
37 professional development fund; special education fund; and summer
38 program fund.

39 (j) "Cost-of-living weighting" means an addend component assigned
40 to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-
41 5159, and amendments thereto, on the basis of costs attributable to the cost
42 of living in such school districts.

43 (k) "Current school year" means the school year during which state

1 foundation aid is determined by the state board under K.S.A. 2017 Supp.
2 72-5134, and amendments thereto.

3 ~~(l) "Declining enrollment weighting" means an addend component~~
4 ~~assigned to the enrollment of school districts pursuant to K.S.A. 2017-~~
5 ~~Supp. 72-5160, and amendments thereto, on the basis of costs attributable~~
6 ~~to the declining enrollment of such school districts.~~

7 ~~(m)~~ (l) "Enrollment" means:

8 (1) The number of students regularly enrolled in kindergarten and
9 grades one through 12 in the school district on September 20 of the
10 preceding school year plus the number of preschool-aged at-risk students
11 regularly enrolled in the school district on September 20 of the current
12 school year, except a student who is a foreign exchange student shall not
13 be counted unless such student is regularly enrolled in the school district
14 on September 20 and attending kindergarten or any of the grades one
15 through 12 maintained by the school district for at least one semester or
16 two quarters, or the equivalent thereof.

17 (2) If the enrollment in a school district in the preceding school year
18 has decreased from enrollment in the second preceding school year, the
19 enrollment of the school district in the current school year means the sum
20 of:

21 (A) The enrollment in the second preceding school year, excluding
22 students under paragraph (2)(B), minus enrollment in the preceding school
23 year of preschool-aged at-risk students, if any, plus enrollment in the
24 current school year of preschool-aged at-risk students, if any; and

25 (B) the adjusted enrollment in the second preceding school year of
26 any students participating in the tax credit for low income students
27 scholarship program pursuant to K.S.A. 2017 Supp. 72-4351 et seq., and
28 amendments thereto, in the preceding school year, if any, plus the adjusted
29 enrollment in the preceding school year of preschool-aged at-risk students
30 who are participating in the tax credit for low income students scholarship
31 program pursuant to K.S.A. 2017 Supp. 72-4351 et seq., and amendments
32 thereto, in the current school year, if any.

33 (3) For any school district that has a military student, as that term is
34 defined in K.S.A. 2017 Supp. 72-5139, and amendments thereto, enrolled
35 in such district, and that received federal impact aid for the preceding
36 school year, if the enrollment in such school district in the preceding
37 school year has decreased from enrollment in the second preceding school
38 year, the enrollment of the school district in the current school year means
39 whichever is the greater of:

40 (A) The enrollment determined under subsection (m)(2); or

41 (B) the sum of the enrollment in the preceding school year of
42 preschool-aged at-risk students, if any, and the arithmetic mean of the sum
43 of:

1 (i) The enrollment of the school district in the preceding school year
2 minus the enrollment in such school year of preschool-aged at-risk
3 students, if any;

4 (ii) the enrollment in the second preceding school year minus the
5 enrollment in such school year of preschool-aged at-risk students, if any;
6 and

7 (iii) the enrollment in the third preceding school year minus the
8 enrollment in such school year of preschool-aged at-risk students, if any.

9 (4) ~~(A) For school year 2017-2018, the enrollment determined under~~
10 ~~paragraph (1), (2) or (3), except if the school district offers kindergarten on~~
11 ~~a full-time basis in such school year, students regularly enrolled in~~
12 ~~kindergarten in the school district in the preceding school year shall be~~
13 ~~counted as one student regardless of actual attendance during such~~
14 ~~preceding school year.~~

15 ~~(B) For school year 2018-2019 and each school year thereafter, The~~
16 ~~enrollment determined under paragraph (1), (2) or (3), except if the school~~
17 ~~district begins to offer kindergarten on a full-time basis in such school~~
18 ~~year, students regularly enrolled in kindergarten in the school district in the~~
19 ~~preceding school year shall be counted as one student regardless of actual~~
20 ~~attendance during such preceding school year.~~

21 ~~(m)~~ (m) "February 20" has its usual meaning, except that in any year
22 in which February 20 is not a day on which school is maintained, it means
23 the first day after February 20 on which school is maintained.

24 ~~(n)~~ (n) "Federal impact aid" means an amount equal to the federally
25 qualified percentage of the amount of moneys a school district receives in
26 the current school year under the provisions of title I of public law 874 and
27 congressional appropriations therefor, excluding amounts received for
28 assistance in cases of major disaster and amounts received under the low-
29 rent housing program. The amount of federal impact aid shall be
30 determined by the state board in accordance with terms and conditions
31 imposed under the provisions of the public law and rules and regulations
32 thereunder.

33 ~~(o)~~ (o) "General fund" means the fund of a school district from which
34 operating expenses are paid and in which is deposited all amounts of state
35 foundation aid provided under this act, payments under K.S.A. 2017 Supp.
36 72-528, and amendments thereto, payments of federal funds made
37 available under the provisions of title I of public law 874, except amounts
38 received for assistance in cases of major disaster and amounts received
39 under the low-rent housing program and such other moneys as are
40 provided by law.

41 ~~(p)~~ (p) "General fund budget" means the amount budgeted for
42 operating expenses in the general fund of a school district.

43 ~~(q)~~ (q) "High-density at-risk student weighting" means an addend

1 component assigned to the enrollment of school districts pursuant to
2 K.S.A. 2017 Supp. 72-5151(b), and amendments thereto, on the basis of
3 costs attributable to the maintenance of at-risk educational programs by
4 such school districts.

5 ~~(s)~~ (r) "High enrollment weighting" means an addend component
6 assigned to the enrollment of school districts pursuant to K.S.A. 2017
7 Supp. 72-5149(b), and amendments thereto, on the basis of costs
8 attributable to maintenance of educational programs by such school
9 districts.

10 ~~(t)~~ (s) "Juvenile detention facility" means the same as such term is
11 defined in K.S.A. 2017 Supp. 72-1173, and amendments thereto.

12 ~~(u)~~ (t) "Local foundation aid" means the sum of the following
13 amounts:

14 (1) An amount equal to any unexpended and unencumbered balance
15 remaining in the general fund of the school district, except moneys
16 received by the school district and authorized to be expended for the
17 purposes specified in K.S.A. 2017 Supp. 72-5168, and amendments
18 thereto;

19 (2) an amount equal to any remaining proceeds from taxes levied
20 under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto,
21 prior to their repeal;

22 (3) an amount equal to the amount deposited in the general fund in
23 the current school year from moneys received in such school year by the
24 school district under the provisions of K.S.A. 2017 Supp. 72-3123(a), and
25 amendments thereto;

26 (4) an amount equal to the amount deposited in the general fund in
27 the current school year from moneys received in such school year by the
28 school district pursuant to contracts made and entered into under authority
29 of K.S.A. 2017 Supp. 72-3125, and amendments thereto;

30 (5) an amount equal to the amount credited to the general fund in the
31 current school year from moneys distributed in such school year to the
32 school district under the provisions of articles 17 and 34 of chapter 12 of
33 the Kansas Statutes Annotated, and amendments thereto, and under the
34 provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes
35 Annotated, and amendments thereto;

36 (6) an amount equal to the amount of payments received by the
37 school district under the provisions of K.S.A. 2017 Supp. 72-3423, and
38 amendments thereto;

39 (7) an amount equal to the amount of any grant received by the
40 school district under the provisions of K.S.A. 2017 Supp. 72-3425, and
41 amendments thereto; and

42 (8) an amount equal to 70% of the federal impact aid of the school
43 district.

- 1 ~~(v)~~ (u) "Low enrollment weighting" means an addend component
2 assigned to the enrollment of school districts pursuant to K.S.A. 2017
3 Supp. 72-5149(a), and amendments thereto, on the basis of costs
4 attributable to maintenance of educational programs by such school
5 districts.
- 6 ~~(w)~~ (v) "Operating expenses" means the total expenditures and lawful
7 transfers from the general fund of a school district during a school year for
8 all purposes, except expenditures for the purposes specified in K.S.A.
9 2017 Supp. 72-5168, and amendments thereto.
- 10 ~~(x)~~ (w) "Preceding school year" means the school year immediately
11 before the current school year.
- 12 ~~(y)~~ (x) "Preschool-aged at-risk student" means an at-risk student who
13 has attained the age of ~~four~~ **three** years, is under the age of eligibility for
14 attendance at kindergarten, and has been selected by the state board in
15 accordance with guidelines governing the selection of students for
16 participation in head start programs.
- 17 ~~(z)~~ (y) "Preschool-aged exceptional children" means exceptional
18 children, except gifted children, who have attained the age of three years
19 but are under the age of eligibility for attendance at kindergarten. The
20 terms "exceptional children" and "gifted children" have the same meaning
21 as those terms are defined in K.S.A. 2017 Supp. 72-3404, and amendments
22 thereto.
- 23 ~~(aa)~~ (z) "Psychiatric residential treatment facility" means the same as
24 such term is defined in K.S.A. 2017 Supp. 72-1173, and amendments
25 thereto.
- 26 ~~(bb)~~ (aa) "School district" means a school district organized under the
27 laws of this state that is maintaining public school for a school term in
28 accordance with the provisions of K.S.A. 2017 Supp. 72-3115, and
29 amendments thereto.
- 30 ~~(cc)~~ (bb) "School facilities weighting" means an added component
31 assigned to the enrollment of school districts pursuant to K.S.A. 2017
32 Supp. 72-5156, and amendments thereto, on the basis of costs attributable
33 to commencing operation of one or more new school facilities by such
34 school districts.
- 35 ~~(dd)~~ (cc) "School year" means the 12-month period ending June 30.
- 36 ~~(ee)~~ (dd) "September 20" has its usual meaning, except that in any
37 year in which September 20 is not a day on which school is maintained, it
38 means the first day after September 20 on which school is maintained.
- 39 ~~(ff)~~ (ee) "Special education and related services weighting" means an
40 addend component assigned to the enrollment of school districts pursuant
41 to K.S.A. 2017 Supp. 72-5157, and amendments thereto, on the basis of
42 costs attributable to the maintenance of special education and related
43 services by such school districts.

1 ~~(gg)~~ (ff) "State board" means the state board of education.

2 ~~(hh)~~ (gg) "State foundation aid" means the amount of aid distributed
3 to a school district as determined by the state board pursuant to K.S.A.
4 2017 Supp. 72-5134, and amendments thereto.

5 ~~(ii)~~ (hh) (1) "Student" means any person who is regularly enrolled in
6 a school district and attending kindergarten or any of the grades one
7 through 12 maintained by the school district or who is regularly enrolled in
8 a school district and attending kindergarten or any of the grades one
9 through 12 in another school district in accordance with an agreement
10 entered into under authority of K.S.A. 2017 Supp. 72-13,101, and
11 amendments thereto, or who is regularly enrolled in a school district and
12 attending special education services provided for preschool-aged
13 exceptional children by the school district.

14 (2) (A) Except as otherwise provided in this subsection, the following
15 shall be counted as one student:

16 (i) A student in attendance full-time; and

17 (ii) a student enrolled in a school district and attending special
18 education and related services, provided for by the school district.

19 (B) The following shall be counted as $\frac{1}{2}$ student:

20 (i) A student enrolled in a school district and attending special
21 education and related services for preschool-aged exceptional children
22 provided for by the school district; and

23 (ii) a preschool-aged at-risk student enrolled in a school district and
24 receiving services under an approved at-risk student assistance plan
25 maintained by the school district.

26 (C) A student in attendance part-time shall be counted as that
27 proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance
28 bears to full-time attendance.

29 (D) A student enrolled in and attending an institution of
30 postsecondary education that is authorized under the laws of this state to
31 award academic degrees shall be counted as one student if the student's
32 postsecondary education enrollment and attendance together with the
33 student's attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time,
34 otherwise the student shall be counted as that proportion of one student (to
35 the nearest $\frac{1}{10}$) that the total time of the student's postsecondary education
36 attendance and attendance in grades 11 or 12, as applicable, bears to full-
37 time attendance.

38 (E) A student enrolled in and attending a technical college, a career
39 technical education program of a community college or other approved
40 career technical education program shall be counted as one student, if the
41 student's career technical education attendance together with the student's
42 attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise
43 the student shall be counted as that proportion of one student (to the

1 nearest $\frac{1}{10}$) that the total time of the student's career technical education
2 attendance and attendance in any of grades nine through 12 bears to full-
3 time attendance.

4 (F) A student enrolled in a school district and attending a non-virtual
5 school and also attending a virtual school shall be counted as that
6 proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance
7 at the non-virtual school bears to full-time attendance.

8 (G) A student enrolled in a school district and attending special
9 education and related services provided for by the school district and also
10 attending a virtual school shall be counted as that proportion of one
11 student (to the nearest $\frac{1}{10}$) that the student's attendance at the non-virtual
12 school bears to full-time attendance.

13 (H) (i) Except as provided in clause (ii), a student enrolled in a school
14 district who is not a resident of Kansas shall be counted as follows:

15 ~~(a) For school years 2017-2018 and 2018-2019, one student;~~

16 ~~(b) for school year 2019-2020 and 2020-2021, $\frac{3}{4}$ of a student; and~~

17 ~~(c) for school year 2021-2022 and each school year thereafter, $\frac{1}{2}$ of a~~
18 ~~student.~~

19 (ii) This subparagraph (H) shall not apply to:

20 ~~(a) A student whose parent or legal guardian is an employee of the~~
21 ~~school district where such student is enrolled; or~~

22 ~~(b) a student who attended public school in Kansas during school~~
23 ~~year 2016-2017 and who attended public school in Kansas during the~~
24 ~~immediately preceding school year. **A student shall not be counted if:**~~

25 **(a) The school such student attends is located more than eight**
26 **miles from the Kansas state line by the usually traveled road; or**

27 **(b) the out-of-state school district in which the student resides is**
28 **adjacent to the Kansas school district in which the student is enrolled,**
29 **and the out-of-state school where the student would attend is located**
30 **not more than eight miles from the Kansas state line by the usually**
31 **traveled road.**

32 (3) The following shall not be counted as a student:

33 (A) An individual residing at the Flint Hills job corps center;

34 (B) except as provided in subsection (ii)(2), an individual confined in
35 and receiving educational services provided for by a school district at a
36 juvenile detention facility; and

37 (C) an individual enrolled in a school district but housed, maintained
38 and receiving educational services at a state institution or a psychiatric
39 residential treatment facility.

40 (4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et
41 seq., and amendments thereto, shall be counted in accordance with the
42 provisions of K.S.A. 2017 Supp. 72-3715, and amendments thereto.

43 (jj) (ii) "Total foundation aid" means an amount equal to the product

1 obtained by multiplying the BASE aid by the adjusted enrollment of a
2 school district.

3 ~~(kk)~~ (jj) "Transportation weighting" means an addend component
4 assigned to the enrollment of school districts pursuant to K.S.A. 2017
5 Supp. 72-5148, and amendments thereto, on the basis of costs attributable
6 to the provision or furnishing of transportation.

7 ~~(H)~~ (kk) "Virtual school" means the same as such term is defined in
8 K.S.A. 2017 Supp. 72-3712, and amendments thereto.

9 Sec. ~~2~~ 3. **On and after July 1, 2018**, K.S.A. 2017 Supp. 72-5133 is
10 hereby amended to read as follows: 72-5133. (a) The state school district
11 finance fund, established by K.S.A. 1991 Supp. 72-7081, prior to its
12 repeal, is hereby continued in existence and shall consist of: (1) All
13 moneys credited to such fund under K.S.A. 2017 Supp. 72-6463 through
14 72-6481, prior to ~~their expiration July 1, 2017~~; and (2) all amounts
15 transferred to such fund under K.S.A. 2017 Supp. 72-5136, 72-5142, 72-
16 5143, 72-5158, 72-5159 and 72-5160, and amendments thereto.

17 (b) The state school district finance fund shall be used for the purpose
18 of school district finance and for no other governmental purpose. It is the
19 intent of the legislature that the fund shall remain intact and inviolate for
20 such purpose, and moneys in the fund shall not be subject to the provisions
21 of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

22 (c) Amounts in the state school district finance fund shall be allocated
23 and distributed to school districts as a portion of state foundation aid
24 provided for under this act.

25 Sec. ~~3~~ 4. **On and after July 1, 2018**, K.S.A. 2017 Supp. 72-5143 is
26 hereby amended to read as follows: 72-5143. (a) In each school year, the
27 board of education of a school district may adopt, by resolution, a local
28 option budget that does not exceed the state prescribed percentage.

29 (b) Subject to the limitations of subsection (a), in each school year,
30 the board of education of a school district may adopt, by resolution, a local
31 option budget in an amount that does not exceed:

32 ~~(1) The amount that the board was authorized to adopt under any~~
33 ~~resolution adopted pursuant to K.S.A. 2017 Supp. 72-6471, prior to its~~
34 ~~expiration; or~~

35 ~~(2) the state-wide statewide average for the preceding school year as~~
36 ~~determined by the state board pursuant to subsection ~~(i)~~ (j).~~ The adoption
37 of a resolution pursuant to this section shall require a majority vote of the
38 members of the board. Such resolution shall be effective upon adoption
39 and shall require no other procedure, authorization or approval.

40 (c) If the board of a school district desires ~~to increase its~~ local option
41 budget authority above the amount authorized under subsection (b), the
42 board may adopt, by resolution, such budget in an amount not to exceed
43 the state prescribed percentage. The adoption of a resolution pursuant to

1 this subsection shall require a majority vote of the members of the board.
2 The resolution shall be published at least once in a newspaper having
3 general circulation in the school district. The resolution shall be published
4 in substantial compliance with the following form:

5 Unified School District No. _____,
6 _____ County, Kansas.

7 RESOLUTION

8 Be It Resolved that:

9 The board of education of the above-named school district shall be
10 authorized to adopt a local option budget in each school year in an amount
11 not to exceed ____% of the amount of total foundation aid. The local
12 option budget authorized by this resolution may be adopted, unless a
13 petition in opposition to the same, signed by not less than 5% 10% of the
14 qualified electors of the school district, is filed with the county election
15 officer of the home county of the school district within 30 40 days after
16 publication of this resolution. If a petition is filed, the county election
17 officer shall submit the question of whether adoption of the local option
18 budget shall be authorized to the electors of the school district at an
19 election called for the purpose or at the next general election, as is
20 specified by the board of education of the school district.

21 CERTIFICATE

22 This is to certify that the above resolution was duly adopted by the
23 board of education of unified school district No. _____, _____ County,
24 Kansas, on the ____ day of _____, _____.

25 _____
26 Clerk of the board of education.

27 All of the blanks in the resolution shall be filled appropriately. If a
28 sufficient petition is not filed, the board may adopt a local option budget.
29 If a sufficient petition is filed, the board may notify the county election
30 officer of the date of an election to be held to submit the question of
31 whether adoption of a local option budget shall be authorized. Any such
32 election shall be noticed, called and held in the manner provided by K.S.A.
33 10-120, and amendments thereto. If the board fails to notify the county
34 election officer within 30 days after a sufficient petition is filed, the
35 resolution shall be deemed abandoned and no like resolution shall be
36 adopted by the board within the nine months following publication of the
37 resolution.

38 (d) Unless specifically stated otherwise in the resolution, the authority
39 to adopt a local option budget shall be continuous and permanent. The
40 board of any school district that is authorized to adopt a local option
41 budget may choose not to adopt such a budget or may adopt a budget in an
42 amount less than the amount authorized. If the board of any school district
43 whose authority to adopt a local option budget is not continuous and

1 permanent refrains from adopting a local option budget, the authority of
2 such school district to adopt a local option budget shall not be extended by
3 such refrainment beyond the period specified in the resolution authorizing
4 adoption of such budget.

5 (e) The board of any school district may initiate procedures to renew
6 or increase the authority to adopt a local option budget at any time during
7 a school year after the tax levied pursuant to K.S.A. 2017 Supp. 72-5147,
8 and amendments thereto, is certified to the county clerk under any existing
9 authorization.

10 (f) *(1) Except as provided in paragraph (2), the board of any school*
11 *district authorized to adopt a local option budget prior to July 1, 2017,*
12 *under a resolution that authorized the adoption of such budget in*
13 *accordance with the provisions of K.S.A. 2017 Supp. 72-6471, prior to its*
14 *expiration July 1, 2017, may continue to operate under such resolution for*
15 *the period of time specified in the resolution or may abandon the*
16 *resolution and operate under the provisions of this section. Any such*
17 *school district shall operate under the provisions of this section after the*
18 *period of time specified in any previously adopted resolution has expired.*

19 *(2) Any resolution adopted prior to July 1, 2017, pursuant to K.S.A.*
20 *72-6433(e)(2), prior to its repeal, that authorized the adoption of a local*
21 *option budget and that was not subsequently submitted to and approved by*
22 *a majority of the qualified electors of the school district voting at an*
23 *election called and held thereon shall expire on June 30, 2018, and shall*
24 *have no force and effect during school year 2018-2019 or any subsequent*
25 *school year.*

26 (g) Any resolution adopted pursuant to this section may revoke or
27 repeal any resolution previously adopted by the board. If the resolution
28 does not revoke or repeal previously adopted resolutions, all resolutions
29 that are in effect shall expire on the same date. The maximum amount of
30 the local option budget of a school district under all resolutions in effect
31 shall not exceed the state prescribed percentage in any school year.

32 **(h) For school year 2019-2020 and each school year thereafter, the**
33 **board of any school district that desires to increase its local option budget**
34 **authority for the immediately succeeding school year shall submit written**
35 **notice of such intent to the state board by April 1 of the current school**
36 **year. Such notice shall include the local option budget authority,**
37 **expressed as a percentage of the school district's total foundation aid,**
38 **to be adopted for the immediately succeeding school year. The board**
39 **of a school district shall not adopt a local option budget in excess of**
40 **the authority stated in a notice submitted pursuant to this subsection.**

41 ~~(h)~~ (i) (1) There is hereby established in each school district that
42 adopts a local option budget a supplemental general fund, which shall
43 consist of all amounts deposited therein or credited thereto according to

1 law.

2 (2) (A) Of the moneys deposited in or otherwise credited to the
3 supplemental general fund of a school district pursuant to K.S.A. 2017
4 Supp. 72-5147, and amendments thereto, an amount that is
5 proportional to that amount of such school district's total foundation
6 aid attributable to the at-risk student weighting as compared to such
7 district's total foundation aid shall be transferred to the at-risk
8 education fund of such school district and shall be expended in
9 accordance with K.S.A. 2017 Supp. 72-5153, and amendments thereto.

10 (B) Of the moneys deposited in or otherwise credited to the
11 supplemental general fund of a school district pursuant to K.S.A. 2017
12 Supp. 72-5147, and amendments thereto, an amount that is
13 proportional to that amount of such school district's total foundation
14 aid attributable to the bilingual weighting as compared to such
15 district's total foundation aid shall be transferred to the bilingual
16 education fund of such school district and shall be expended in
17 accordance with K.S.A. 2017 Supp. 72-3613, and amendments thereto.

18 (3) Subject to the limitations imposed under ~~subsection (h)(3) (i)(3)~~
19 **paragraph (4)**, amounts in the supplemental general fund may be
20 expended for any purpose for which expenditures from the general fund
21 are authorized or may be transferred to any categorical fund of the school
22 district. Amounts in the supplemental general fund attributable to any
23 percentage over 25% of total foundation aid determined for the current
24 school year may be transferred to the capital improvements fund of the
25 school district and the capital outlay fund of the school district if such
26 transfers are specified in the resolution authorizing the adoption of a local
27 option budget in excess of 25%.

28 ~~(3)(4)~~ (4) Amounts in the supplemental general fund may not be
29 expended for the purpose of making payments under any lease-purchase
30 agreement involving the acquisition of land or buildings that is entered
31 into pursuant to the provisions of K.S.A. 2017 Supp. 72-1149, and
32 amendments thereto.

33 ~~(4)(5)~~ (A) Except as provided in ~~subsection (h)(4)(B) (i)(4)(B)~~
34 **subparagraph (B)**, any unexpended moneys remaining in the
35 supplemental general fund of a school district at the conclusion of any
36 school year in which a local option budget is adopted shall be maintained
37 in such fund.

38 (B) If the school district received supplemental state aid in the school
39 year, the state board shall determine the ratio of the amount of
40 supplemental general state aid received to the amount of the local option
41 budget of the school district for the school year and multiply the total
42 amount of the unexpended moneys remaining by such ratio. An amount
43 equal to the amount of the product shall be transferred to the general fund

1 of the school district or remitted to the state treasurer in accordance with
 2 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt
 3 of any such remittance, the state treasurer shall deposit the same in the
 4 state treasury to the credit of the state school district finance fund.

5 ~~(j)~~ (j) Each year, the state board shall determine the statewide average
 6 percentage of local option budgets legally adopted by school districts for
 7 the preceding school year.

8 ~~(k)~~ (k) The provisions of this section shall be subject to the provisions
 9 of K.S.A. 2017 Supp. 72-5144, and amendments thereto.

10 ~~(l)~~ (l) As used in this section:

11 (1) "Authorized to adopt a local option budget" means that a school
 12 district has adopted a resolution pursuant to subsection (c).

13 (2) "State prescribed percentage" means 33% of the total foundation
 14 aid of the school district in the current school year.

15 (3) "Total foundation aid" means the same as such term is defined in
 16 K.S.A. 2017 Supp. 72-5132, and amendments thereto.

17 ~~Sec. 4. 5. On and after July 1, 2018,~~ K.S.A. 2017 Supp. 72-5145 is
 18 hereby amended to read as follows: 72-5145. (a) In each school year, each
 19 school district that has adopted a local option budget is eligible to receive
 20 supplemental state aid. Except as provided by K.S.A. 2017 Supp. 72-5146,
 21 and amendments thereto, supplemental state aid shall be determined by the
 22 state board as provided in subsection (b).

23 (b) The state board shall:

24 ~~(1) (A) For school year 2017-2018, determine the amount of the~~
 25 ~~assessed valuation per student in the preceding school year of each school~~
 26 ~~district; and~~

27 ~~(B) for school year 2018-2019 and each school year thereafter,~~
 28 Determine the average assessed valuation per student of each school
 29 district by adding the assessed valuation per student for each of the three
 30 immediately preceding school years and dividing the resulting sum by
 31 three;

32 (2) rank the school districts from low to high on the basis of the
 33 amounts of assessed valuation per student determined under subsection (b)
 34 (1);

35 (3) identify the amount of the assessed valuation per student located
 36 at the 81.2 percentile of the amounts ranked under subsection (b)(2);

37 (4) divide the assessed valuation per student of the school district as
 38 determined under subsection (b)(1) by the amount identified under
 39 subsection (b)(3); and

40 (5) (A) if the quotient obtained under subsection (b)(4) equals or
 41 exceeds one, the school district shall not receive supplemental state aid; or

42 (B) if the quotient obtained under subsection (b)(4) is less than one,
 43 subtract the quotient obtained under subsection (b)(4) from one, and

1 multiply the difference by the amount of the local option budget of the
2 school district ~~for the immediately preceding school year~~. The resulting
3 product is the amount of supplemental state aid the school district is to
4 receive for the school year.

5 (c) Payments of supplemental state aid shall be distributed to school
6 districts on the dates prescribed by the state board. The state board shall
7 certify to the director of accounts and reports the amount due each school
8 district, and the director of accounts and reports shall draw a warrant on
9 the state treasurer payable to the treasurer of the school district. Upon
10 receipt of the warrant, the treasurer of the school district shall credit the
11 amount thereof to the supplemental general fund of the school district to
12 be used for the purposes of such fund.

13 (d) For the purposes of determining the total amount of state moneys
14 paid to school districts, all moneys appropriated as supplemental state aid
15 shall be deemed to be state moneys for educational and support services
16 for school districts.

17 ~~Sec. 5:~~ **6. On and after July 1, 2018**, K.S.A. 2017 Supp. 72-5148 is
18 hereby amended to read as follows: 72-5148. (a) **(1)** The transportation
19 weighting of each school district shall be determined by the state board as
20 follows:

21 ~~(1) Determine the total expenditures of the school district during the~~
22 ~~preceding school year from all funds for transporting students of public~~
23 ~~and nonpublic schools on regular school routes;~~

24 ~~(2) determine the sum of: (A) The number of students who were~~
25 ~~included in the enrollment of the school district in the preceding school~~
26 ~~year who resided less than $2\frac{1}{2}$ miles by the usually traveled road from the~~
27 ~~school building such students attended and for whom transportation was~~
28 ~~made available by the school district; and (B) the number of nonresident~~
29 ~~students who were included in the enrollment of the school district for the~~
30 ~~preceding school year and for whom transportation was made available by~~
31 ~~the school district;~~

32 ~~(3) determine the number of students who were included in the~~
33 ~~enrollment of the district in the preceding school year who resided $2\frac{1}{2}$~~
34 ~~miles or more by the usually traveled road from the school building such~~
35 ~~students attended and for whom transportation was made available by the~~
36 ~~school district;~~

37 ~~(4) multiply the number of students determined under subsection (a)~~
38 ~~(3) by 2.8;~~

39 ~~(5) divide the amount determined under subsection (a)(2) by the~~
40 ~~product obtained under subsection (a)(4);~~

41 ~~(6) add one to the quotient obtained under subsection (a)(5);~~

42 ~~(7) multiply the sum obtained under subsection (a)(6) by the amount~~
43 ~~determined under subsection (a)(3);~~

1 ~~(8) divide the amount determined under subsection (a)(1) by the~~
 2 ~~product obtained under subsection (a)(7). The resulting quotient is the per-~~
 3 ~~student cost of transportation;~~

4 ~~(9) on a density-cost graph, plot the per-student cost of transportation~~
 5 ~~for each school district;~~

6 ~~(10) construct a curve of best fit for the points so plotted;~~

7 ~~(11) adjust the curve of best fit as follows:~~

8 ~~(A) Identify the 10 school districts on the density-cost graph with the~~
 9 ~~highest indices of density;~~

10 ~~(B) determine the median per-student cost of transportation for those~~
 11 ~~10 school districts, excluding the highest per-student cost of~~
 12 ~~transportation and the lowest per-student cost of transportation for the~~
 13 ~~school districts identified under subsection (a)(11)(A); and~~

14 ~~(C) beginning at the point on the curve of best fit that corresponds to~~
 15 ~~the median per-student cost of transportation determined under subsection~~
 16 ~~(a)(11)(B), the curve of best fit shall be adjusted such that it presents a~~
 17 ~~horizontal line with a value on the vertical axis equal to such median per-~~
 18 ~~student cost of transportation;~~

19 ~~(11) (12) locate the index of density for the school district on the base~~
 20 ~~line of the density-cost graph and from the point on the adjusted curve of~~
 21 ~~best fit directly above this point of index of density follow a line parallel to~~
 22 ~~the base line to the point of intersection with the vertical line, which point~~
 23 ~~is the formula per-student cost of transportation of the school district;~~

24 ~~(12) (13) divide the formula per-student cost of transportation of the~~
 25 ~~school district by the BASE aid; and~~

26 ~~(13) (14) multiply the quotient obtained under subsection (a)(12) (a)~~
 27 ~~(13) by the number of students who are included in the enrollment of the~~
 28 ~~school district, are residing $2\frac{1}{2}$ miles or more by the usually traveled road~~
 29 ~~to the school building they attend, and for whom transportation is being~~
 30 ~~made available by, and at the expense of, the district.~~

31 **(A) Divide the BASE aid amount for the current school year by**
 32 **the BASE aid amount for school year 2018-2019;**

33 **(B) multiply the number of transported students by the per capita**
 34 **allowance that corresponds to the density figure for the school district**
 35 **as determined in subsection (a)(2);**

36 **(C) multiply the product obtained under subsection (a)(1)(B) by**
 37 **1.00;**

38 **(D) multiply the product obtained under subsection (a)(1)(C) by**
 39 **the quotient obtained under subsection (a)(1)(A);**

40 **(E) divide the product obtained under subsection (a)(1)(D) by the**
 41 **current year BASE amount. The result is the transportation weighting**
 42 **of the school district.**

43 **(2) The per capita allowance shall be determined using the**

1 following chart:

2	Density Figure Range.....	Per Capita Allowance
3	0.000 - 0.059	\$1,620
4	0.060 - 0.069	\$1,580
5	0.070 - 0.079	\$1,540
6	0.080 - 0.089	\$1,500
7	0.090 - 0.099	\$1,480
8	0.100 - 0.109	\$1,450
9	0.110 - 0.119	\$1,430
10	0.120 - 0.129	\$1,410
11	0.130 - 0.139	\$1,390
12	0.140 - 0.149	\$1,370
13	0.150 - 0.159	\$1,350
14	0.160 - 0.169	\$1,340
15	0.170 - 0.179	\$1,320
16	0.180 - 0.199	\$1,300
17	0.200 - 0.209	\$1,290
18	0.210 - 0.219	\$1,270
19	0.220 - 0.239	\$1,250
20	0.240 - 0.269	\$1,230
21	0.270 - 0.289	\$1,210
22	0.290 - 0.319	\$1,190
23	0.320 - 0.349	\$1,170
24	0.350 - 0.389	\$1,150
25	0.390 - 0.429	\$1,130
26	0.430 - 0.469	\$1,110
27	0.470 - 0.519	\$1,090
28	0.520 - 0.579	\$1,070
29	0.580 - 0.639	\$1,050
30	0.640 - 0.709	\$1,030
31	0.710 - 0.789	\$1,010
32	0.790 - 0.879	\$990
33	0.880 - 0.989	\$970
34	0.990 - 1.109	\$950
35	1.110 - 1.249	\$930
36	1.250 - 1.399	\$910
37	1.400 - 1.589	\$890
38	1.590 - 1.799	\$870
39	1.800 - 2.039	\$850
40	2.040 - 2.319	\$830
41	2.320 - 2.659	\$810
42	2.660 - 3.049	\$790
43	3.050 - 3.509	\$770

1	3.510 - 4.049	\$750
2	4.050 - 4.699	\$730
3	4.700 - 5.469	\$710
4	5.470 - 6.399	\$690
5	6.400 - 7.519	\$670
6	7.520 - 8.879	\$650
7	8.880 - 10.549	\$630
8	10.550 - 12.589	\$610
9	12.590 - 15.129	\$590
10	15.130 - 18.289	\$570
11	18.290 +	\$550

12 (b) (1) For school years 2017-2018 through 2020-2021, the
 13 transportation weighting of the school district shall be either the product
 14 determined under subsection ~~(a)(13)~~ ~~(a)(14)~~ **(a)(1)(E)**, or that portion of
 15 such school district's general state aid for school year 2016-2017 that was
 16 attributable to the school district's transportation weighting, whichever is
 17 greater.

18 (2) For school year 2021-2022, and each school year thereafter, the
 19 transportation weighting of the school district shall be the product
 20 determined under subsection ~~(a)(13)~~ ~~(a)(14)~~ **(a)(1)(E)**.

21 **(3) In no event shall the transportation weighting of the school**
 22 **district result in the portion of such school district's general state aid**
 23 **attributable to the transportation weighting being in excess of 110% of**
 24 **such school district's total expenditures from all funds for**
 25 **transporting students for the immediately preceding school year.**

26 (c) For the purpose of providing accurate and reliable data on student
 27 transportation, the state board is authorized to adopt rules and regulations
 28 prescribing procedures that school districts shall follow in reporting
 29 pertinent information, including uniform reporting of expenditures for
 30 transportation.

31 (d) As used in this section:

32 (1) "Curve of best fit" means the curve on a density-cost graph drawn
 33 so the sum of the distances squared from such line to each of the points
 34 plotted on the graph is the least possible.

35 (2) "Density-cost graph" means a drawing having: (A) A horizontal or
 36 base line divided into equal intervals of density, beginning with zero on the
 37 left; and (B) a scale for per-student cost of transportation to be shown on a
 38 line perpendicular to the base line at the left end thereof, such scale to
 39 begin with zero dollars at the base line ascending by equal per-student cost
 40 intervals.

41 (3) "Index of density" means the number of students who are
 42 included in the enrollment of a school district in the current school year,
 43 are residing the designated distance or more by the usually traveled road

1 from the school building they attend, and for whom transportation is being
 2 made available on regular school routes by the school district, divided by
 3 the number of square miles of territory in the school district **"Density**
 4 **figure"** means the area of the school district in square miles divided by
 5 the number of transported students.

6 (2) **"Transported students"** means the number of students who
 7 were included in the enrollment of the school district in the preceding
 8 year who resided $2\frac{1}{2}$ miles or more by the usually traveled road from
 9 the school building such students attended and for whom
 10 transportation was made available.

11 Sec. ~~6~~. 7. **On and after July 1, 2018**, K.S.A. 2017 Supp. 72-5149 is
 12 hereby amended to read as follows: 72-5149. (a) The low enrollment
 13 weighting of each school district shall be determined by the state board as
 14 follows:

15 (1) For school districts with an enrollment of fewer than 100 students,
 16 multiply the enrollment of the school district by 1.014331. The resulting
 17 product is the low enrollment weighting of the school district;

18 (2) for school districts with an enrollment of at least 100 students, but
 19 fewer than 300 students:

20 (A) Subtract 100 from the enrollment of the school district;

21 (B) multiply the difference obtained under subsection (a)(2)(A) by
 22 9.655;

23 (C) subtract the product obtained under subsection (a)(2)(B) from
 24 7,337;

25 (D) divide the difference obtained under subsection (a)(2)(C) by
 26 3,642.4;

27 (E) subtract one from the quotient obtained under subsection (a)(2)
 28 (D); and

29 (F) multiply the difference obtained under subsection (a)(2)(E) by the
 30 enrollment of the school district. The resulting product is the low
 31 enrollment weighting of the school district;

32 (3) for school districts with an enrollment of at least 300 students, but
 33 fewer than 1,622 students:

34 (A) Subtract 300 from the enrollment of the school district;

35 (B) multiply the difference obtained under subsection (a)(3)(A) by
 36 1.2375;

37 (C) subtract the product obtained under subsection (a)(3)(B) from
 38 5,406;

39 (D) divide the difference obtained under subsection (a)(3)(C) by
 40 3,642.4;

41 (E) subtract one from the quotient obtained under subsection ~~(a)(2)~~
 42 ~~(a)(3)(D)~~; and

43 (F) multiply the difference obtained under subsection (a)(3)(E) by the

1 enrollment of the school district. The resulting product is the low
2 enrollment weighting of the school district.

3 (b) For school districts with an enrollment of at least 1,622 students,
4 multiply the enrollment of the school district by 0.03504. The resulting
5 product is the high enrollment weighting of the school district.

6 ~~Sec. 7.~~ **8.** K.S.A. 2017 Supp. 72-5150 is hereby amended to read as
7 follows: 72-5150. The bilingual weighting of each school district shall be
8 determined by the state board as follows:

9 (a) Determine the full-time equivalent enrollment in approved
10 programs of bilingual education ~~during the preceding school year~~ and
11 multiply such enrollment by 0.395;

12 (b) determine the number of students enrolled in approved programs
13 of bilingual education ~~during the preceding school year~~ and multiply such
14 enrollment by 0.185; and

15 (c) the bilingual weighting shall be either the amount determined
16 under subsection (a) or (b), whichever is greater.

17 ~~Sec. 8.~~ **9.** **On and after July 1, 2018,** K.S.A. 2017 Supp. 72-5151 is
18 hereby amended to read as follows: 72-5151. (a) The at-risk student
19 weighting of each school district shall be determined by the state board as
20 follows:

21 (1) Determine the number of at-risk students included in the
22 enrollment of the school district; and

23 ~~(2) for a school district with an enrollment that consists of 10% or~~
24 ~~more at-risk students, multiply the number determined under subsection~~
25 ~~(a)(1) by 0.484. The resulting sum is the at-risk student weighting of the~~
26 ~~school district; or~~

27 ~~(3) for a school district with an enrollment that consists of less than~~
28 ~~10% at-risk students, multiply the number of students equal to 10% of~~
29 ~~such school district's enrollment by 0.484. The resulting sum is the at-risk~~
30 ~~student weighting of the school district. A school district whose at-risk~~
31 ~~student weighting is determined pursuant to this paragraph shall submit a~~
32 ~~report to the state board in such form and manner as required by the state~~
33 ~~board that identifies those students enrolled in such school district who are~~
34 ~~receiving at-risk program services and the criteria each such student~~
35 ~~satisfies in order to receive at-risk program services. The state board shall~~
36 ~~adopt rules and regulations that establish the criteria for eligibility for at-~~
37 ~~risk program services. The provisions of this paragraph shall only apply to~~
38 ~~those school districts that offer instruction in kindergarten and grades one~~
39 ~~through 12.~~

40 (b) Except as provided in subsection (b)(4), the high-density at-risk
41 student weighting of each school district shall be determined by the state
42 board as follows:

43 (1) (A) If the enrollment of the school district is at least 35% at-risk

1 students, but less than 50% at-risk students:

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

4 (ii) multiply the difference determined under subsection (b)(1)(A)(i)
5 by 0.7; and

6 (iii) multiply the product determined under subsection (b)(1)(A)(ii)
7 by the number of at-risk students included in the enrollment of the school
8 district; or

9 (B) if the enrollment of the school district is 50% or more at-risk
10 students, multiply the number of at-risk students included in the
11 enrollment of the school district by 0.105; or

12 (2) (A) if the enrollment of a school in the school district is at least
13 35% at-risk students, but less than 50% at-risk students:

14 (i) Subtract 35% from the percentage of at-risk students included in
15 the enrollment of such school;

16 (ii) multiply the difference determined under subsection (b)(2)(A)(i)
17 by 0.7; and

18 (iii) multiply the product determined under subsection (b)(2)(A)(ii)
19 by the number of at-risk students included in the enrollment of such
20 school; or

21 (B) if the enrollment of a school in the school district is 50% or more
22 at-risk students, multiply the number of at-risk students included in the
23 enrollment of such school by 0.105; and

24 (C) add the products determined under subsections (b)(2)(A)(iii) and
25 (b)(2)(B) for each such school in the school district, respectively.

26 (3) The high-density at-risk weighting of the school district shall be
27 the greater of the product determined under subsection (b)(1) or the sum
28 determined under subsection (b)(2)(C).

29 (4) Commencing in school year 2018-2019, school districts that
30 qualify to receive the high-density at-risk weighting pursuant to this
31 section shall spend any money attributable to the school district's high-
32 density at-risk weighting on the at-risk best practices developed by the
33 state board pursuant to K.S.A. 2017 Supp. 72-5153(d), and amendments
34 thereto. If a school district that qualifies for the high-density at-risk
35 weighting does not spend such money on such best practices, the state
36 board shall notify the school district that it shall either spend such money
37 on such best practices or shall show improvement within five years of
38 notification. Improvement shall include, but not be limited to, the
39 following: (A) The percentage of students at grade level on state math and
40 English language arts assessments; (B) the percentage of students that are
41 college and career ready on state math and English language arts
42 assessments; (C) the average composite ACT score; or (D) the four-year
43 graduation rate. If a school district does not spend such money on such

1 best practices and does not show improvement within five years, the
2 school district shall not qualify to receive the high-density at-risk
3 weighting in the succeeding school year.

4 (5) The provisions of this subsection shall expire on July 1, ~~2019~~
5 **2020**.

6 ~~Sec. 9.~~ **10.** K.S.A. 2017 Supp. 72-5155 is hereby amended to read as
7 follows: 72-5155. ~~(a)~~—The career technical education weighting of each
8 school district shall be determined by the state board by multiplying the
9 full-time equivalent enrollment in approved career technical education
10 programs ~~during the preceding school year~~ by 0.5. The resulting product is
11 the career technical education weighting of the school district.

12 ~~(b) The provisions of this section shall expire on July 1, 2019.~~

13 **Sec. 11. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5170 is**
14 **hereby amended to read as follows: 72-5170. (a) (1) In order to**
15 **accomplish the mission for Kansas education, the state board shall**
16 **design and adopt a school district accreditation system based upon**
17 **improvement in performance that equals or exceeds the educational**
18 **goal set forth in K.S.A. 2017 Supp. 72-3218(c), and amendments**
19 **thereto, and is measurable. The state board shall hold all school districts**
20 *accountable to the Kansans can outcomes, or any successor outcomes*
21 *established by the state board, through the Kansas education systems*
22 *accreditation rules and regulations, or any successor accreditation system*
23 *adopted by the state board. The state board shall establish rigorous*
24 *accountability measures in the areas of social emotional learning,*
25 *kindergarten readiness, individual plans of study, graduation and*
26 *postsecondary success. The state board also shall ensure that all school*
27 *districts and the public schools operated by such districts have programs*
28 *and initiatives in place for providing those educational capacities set forth*
29 *in K.S.A. 2017 Supp. 72-3218(c), and amendments thereto. On or before*
30 **January 15, 2018, and each January 15 thereafter, the state board**
31 **shall prepare and submit a report on the school district accreditation**
32 **system to the governor and the legislature.**

33 (2) *The accountability measures established pursuant to paragraph*
34 *(1) shall be applied both at the district level and at the school level. Such*
35 *accountability measures shall be reported by the state board for each*
36 *school district and each school by publication on the internet website of*
37 *the state department of education. Each school district also shall report*
38 *such accountability measures for such school district and each school*
39 *operated by such district by publication on such school district's internet*
40 *website.*

41 (3) *If a school district is not fully accredited and a corrective action*
42 *plan is required by the state board, such corrective action plan, and any*
43 *subsequent reports prepared by the state board regarding the progress of*

1 *such school district in implementing and executing such corrective action*
2 *plan, shall be published on the state department of education's internet*
3 *website and such school district's internet website.*

4 *(4) If a school district is not fully accredited, the superintendent, or*
5 *the superintendent's designee, shall appear before the committee on*
6 *education of the house of representatives and the committee on education of*
7 *the senate during the regular legislative session that occurs during the*
8 *same school year in which such school district is not fully accredited. Such*
9 *school district shall provide a report to such committees on the challenges*
10 *and obstacles that are preventing such school district from becoming fully*
11 *accredited.*

12 **(b) The state board shall establish curriculum standards that**
13 **reflect high academic standards for the core academic areas of**
14 **mathematics, science, reading, writing and social studies. The**
15 **curriculum standards shall be reviewed at least every seven years.**
16 **Nothing in this subsection shall be construed in any manner so as to**
17 **impinge upon any school district's authority to determine its own**
18 **curriculum.**

19 **(c) The state board shall provide for statewide assessments in the**
20 **core academic areas of mathematics, science, reading, writing and**
21 **social studies. The board shall ensure compatibility between the**
22 **statewide assessments and the curriculum standards established**
23 **pursuant to subsection (b). Such assessments shall be administered at**
24 **three grade levels, as determined by the state board. The state board**
25 **shall determine performance levels on the statewide assessments, the**
26 **achievement of which represents high academic standards in the**
27 **academic area at the grade level to which the assessment applies. The**
28 **state board should specify high academic standards both for**
29 **individual performance and school performance on the assessments.**

30 **(d) Each school year, on such date as specified by the state board,**
31 **each school district shall submit the Kansas education system**
32 **accreditation report to the state board in such form and manner as**
33 **prescribed by the state board.**

34 **(e) Whenever the state board determines that a school district has**
35 **failed either to meet the accreditation requirements established by**
36 **rules and regulations or standards adopted by the state board or**
37 **provide curriculum based on state standards and courses required by**
38 **state law, the state board shall so notify the school district. Such notice**
39 **shall specify the accreditation requirements that the school district has**
40 **failed to meet and the curriculum that it has failed to provide. Upon**
41 **receipt of such notice, the board of education of such school district is**
42 **encouraged to reallocate the resources of the school district to remedy**
43 **all deficiencies identified by the state board.**

1 (f) Each school in every school district shall establish a school site
2 council composed of the principal and representatives of teachers and
3 other school personnel, parents of students attending the school, the
4 business community and other community groups. School site councils
5 shall be responsible for providing advice and counsel in evaluating
6 state, school district, and school site performance goals and objectives
7 and in determining the methods that should be employed at the school
8 site to meet these goals and objectives. Site councils may make
9 recommendations and proposals to the school board regarding
10 budgetary items and school district matters, including, but not limited to,
11 identifying and implementing the best practices for developing
12 efficient and effective administrative and management functions. Site
13 councils also may help school boards analyze the unique environment
14 of schools, enhance the efficiency and maximize limited resources,
15 including outsourcing arrangements and cooperative opportunities as
16 a means to address limited budgets.

17 Sec. 12. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5171 is
18 hereby amended to read as follows: 72-5171. (a) On or before January
19 15 of each year, the state department of education shall prepare and
20 submit reports on school district funding for each school district to the
21 governor and the legislature.

22 (b) Each report shall contain the information described in
23 subsection (c) for the school district in terms of actual dollar amounts
24 for the second and immediately preceding school years and budgeted
25 dollar amounts for the current school year.

26 (c) Each report shall contain the following information for the
27 school district:

28 (1) Full-time equivalent enrollment;

29 (2) demographic information, including, but not limited to,
30 gender, race, ethnicity, students who are economically disadvantaged,
31 migrants, English language learners and students with disabilities;

32 (3) total general and supplemental general funds, including a
33 showing of funding provided by federal sources, state sources and
34 local sources, and total funds per student;

35 (4) total capital outlay funds, including a showing of such funding
36 provided by federal sources, state sources and local sources, and
37 capital outlay funds per student;

38 (5) total bond and interest funds, including a showing of such
39 funding provided by federal sources, state sources and local sources,
40 and bond and interest funds per student;

41 (6) total of all other funds not described in paragraphs (3), (4)
42 and (5), excluding fund transfers, including a showing of such funding
43 provided by federal sources, state sources and local sources, and total

- 1 funds per student;
- 2 (7) total funds per student of all funds described in paragraphs
- 3 (3) through (6);
- 4 (8) general fund moneys attributable to the following:
- 5 (A) BASE aid;
- 6 (B) high enrollment weighting;
- 7 (C) low enrollment weighting;
- 8 (D) school facilities weighting;
- 9 (E) transportation weighting;
- 10 (F) at-risk student weighting;
- 11 (G) preschool-aged at-risk student weighting;
- 12 (H) high-density at-risk student weighting;
- 13 (I) career technical education weighting;
- 14 (J) special education and related services weighting;
- 15 (K) bilingual weighting;
- 16 (L) ancillary school facilities weighting;
- 17 (M) cost-of-living weighting;
- 18 (N) declining enrollment weighting; and
- 19 (O) virtual school state aid;
- 20 (9) total expenditures on the following:
- 21 (A) At-risk education programs and services;
- 22 (B) preschool-aged at-risk education programs and services;
- 23 (C) bilingual education programs and services;
- 24 (D) career and technical education programs and services;
- 25 (E) special education and related services; and
- 26 (F) virtual school programs and services; ~~and~~
- 27 (10) total expenditures from the special retirement contributions
- 28 fund;
- 29 (11) expenditures and fund transfers from the supplemental general
- 30 fund for those programs and services set forth in paragraph (9) and any
- 31 other accounting category for which there is an expenditure or transfer
- 32 from such fund; and
- 33 (12) general obligation bond indebtedness.
- 34 (d) The state board shall provide uniform guidelines for what
- 35 constitutes total expenditures for the programs and services listed
- 36 under subsection (c)(9).
- 37 Sec. 13. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5173 is
- 38 hereby amended to read as follows: 72-5173. The legislative post audit
- 39 committee shall direct the legislative division of post audit to conduct
- 40 the following performance audits in the fiscal year specified:
- 41 (a) A performance audit of transportation services funding. The
- 42 audit should include a comparison of the amount of transportation
- 43 services funding school districts receive to the cost of providing

1 transportation services. This performance audit shall be conducted
2 during fiscal year 2018, and the final audit report shall be submitted
3 to the legislature on or before January 15, 2018.

4 (b) A performance audit of at-risk education funding. The audit
5 should evaluate the method of counting students for at-risk education
6 funding, the level of the at-risk student weighting and high-density at-
7 risk student weighting under the act and how school districts are
8 expending moneys provided for at-risk education. This performance
9 audit shall be conducted during fiscal year 2020, and the final audit
10 report shall be submitted to the legislature on or before January 15,
11 2020.

12 (c) A performance audit of bilingual education funding. The audit
13 should evaluate the method of counting students for bilingual
14 education funding, the level of the bilingual weighting under the act
15 and how school districts are expending moneys provided for bilingual
16 education. This performance audit shall be conducted during fiscal
17 year ~~2023~~ 2022, and the final audit report shall be submitted to the
18 legislature on or before January 15, ~~2023~~ 2022.

19 (d) A study of statewide virtual school programs administered in
20 other states. The study shall include, but not be limited to, the
21 following:

22 (1) The aggregate cost incurred by each state administering a
23 virtual school program, and the cost incurred by individual school
24 districts or schools within each state;

25 (2) the resources necessary for the implementation of each virtual
26 school program, including, but not limited to, personnel, equipment,
27 software and facility usage;

28 (3) the scope of each virtual school program; and

29 (4) the effectiveness of each virtual school program with respect
30 to student performance and outcomes.

31 The audit shall be conducted during fiscal year ~~2024~~ 2023, and the
32 final audit report shall be submitted to the legislature on or before
33 January 15, ~~2024~~ 2023.

34 (e) (1) A performance audit to provide a reasonable estimate of
35 the cost of providing educational opportunities for every public school
36 student in Kansas to achieve the performance outcome standards
37 adopted by the state board of education. This performance audit shall
38 be conducted ~~three~~ two times as follows:

39 (A) ~~During fiscal year 2019, and the final report submitted to the~~
40 ~~legislature on or before January 15, 2019;~~

41 (B) ~~during fiscal year 2022~~ 2021, and the final report submitted to
42 the legislature on or before January 15, ~~2022~~ 2021; and

43 (C)(B) during fiscal year ~~2025~~ 2024, and the final report

1 submitted to the legislature on or before January 15, ~~2025~~ 2024.

2 (2) Each performance audit required under this subsection shall:

3 (A) Include reasonable estimates of the costs of providing
4 specialized education services as required by law, including, but not
5 limited to, ~~special education and related services,~~ bilingual education
6 and at-risk programs; and

7 (B) account for other factors which may contribute to variations
8 in costs incurred by school districts, including, but not limited to, total
9 district enrollment and geographic location within the state.

10 (3) In conducting each performance audit required under this
11 subsection:

12 (A) Any examination of historical data and expenditures shall
13 correct any recognized inadequacy of such data or expenditure
14 through a statistically valid method of extrapolation; and

15 (B) subject to the limitations of the division of legislative post
16 audit budget and appropriations therefor, the legislative post auditor
17 may enter into contracts with consultants as the post auditor deems
18 necessary.

19 (f) ~~A performance audit to identify best practices in successful~~
20 ~~schools. The audit should include a comparison of the educational methods~~
21 ~~and other practices of demographically similar school districts that achieve~~
22 ~~significantly different student outcomes based on performance outcome~~
23 ~~standards adopted by the state board of education. This performance audit~~
24 ~~shall be conducted during fiscal year 2021, and the final audit report shall~~
25 ~~be submitted to the legislature on or before January 15, 2021. The audit~~
26 ~~shall be conducted a second time during fiscal year 2026, and the final~~
27 ~~audit report shall be submitted to the legislature on or before January 15,~~
28 ~~2026 provide a reasonable estimate of the costs of providing special~~
29 ~~education and related services, including, but not limited to, other factors~~
30 ~~which may contribute to variations in costs incurred by school districts.~~
31 ~~This performance audit shall be conducted during fiscal year 2019, and~~
32 ~~the final audit report shall be submitted to the legislature on or before~~
33 ~~January 15, 2019.~~

34 Sec. ~~40~~. 14. On and after July 1, 2018, K.S.A. 2017 Supp. 72-
35 53,113 is hereby amended to read as follows: 72-53,113. (a) The board of
36 education of any school district may make an annual tax levy at a mill rate
37 not to exceed the statutorily prescribed mill rate upon the taxable tangible
38 property in the school district for the purposes specified in this act and,
39 with respect to any redevelopment district established prior to July 1,
40 2017, pursuant to K.S.A. 12-1771, and amendments thereto, for the
41 purpose of paying a portion of the principal and interest on bonds issued
42 by cities under the authority of K.S.A. 12-1774, and amendments thereto,
43 for the financing of redevelopment projects upon property located within

1 the school district. No levy shall be made under this act until a resolution
 2 is adopted by the board of education in the following form:

3 Unified School District No. _____,
 4 _____ County, Kansas.

5 RESOLUTION

6 Be It Resolved that:

7 The above-named school board shall be authorized to make an annual
 8 tax levy in an amount not to exceed _____ mills upon the taxable tangible
 9 property in the school district for the purpose of acquisition, construction,
 10 reconstruction, repair, remodeling, additions to, furnishing, maintaining
 11 and equipping of school district property and equipment necessary for
 12 school district purposes, including: (1) Computer software; (2)
 13 performance uniforms; (3) housing and boarding pupils enrolled in an area
 14 vocational school operated under the board; (4) architectural expenses; (5)
 15 building sites; (6) undertaking and maintenance of asbestos control
 16 projects; (7) school buses; ~~and (8) utility expenses; (9) property and~~
 17 ~~casualty insurance; and (10) other fixed assets,~~ and with respect to any
 18 redevelopment district established prior to July 1, 2017, pursuant to K.S.A.
 19 12-1771, and amendments thereto, for the purpose of paying a portion of
 20 the principal and interest on bonds issued by cities under the authority of
 21 K.S.A. 12-1774, and amendments thereto, for the financing of
 22 redevelopment projects upon property located within the school district.
 23 The tax levy authorized by this resolution may be made, unless a petition
 24 in opposition to the same, signed by not less than 10% of the qualified
 25 electors of the school district, is filed with the county election officer of
 26 the home county of the school district within 40 calendar days after the last
 27 publication of this resolution. In the event a petition is filed, the county
 28 election officer shall submit the question of whether the tax levy shall be
 29 authorized to the electors in the school district at an election called for that
 30 purpose or at the next general election, as is specified by the board of
 31 education of the above school district.

32 CERTIFICATE

33 This is to certify that the above resolution was duly adopted by the
 34 board of education of Unified School District No. _____,
 35 _____ County, Kansas, on the ____ day of _____, ____.

36 _____
 37 Clerk of the board of education.

38 All of the blanks in the above resolution shall be appropriately filled.
 39 The blank preceding the word "mills" shall be filled with a specific
 40 number. The resolution shall be published once a week for two consecutive
 41 weeks in a newspaper having general circulation in the school district. If
 42 no petition as specified above is filed in accordance with the provisions of
 43 the resolution, the board of education may make the tax levy specified in

1 the resolution. If a petition is filed as provided in the resolution, the board
2 of education may notify the county election officer of the date of an
3 election to be held to submit the question of whether the tax levy shall be
4 authorized. If the board of education fails to notify the county election
5 officer within 60 calendar days after a petition is filed, the resolution shall
6 be deemed abandoned and no like resolution shall be adopted by the board
7 of education within the nine months following the first publication of the
8 resolution.

9 (b) As used in this act:

10 (1) "Unconditionally authorized to make a capital outlay tax levy"
11 means that the school district has adopted a resolution under this section,
12 has published the same, and either that the resolution was not protested or
13 that it was protested and an election has been held by which the tax levy
14 specified in the resolution was approved;

15 (2) "statutorily prescribed mill rate" means: (A) Eight mills; (B) the
16 mill levy rate in excess of eight mills if the resolution fixing such rate was
17 approved at an election prior to the effective date of this act; or (C) the
18 mill levy rate in excess of eight mills if no petition or no sufficient petition
19 was filed in protest to a resolution fixing such rate in excess of eight mills
20 and the protest period for filing such petition has expired;

21 (3) "asbestos control project" means any activity which is necessary
22 or incidental to the control of asbestos-containing material in buildings of
23 school districts and includes, but not by way of limitation, any activity
24 undertaken for the removal or encapsulation of asbestos-containing
25 material, for any remodeling, renovation, replacement, rehabilitation or
26 other restoration necessitated by such removal or encapsulation, for
27 conducting inspections, reinspections and periodic surveillance of
28 buildings, performing response actions, and developing, implementing and
29 updating operations and maintenance programs and management plans;

30 (4) "asbestos" means the asbestiform varieties of chrysotile
31 (serpentine), crocidolite (riebeckite), amosite (cummingtonitegrunerite),
32 anthophyllite, tremolite, and actinolite; and

33 (5) "asbestos-containing material" means any material or product
34 which contains more than 1% asbestos.

35 **Sec.—H: 15. On and after July 1, 2018, K.S.A. 2017 Supp. 72-**
36 **53,116 is hereby amended to read as follows: 72-53,116. (a) Any moneys**
37 **in the capital outlay fund of any school district and any moneys received**
38 **from issuance of bonds under K.S.A. 2017 Supp. 72-53,117 or 72-53,122,**
39 **and amendments thereto, may be used for the purpose of the acquisition,**
40 **construction, reconstruction, repair, remodeling, additions to, furnishing,**
41 **maintaining and equipping of school district property and equipment**
42 **necessary for school district purposes, including: (1) Computer software;**
43 **(2) performance uniforms; (3) housing and boarding pupils enrolled in an**

1 area vocational school operated under the board of education; (4)
2 architectural expenses; (5) building sites; (6) undertaking and maintenance
3 of asbestos control projects; (7) school buses; *and* (8) ~~utility expenses; (9)~~
4 ~~property and casualty insurance; and (10) other fixed assets.~~

5 (b) The board of education of any school district is hereby authorized
6 to invest any portion of the capital outlay fund of the school district which
7 is not currently needed in investments authorized by K.S.A. 12-1675, and
8 amendments thereto, in the manner prescribed therein, or may invest the
9 same in direct obligations of the United States government maturing or
10 redeemable at par and accrued interest within three years from date of
11 purchase, the principal and interest whereof is guaranteed by the
12 government of the United States. All interest received on any such
13 investment shall upon receipt thereof be credited to the capital outlay fund.

14 **Sec. 16. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5461 is**
15 **hereby amended to read as follows: 72-5461. (a) Upon receiving an**
16 **application under K.S.A. 2017 Supp. 72-5460, and amendments**
17 **thereto, the state board of education shall review the application and**
18 **examine the evidence furnished in support of the application.**

19 ~~(b)(1) Commencing in school year 2017-2018, the state board of~~
20 ~~education shall not approve any application submitted during the current~~
21 ~~school year if such approval would result in the aggregate amount of all~~
22 ~~general obligation bonds approved by the state board for such school year~~
23 ~~exceeding the aggregate principal amount of all general obligation bonds~~
24 ~~retired in the immediately preceding school year. In determining whether~~
25 ~~to approve an application, the state board shall prioritize applications in~~
26 ~~accordance with the priorities set forth as follows in order of highest~~
27 ~~priority to lowest priority:~~

28 ~~(A) Safety of the current facility and disability access to such facility~~
29 ~~as demonstrated by a state fire marshal report, an inspection under the~~
30 ~~Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar~~
31 ~~evaluation;~~

32 ~~(B) enrollment growth and imminent overcrowding as demonstrated~~
33 ~~by successive increases in enrollment of the school district in the~~
34 ~~immediately preceding three school years;~~

35 ~~(C) impact on the delivery of educational services as demonstrated by~~
36 ~~restrictive inflexible design or limitations on installation of technology;~~
37 ~~and~~

38 ~~(D) energy usage and other operational inefficiencies as demonstrated~~
39 ~~by a district-wide energy usage analysis, district-wide architectural~~
40 ~~analysis or other similar evaluation.~~

41 ~~(2) The state board shall not consider a school district's eligibility for~~
42 ~~capital improvement state aid, or the amount of capital improvement state~~
43 ~~aid a school district would be eligible to receive, in determining whether to~~

1 approve such district's application.

2 ~~(3) The provisions of subsection (b)(1) shall not apply to school~~
3 ~~districts that have not issued any general obligation bonds in the 25 years~~
4 ~~prior to the current school year.~~

5 **(e) After reviewing the application and examining the supportive**
6 **evidence, the state board of education shall issue an order either**
7 **granting or denying the application. If the application is approved, the**
8 **applicant board of education shall request the county election officer**
9 **to hold an election to vote upon the question of issuing the increased**
10 **amount of bonds in the manner provided by law.**

11 ~~(d) Any application that is denied pursuant to subsection (b) may be~~
12 ~~tentatively approved by the state board of education for the immediately~~
13 ~~succeeding school year. The amount of general obligation bonds approved~~
14 ~~in any such application shall be counted first towards the aggregate~~
15 ~~amount of all general obligation bonds approved by the state board for~~
16 ~~such school year.~~

17 ~~(e) Commencing in school year 2017-2018, the state board of~~
18 ~~education shall determine the aggregate principal amount of general~~
19 ~~obligation bonds retired in the immediately preceding school year.~~

20 ~~(f) The provisions of subsections (b), (d) and (e) shall expire on June~~
21 ~~30, 2022.~~

22 **Sec. 17. K.S.A. 2017 Supp. 72-5150 and 72-5155 are hereby**
23 **repealed.**

24 ~~Sec. 18. On and after July 1, 2018, K.S.A. 2017 Supp. 72-1171,~~
25 ~~72-5132, 72-5133, 72-5143, 72-5145, 72-5148, 72-5149, 72-5150, 72-~~
26 ~~5151, 72-5155, 72-5170, 72-5171, 72-5173, 72-53,113, 72-53,116, 72-~~
27 ~~5461, 72-6463, 72-6464, 72-6465, 72-6466, 72-6467, 72-6468, 72-6469,~~
28 ~~72-6470, 72-6471, 72-6472, 72-6473, 72-6474, 72-6475, 72-6477, 72-~~
29 ~~6478, 72-6479, 72-6480 and 72-6481 are hereby repealed.~~

30 ~~Sec. 19. This act shall take effect and be in force from and after~~
31 ~~its publication in the statute book~~ **Kansas register.**