

**Substitute for HOUSE BILL No. 2395**

By Committee on K-12 Education Budget

3-22

1 AN ACT concerning education; relating to the instruction and financing  
2 thereof; making and concerning appropriations for the fiscal years  
3 ending June 30, 2019, June 30, 2020, and June 30, 2021, for the  
4 department of education; amending K.S.A. 72-5130, 72-5131, 72-5132,  
5 72-5142, 72-5144, 72-5151 and 72-5153 and K.S.A. 2018 Supp. 79-  
6 201x and 79-4227 and repealing the existing sections.

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

9 Section 1.

10 DEPARTMENT OF EDUCATION

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

13 KPERS – employer

14 contributions – non-USDs (652-00-1000-0100).....\$1,036,647

15 KPERS – employer

16 contributions – USDs (652-00-1000-0110).....\$18,986,873

17 Supplemental general state aid (652-00-1000-0840).....\$10,383,000

18 (b) On the effective date of this act, of the \$520,000 appropriated for  
19 the above agency for the fiscal year ending June 30, 2019, by section 76(a)  
20 of chapter 109 of the 2018 Session Laws of Kansas from the state general  
21 fund in the teach for America pilot program account (652-00-1000-0200),  
22 the sum of \$250,000 is hereby lapsed.

23 (c) On the effective date of this act, of the \$4,771,500 appropriated  
24 for the above agency for the fiscal year ending June 30, 2019, by section  
25 2(a) of chapter 95 of the 2017 Session Laws of Kansas from the state  
26 general fund in the school district juvenile detention facilities and Flint  
27 Hills job corps center grants account (652-00-1000-0290), the sum of  
28 \$927,439 is hereby lapsed.

29 (d) On the effective date of this act, of the \$327,500 appropriated for  
30 the above agency for the fiscal year ending June 30, 2019, by section 2(a)  
31 of chapter 95 of the 2017 Session Laws of Kansas from the state general  
32 fund in the governor's teaching excellence scholarships and awards  
33 account (652-00-1000-0770), the sum of \$142,326 is hereby lapsed.

34 (e) On the effective date of this act, of the \$2,046,657,545  
35 appropriated for the above agency for the fiscal year ending June 30, 2019,  
36 by section 2(a) of chapter 95 of the 2017 Session Laws of Kansas from the

1 state general fund in the state foundation aid account (652-00-1000-0820),  
2 the sum of \$39,326,035 is hereby lapsed.

3 (f) On the effective date of this act, of the \$2,500,000 appropriated  
4 for the above agency for the fiscal year ending June 30, 2019, by section  
5 1(a) of chapter 57 of the 2018 Session Laws of Kansas from the state  
6 general fund in the MHIT pilot program – online database account (652-  
7 00-1000-0160), the sum of \$2,000,000 is hereby lapsed.

8 (g) On the effective date of this act, the director of accounts and  
9 reports shall transfer \$105,894 from the school district extraordinary  
10 declining enrollment fund (652-00-2290-2290) of the department of  
11 education to the state general fund.

12 (h) During the fiscal year ending June 30, 2019, the commissioner of  
13 education, with the approval of the director of the budget, may transfer any  
14 part of any item of appropriation for fiscal year 2019 from the state general  
15 fund for the department of education to another item of appropriation for  
16 fiscal year 2019 from the state general fund for the department of  
17 education. The commissioner of education shall certify each such transfer  
18 to the director of accounts and reports and shall transmit a copy of each  
19 such certification to the director of legislative research.

20 Sec. 2.

21 DEPARTMENT OF EDUCATION

22 (a) There is appropriated for the above agency from the state general  
23 fund for the fiscal year ending June 30, 2020, the following:

24 Operating expenditures

25 (including official hospitality) (652-00-1000-0053).....\$13,762,957

26 *Provided*, That any unencumbered balance in the operating expenditures  
27 (including official hospitality) account in excess of \$100 as of June 30,  
28 2019, is hereby reappropriated for fiscal year 2020.

29 Special education

30 services aid (652-00-1000-0700).....\$497,880,818

31 *Provided*, That any unencumbered balance in the special education  
32 services aid account in excess of \$100 as of June 30, 2019, is hereby  
33 reappropriated for fiscal year 2020: *Provided further*, That expenditures  
34 shall not be made from the special education services aid account for the  
35 provision of instruction for any homebound or hospitalized child, unless  
36 the categorization of such child as exceptional is conjoined with the  
37 categorization of the child within one or more of the other categories of  
38 exceptionality: *And provided further*, That expenditures shall be made from  
39 this account for grants to school districts in amounts determined pursuant  
40 to and in accordance with the provisions of K.S.A. 72-3425, and  
41 amendments thereto: *And provided further*, That expenditures shall be  
42 made from the amount remaining in this account, after deduction of the  
43 expenditures specified in the foregoing provisos, for payments to school

1 districts in amounts determined pursuant to and in accordance with the  
 2 provisions of K.S.A. 72-3422, and amendments thereto.

3 State foundation aid (652-00-1000-0820).....\$2,324,710,861

4 *Provided*, That any unencumbered balance in the state foundation aid  
 5 account in excess of \$100 as of June 30, 2019, is hereby reappropriated for  
 6 fiscal year 2020: *Provided further*, That in addition to the other purposes  
 7 for which expenditures may be made by the above agency from such  
 8 account for fiscal year 2020, expenditures shall be made by the above  
 9 agency from such account for fiscal year 2020 for the behavioral health  
 10 intervention team program pursuant to section 4, and amendments thereto,  
 11 in an amount not to exceed \$20,181,317.

12 Supplemental state aid (652-00-1000-0840).....\$504,663,931

13 *Provided*, That any unencumbered balance in the supplemental state aid  
 14 account in excess of \$100 as of June 30, 2019, is hereby reappropriated for  
 15 fiscal year 2020.

16 ACT and workkeys assessments program.....\$2,800,000

17 *Provided*, That expenditures shall be made by the above agency from the  
 18 ACT and workkeys assessments program account to provide the ACT  
 19 college entrance exam and the three ACT workkeys assessments that are  
 20 required to earn a national career readiness certificate to each student  
 21 enrolled in grades 11 and 12, and the pre-ACT college entrance exam to  
 22 each student enrolled in grade nine.

23 Mentor teacher (652-00-1000-0440).....\$1,300,000

24 Professional development (652-00-1000-0860).....\$2,449,000

25 *Provided*, That in addition to the other purposes for which expenditures  
 26 may be made by the above agency from the professional development  
 27 account for fiscal year 2020, expenditures shall be made by the above  
 28 agency from such account for fiscal year 2020 for discretionary grants to  
 29 school districts for training in identification of dyslexia and effective  
 30 reading interventions for students diagnosed with dyslexia: *Provided*  
 31 *further*, That the aggregate amount of such discretionary grants shall not  
 32 exceed \$749,000.

33 Information technology education  
 34 opportunities (652-00-1000-0600).....\$500,000

35 Discretionary grants (652-00-1000-0400).....\$322,457

36 *Provided*, That the above agency shall make expenditures from the  
 37 discretionary grants account during fiscal year 2020, in an amount not less  
 38 than \$125,000 for after-school programs for middle school students in the  
 39 sixth, seventh and eighth grades: *Provided further*, That the after-school  
 40 programs may also include fifth and ninth grade students, if they attend a  
 41 junior high: *And provided further*, That such discretionary grants shall be  
 42 awarded to after-school programs that operate for a minimum of two hours  
 43 a day, every day that school is in session, and a minimum of six hours a

1 day for a minimum of five weeks during the summer: *And provided further*; That the discretionary grants awarded to after-school programs shall require a \$1 for \$1 local match: *And provided further*; That the aggregate amount of discretionary grants awarded to any one after-school program shall not exceed \$25,000.

6 School food assistance (652-00-1000-0320).....\$2,510,486  
7 School safety hotline (652-00-1000-0230).....\$10,000  
8 KPERS – employer  
9 contributions – non-USDs (652-00-1000-0100).....\$43,015,894  
10 *Provided*, That any unencumbered balance in the KPERS – employer  
11 contributions – non-USDs account in excess of \$100 as of June 30, 2019,  
12 is hereby reappropriated for fiscal year 2020: *Provided further*; That all  
13 expenditures from the KPERS – employer contributions – non-USDs  
14 account shall be for payment of participating employers' contributions to  
15 the Kansas public employees retirement system as provided in K.S.A. 74-  
16 4939, and amendments thereto: *And provided further*; That expenditures  
17 from this account for the payment of participating employers' contributions  
18 to the Kansas public employees retirement system may be made regardless  
19 of when the liability was incurred.  
20 KPERS – employer  
21 contributions – USDs (652-00-1000-0110).....\$543,865,035  
22 *Provided*, That any unencumbered balance in the KPERS – employer  
23 contributions – USDs account in excess of \$100 as of June 30, 2019, is  
24 hereby reappropriated for fiscal year 2020: *Provided further*; That all  
25 expenditures from the KPERS – employer contributions – USDs account  
26 shall be for payment of participating employers' contributions to the  
27 Kansas public employees retirement system as provided in K.S.A. 74-  
28 4939, and amendments thereto: *And provided further*; That expenditures  
29 from this account for the payment of participating employers' contributions  
30 to the Kansas public employees retirement system may be made regardless  
31 of when the liability was incurred.  
32 KPERS employer contribution  
33 layering payment #1 (652-00-1000-0120).....\$6,400,000  
34 KPERS employer contribution  
35 layering payment #2.....\$19,400,000  
36 Career and technical education  
37 transportation (652-00-1000-0190).....\$650,000  
38 Teach for America pilot program.....\$261,000  
39 School safety and security grants.....\$5,000,000  
40 *Provided*, That all moneys in the school safety and security grants account  
41 expended for fiscal year 2020 shall be matched by the receiving school  
42 district on a \$1 for \$1 basis from other moneys of the district: *Provided*  
43 *further*; That expenditures shall be made by the above agency from such

1 account for fiscal year 2020 for disbursements of grant moneys approved  
 2 by the state board of education for the acquisition and installation of  
 3 security cameras and any other systems, equipment and services necessary  
 4 for security monitoring of facilities operated by a school district, and for  
 5 securing doors, windows and any entrances to such facilities.  
 6 Education super highway (652-00-1000-0180).....\$950,000  
 7 *Provided*, That any unencumbered balance in the education super highway  
 8 account in excess of \$100 as of June 30, 2019, is hereby reappropriated for  
 9 fiscal year 2020.

10 Juvenile transitional crisis center  
 11 pilot project (652-00-1000-0210).....\$300,000  
 12 *Provided*, That expenditures from the juvenile transitional crisis center  
 13 pilot project account shall be made by the above agency during fiscal year  
 14 2020 to develop a regional crisis center pilot project at the Beloit special  
 15 education cooperative, founded on research and evidence-based practices  
 16 designed to meet the unique social and emotional needs of students  
 17 identified as at-risk or with disabilities: *Provided further*, That such project  
 18 shall provide individualized programming to attain each such student's  
 19 high school diploma and job skills while working through the social skills  
 20 program: *And provided further*, That the commissioner of education shall  
 21 provide an update on the implementation of the pilot project developed by  
 22 this proviso to the legislature on or before the first day of the 2020 regular  
 23 legislative session.

24 BHIT program online database (652-00-1000-0160).....\$500,000  
 25 Educable deaf-blind  
 26 severely handicapped children's  
 27 programs aid (652-00-1000-0630).....\$110,000  
 28 School district juvenile detention  
 29 facilities and Flint Hills job corps  
 30 center grants (652-00-1000-0290).....\$5,060,528  
 31 *Provided*, That any unencumbered balance in the school district juvenile  
 32 detention facilities and Flint Hills job corps center grants account in excess  
 33 of \$100 as of June 30, 2019, is hereby reappropriated for fiscal year 2020:  
 34 *Provided further*, That expenditures shall be made from the school district  
 35 juvenile detention facilities and Flint Hills job corps center grants account  
 36 for grants to school districts in amounts determined pursuant to and in  
 37 accordance with the provisions of K.S.A. 72-1173, and amendments  
 38 thereto.

39 Governor's teaching excellence scholarships  
 40 and awards (652-00-1000-0770).....\$360,693  
 41 *Provided*, That any unencumbered balance in the governor's teaching  
 42 excellence scholarships and awards account in excess of \$100 as of June  
 43 30, 2019, is hereby reappropriated for fiscal year 2020: *Provided further*,

1 That all expenditures from the governor's teaching excellence scholarships  
 2 and awards account for teaching excellence scholarships shall be made in  
 3 accordance with K.S.A. 72-2166, and amendments thereto: *And provided*  
 4 *further*; That each such grant shall be required to be matched on a \$1 for \$1  
 5 basis from nonstate sources: *And provided further*; That award of each such  
 6 grant shall be conditioned upon the recipient entering into an agreement  
 7 requiring the grant to be repaid if the recipient fails to complete the course  
 8 of training under the national board for professional teaching standards  
 9 certification program: *And provided further*; That all moneys received by  
 10 the department of education for repayment of grants for governor's  
 11 teaching excellence scholarships shall be deposited in the state treasury  
 12 and credited to the governor's teaching excellence scholarships program  
 13 repayment fund (652-00-7221-7200) of the department of education.

14 Governor's scholars program scholarships  
 15 and awards.....\$20,000

16 (b) There is appropriated for the above agency from the following  
 17 special revenue fund or funds for the fiscal year ending June 30, 2020, all  
 18 moneys now or hereafter lawfully credited to and available in such fund or  
 19 funds, except that expenditures other than refunds authorized by law and  
 20 transfers to other state agencies shall not exceed the following:

21 State school district  
 22 finance fund (652-00-7393-7000).....No limit

23 School district capital  
 24 improvements fund (652-00-2880-2880).....No limit

25 *Provided*, That expenditures from the school district capital improvements  
 26 fund shall be made only for the payment of general obligation bonds  
 27 approved by voters under the authority of K.S.A. 72-5457, and  
 28 amendments thereto.

29 School district capital outlay  
 30 state aid fund.....No limit

31 Conversion of materials and  
 32 equipment fund (652-00-2420-2020).....No limit

33 State safety fund (652-00-2538-2030).....No limit

34 *Provided*, That notwithstanding the provisions of K.S.A. 8-272, and  
 35 amendments thereto, or any other statute, funds shall be distributed during  
 36 fiscal year 2020 as soon as moneys are available.

37 School bus safety fund (652-00-2532-2300)..... No limit

38 Motorcycle safety fund (652-00-2633-2050).....No limit

39 Federal indirect cost  
 40 reimbursement fund (652-00-2312-2200).....No limit

41 Teacher and administrator  
 42 fee fund (652-00-2723-2060).....No limit

43 Food assistance –

1	federal fund (652-00-3230-3020).....	No limit
2	Food assistance – school	
3	breakfast program –	
4	federal fund (652-00-3529-3490).....	No limit
5	Food assistance – national	
6	school lunch program –	
7	federal fund (652-00-3530-3500).....	No limit
8	Food assistance – child	
9	and adult care food program –	
10	federal fund (652-00-3531-3510).....	No limit
11	Community-based	
12	child abuse prevention –	
13	federal fund (652-00-3319-7400).....	No limit
14	Family and children	
15	investment fund (652-00-7375).....	No limit
16	Elementary and secondary school aid –	
17	federal fund (652-00-3233-3040).....	No limit
18	Educationally deprived	
19	children – state operations –	
20	federal fund (652-00-3131-3130).....	No limit
21	Elementary and secondary school –	
22	educationally deprived children –	
23	LEA's fund (652-00-3532-3520).....	No limit
24	Education of handicapped children	
25	fund – federal (652-00-3234-3050).....	No limit
26	Education of handicapped	
27	children fund – state operations –	
28	federal fund (652-00-3534-3540).....	No limit
29	Education of handicapped	
30	children fund – preschool –	
31	federal fund (652-00-3535-3550).....	No limit
32	Education of handicapped	
33	children fund – preschool state	
34	operations – federal (652-00-3536-3560).....	No limit
35	Elementary and secondary school	
36	aid – federal fund – migrant	
37	education fund (652-00-3537-3570).....	No limit
38	Elementary and secondary school aid –	
39	federal fund – migrant education –	
40	state operations (652-00-3538-3580).....	No limit
41	Vocational education title I –	
42	federal fund (652-00-3539-3590).....	No limit
43	Vocational education title I – federal fund –	

- 1 state operations (652-00-3540-3600).....No limit
- 2 Educational research grants and
- 3 projects fund (652-00-3592-3070).....No limit
- 4 Inservice education workshop
- 5 fee fund (652-00-2230-2010).....No limit
- 6 *Provided*, That expenditures may be made from the inservice education
- 7 workshop fee fund for operating expenditures, including official
- 8 hospitality, incurred for inservice workshops and conferences: *Provided*
- 9 *further*, That the state board of education is hereby authorized to fix,
- 10 charge and collect fees for inservice workshops and conferences: *And*
- 11 *provided further*, That such fees shall be fixed in order to recover all or
- 12 part of such operating expenditures incurred for inservice workshops and
- 13 conferences: *And provided further*, That all fees received for inservice
- 14 workshops and conferences shall be deposited in the state treasury in
- 15 accordance with the provisions of K.S.A. 75-4215, and amendments
- 16 thereto, and shall be credited to the inservice education workshop fee fund.
- 17 Private donations, gifts, grants and
- 18 bequests fund (652-00-7307-5000).....No limit
- 19 Reimbursement for
- 20 services fund (652-00-3056-3200).....No limit
- 21 Communities in schools
- 22 program fund (652-00-2221-2400).....No limit
- 23 Governor's teaching
- 24 excellence scholarships program
- 25 repayment fund (652-00-7221-7200).....No limit
- 26 *Provided*, That all expenditures from the governor's teaching excellence
- 27 scholarships program repayment fund shall be made in accordance with
- 28 K.S.A. 72-2166, and amendments thereto: *Provided further*, That each
- 29 such grant shall be required to be matched on a \$1 for \$1 basis from
- 30 nonstate sources: *And provided further*, That award of each such grant shall
- 31 be conditioned upon the recipient entering into an agreement requiring the
- 32 grant to be repaid if the recipient fails to complete the course of training
- 33 under the national board for professional teaching standards certification
- 34 program: *And provided further*, That all moneys received by the
- 35 department of education for repayment of grants made under the
- 36 governor's teaching excellence scholarships program shall be deposited in
- 37 the state treasury in accordance with the provisions of K.S.A. 75-4215, and
- 38 amendments thereto, and shall be credited to the governor's teaching
- 39 excellence scholarships program repayment fund.
- 40 State grants for improving teacher quality –
- 41 federal fund (652-00-3526-3860).....No limit
- 42 State grants for improving
- 43 teacher quality – federal fund –



1	state operations (652-00-3527-3870).....	No limit
2	21 <sup>st</sup> century community learning centers –	
3	federal fund (652-00-3519-3890).....	No limit
4	State assessments –	
5	federal fund (652-00-3520-3800).....	No limit
6	Rural and low-income schools program –	
7	federal fund (652-00-3521-3810).....	No limit
8	TANF children's programs –	
9	federal fund (652-00-3323-0531).....	No limit
10	ESSA – student support academic enrichment –	
11	federal fund (652-00-3113-3113).....	No limit
12	Language assistance state grants –	
13	federal fund (652-00-3522-3820).....	No limit
14	Service clearing fund (652-00-2869-2800).....	No limit
15	Local school district contribution program	
16	checkoff fund (652-00-7005-7005).....	No limit
17	Educational technology	
18	coordinator fund (652-00-2157-2157).....	No limit
19	<i>Provided</i> , That expenditures shall be made by the above agency for the	
20	fiscal year ending June 30, 2020, from the educational technology	
21	coordinator fund of the department of education to provide data on the	
22	number of school districts served and cost savings for those districts in	
23	fiscal year 2020 in order to assess the cost effectiveness of the position of	
24	educational technology coordinator.	
25	(c) There is appropriated for the above agency from the children's	
26	initiatives fund for the fiscal year ending June 30, 2020, the following:	
27	Parent education program (652-00-2000-2510).....	\$8,237,635
28	<i>Provided</i> , That any unencumbered balance in the parent education	
29	program account in excess of \$100 as of June 30, 2019, is hereby	
30	reappropriated for fiscal year 2020: <i>Provided further</i> ; That expenditures	
31	from the parent education program account for each such grant shall be	
32	matched by the school district in an amount that is equal to not less than	
33	50% of the grant.	
34	ABC early childhood intervention program.....	\$1,000,000
35	<i>Provided</i> , That expenditures shall be made by the above agency from the	
36	ABC early childhood intervention program account to implement the ABC	
37	early childhood intervention program: <i>Provided further</i> ; That such program	
38	shall use scientific, evidence-based practices to identify early childhood at-	
39	risk indicators: <i>And provided further</i> ; That such program shall connect	
40	parents and legal guardians of children between the ages of six months and	
41	four years who are identified as early childhood at-risk with services to be	
42	provided by trained parent coaches: <i>And provided further</i> ; That the above	
43	agency shall work in collaboration with and operationally fund the bureau	

1 of family health in the department of health and environment in the  
 2 development, implementation and expansion of such program: *And*  
 3 *provided further*, That both the above agency and the bureau of family  
 4 health in the department of health and environment shall consult with the  
 5 united methodist health ministry fund for the duration of the program: *And*  
 6 *provided further*, That the above agency may expend an amount not to  
 7 exceed \$264,000 from such account for research and evaluation of  
 8 processes utilized by or related to such program.

9 Children's cabinet

10 accountability fund (652-00-2000-2402).....\$375,000

11 *Provided*, That any unencumbered balance in the children's cabinet  
 12 accountability fund account in excess of \$100 as of June 30, 2019, is  
 13 hereby reappropriated for fiscal year 2020.

14 CIF grants (652-00-2000-2408).....\$18,127,914

15 *Provided*, That any unencumbered balance in the CIF grants account in  
 16 excess of \$100 as of June 30, 2019, is hereby reappropriated for fiscal year  
 17 2020.

18 Quality initiative infants

19 and toddlers (652-00-2000-2420).....\$500,000

20 *Provided*, That any unencumbered balance in the quality initiative infants  
 21 and toddlers account in excess of \$100 as of June 30, 2019, is hereby  
 22 reappropriated for fiscal year 2020.

23 Early childhood block grant

24 autism diagnosis (652-00-2000-2422).....\$50,000

25 *Provided*, That any unencumbered balance in the early childhood block  
 26 grant autism diagnosis account in excess of \$100 as of June 30, 2019, is  
 27 hereby reappropriated for fiscal year 2020.

28 Communities aligned in early development

29 and education (652-00-2000-2550).....\$1,000,000

30 Pre-K pilot (652-00-2000-2535).....\$4,200,000

31 (d) On July 1, 2019, or as soon thereafter as moneys are available,  
 32 notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and  
 33 amendments thereto, or any other statute, the director of accounts and  
 34 reports shall transfer \$50,000 from the family and children trust account of  
 35 the family and children investment fund (652-00-7375-7900) of the  
 36 department of education to the communities in schools program fund (652-  
 37 00-2221-2400) of the department of education.

38 (e) On March 30, 2020, and June 30, 2020, or as soon thereafter as  
 39 moneys are available, notwithstanding the provisions of K.S.A. 8-267 or  
 40 8-272, and amendments thereto, or any other statute, the director of  
 41 accounts and reports shall transfer \$550,000 from the state safety fund  
 42 (652-00-2538-2030) of the department of education to the state general  
 43 fund: *Provided*, That the transfer of such amount shall be in addition to

1 any other transfer from the state safety fund to the state general fund as  
 2 prescribed by law: *Provided further*, That the amount transferred from the  
 3 state safety fund to the state general fund pursuant to this subsection is to  
 4 reimburse the state general fund for accounting, auditing, budgeting, legal,  
 5 payroll, personnel and purchasing services and any other governmental  
 6 services that are performed on behalf of the department of education by  
 7 other state agencies that receive appropriations from the state general fund  
 8 to provide such services.

9 (f) On July 1, 2019, and quarterly thereafter during fiscal year 2020,  
 10 or as soon thereafter as sufficient moneys are available, the director of  
 11 accounts and reports shall transfer \$72,500 from the state highway fund of  
 12 the department of transportation to the school bus safety fund (652-00-  
 13 2532-2300) of the department of education.

14 (g) On July 1, 2019, or as soon thereafter as sufficient moneys are  
 15 available, the director of accounts and reports shall transfer an amount  
 16 certified by the commissioner of education from the motorcycle safety  
 17 fund (652-00-2633-2050) of the department of education to the motorcycle  
 18 safety fund (561-00-2366-2360) of the state board of regents: *Provided*,  
 19 That the amount to be transferred shall be determined by the commissioner  
 20 of education based on the amounts required to be paid pursuant to K.S.A.  
 21 8-272(b)(2), and amendments thereto.

22 (h) There is appropriated for the above agency from the expanded  
 23 lottery act revenues fund for the fiscal year ending June 30, 2020, the  
 24 following:

25 KPERS – school employer

26 contribution (652-00-1700-1700).....\$41,632,883

27 (i) On July 1, 2019, or as soon thereafter as moneys are available, the  
 28 director of accounts and reports shall transfer \$97,250 from the USAC E-  
 29 rate program federal fund (561-00-3920-3920) of the state board of regents  
 30 to the education technology coordinator fund (652-00-2157-2157) of the  
 31 department of education: *Provided*, That the department of education shall  
 32 provide information and data regarding the number of school districts  
 33 served and cost savings attained by such school districts in order to assess  
 34 the cost effectiveness of having this education technology coordinator  
 35 position: *Provided further*, That such information and data shall be made  
 36 available by the department of education by the end of fiscal year 2020.

37 (j) There is appropriated for the above agency from the Kansas  
 38 endowment for youth fund for the fiscal year ending June 30, 2020, the  
 39 following:

40 Children's cabinet administration (652-00-7000-7001).....\$256,234

41 *Provided*, That any unencumbered balance in the children's cabinet  
 42 administration account in excess of \$100 as of June 30, 2019, is hereby  
 43 reappropriated for fiscal year 2020.

1 (k) During the fiscal year ending June 30, 2020, the commissioner of  
 2 education, with the approval of the director of the budget, may transfer any  
 3 part of any item of appropriation for fiscal year 2020 from the state general  
 4 fund for the department of education to another item of appropriation for  
 5 fiscal year 2020 from the state general fund for the department of  
 6 education. The commissioner of education shall certify each such transfer  
 7 to the director of accounts and reports and shall transmit a copy of each  
 8 such certification to the director of legislative research.

9 Sec. 3.

#### 10 DEPARTMENT OF EDUCATION

11 (a) There is appropriated for the above agency from the state general  
 12 fund for the fiscal year ending June 30, 2021, the following:

13 Special education

14 services aid (652-00-1000-0700).....\$505,380,818

15 *Provided*, That any unencumbered balance in the special education  
 16 services aid account in excess of \$100 as of June 30, 2020, is hereby  
 17 reappropriated for fiscal year 2021: *Provided further*, That expenditures  
 18 shall not be made from the special education services aid account for the  
 19 provision of instruction for any homebound or hospitalized child, unless  
 20 the categorization of such child as exceptional is conjoined with the  
 21 categorization of the child within one or more of the other categories of  
 22 exceptionality: *And provided further*, That expenditures shall be made from  
 23 this account for grants to school districts in amounts determined pursuant  
 24 to and in accordance with the provisions of K.S.A. 72-3425, and  
 25 amendments thereto: *And provided further*, That expenditures shall be  
 26 made from the amount remaining in this account, after deduction of the  
 27 expenditures specified in the foregoing provisos, for payments to school  
 28 districts in amounts determined pursuant to and in accordance with the  
 29 provisions of K.S.A. 72-3422, and amendments thereto.

30 State foundation aid (652-00-1000-0820).....\$2,407,951,518

31 *Provided*, That any unencumbered balance in the state foundation aid  
 32 account in excess of \$100 as of June 30, 2020, is hereby reappropriated for  
 33 fiscal year 2021: *Provided further*, That in addition to the other purposes  
 34 for which expenditures may be made by the above agency from such  
 35 account for fiscal year 2021, expenditures shall be made by the above  
 36 agency from such account for fiscal year 2021 for the behavioral health  
 37 intervention team program pursuant to section 4, and amendments thereto,  
 38 in an amount not to exceed \$20,181,317 plus the amount equal to the  
 39 difference between \$20,181,317 and the actual expenditures from the state  
 40 foundation aid account in fiscal year 2020 for such behavioral health  
 41 intervention team program: *And provided further*, That the commissioner  
 42 of education shall certify to the director of accounts and reports the actual  
 43 expenditures from the state foundation aid account in fiscal year 2020 for

1 such behavioral health intervention team program: *And provided further,*  
 2 That at the same time that such certification is transmitted to the director  
 3 of accounts and reports, the commissioner of education shall transmit a  
 4 copy of such certification to the director of the budget and the director of  
 5 legislative research.

6 Supplemental state aid (652-00-1000-0840).....\$512,300,000  
 7 *Provided,* That any unencumbered balance in the supplemental state aid  
 8 account in excess of \$100 as of June 30, 2020, is hereby reappropriated for  
 9 fiscal year 2021.

10 KPERS – employer  
 11 contributions – non-USDs (652-00-1000-0100).....\$46,620,938  
 12 *Provided,* That any unencumbered balance in the KPERS – employer  
 13 contributions – non-USDs account in excess of \$100 as of June 30, 2020,  
 14 is hereby reappropriated for fiscal year 2021: *Provided further,* That all  
 15 expenditures from the KPERS – employer contributions – non-USDs  
 16 account shall be for payment of participating employers' contributions to  
 17 the Kansas public employees retirement system as provided in K.S.A. 74-  
 18 4939, and amendments thereto: *And provided further,* That expenditures  
 19 from this account for the payment of participating employers' contributions  
 20 to the Kansas public employees retirement system may be made regardless  
 21 of when the liability was incurred.

22 KPERS – employer  
 23 contributions – USDs (652-00-1000-0110).....\$567,075,949  
 24 *Provided,* That any unencumbered balance in the KPERS – employer  
 25 contributions – USDs account in excess of \$100 as of June 30, 2020, is  
 26 hereby reappropriated for fiscal year 2021: *Provided further,* That all  
 27 expenditures from the KPERS – employer contributions – USDs account  
 28 shall be for payment of participating employers' contributions to the  
 29 Kansas public employees retirement system as provided in K.S.A. 74-  
 30 4939, and amendments thereto: *And provided further,* That expenditures  
 31 from this account for the payment of participating employers' contributions  
 32 to the Kansas public employees retirement system may be made regardless  
 33 of when the liability was incurred.

34 (b) There is appropriated for the above agency from the following  
 35 special revenue fund or funds for the fiscal year ending June 30, 2021, all  
 36 moneys now or hereafter lawfully credited to and available in such fund or  
 37 funds, except that expenditures shall not exceed the following:

38 State school district  
 39 finance fund (652-00-7393-7000).....No limit  
 40 School district capital  
 41 improvements fund (652-00-2880-2880).....No limit  
 42 *Provided,* That expenditures from the school district capital improvements  
 43 fund shall be made only for the payment of general obligation bonds

1 approved by voters under the authority of K.S.A. 72-5457, and  
2 amendments thereto.

3 School district capital outlay  
4 state aid fund.....No limit

5 (c) There is appropriated for the above agency from the expanded  
6 lottery act revenues fund for the fiscal year ending June 30, 2021, the  
7 following:

8 KPERS – school employer  
9 contribution (652-00-1700-1700).....\$41,640,023

10 New Sec. 4. (a) The behavioral health intervention weighting of each  
11 school district shall be determined by the state board as follows:

12 (1) Determine the number of students included in the enrollment of  
13 the school district who regularly attend an attendance center that has a  
14 behavioral health intervention team liaison assigned to such attendance  
15 center; and

16 (2) multiply the number determined under subsection (a)(1) by 0.015.  
17 The resulting product is the behavioral health intervention weighting of the  
18 school district.

19 (b) In order to qualify to receive the behavioral health intervention  
20 weighting pursuant to this section, a school district shall implement the  
21 behavioral health intervention team program in the current school year, or  
22 if such program was implemented in a prior school year, continue such  
23 program in the current school year. The behavioral health intervention  
24 team program shall be administered so as to improve social-emotional  
25 wellness and outcomes for students by increasing schools' access to  
26 counselors, social workers and psychologists. Qualifying school districts  
27 shall enter into the necessary memorandums of understanding and other  
28 necessary agreements with participating community mental health centers  
29 and the appropriate state agencies, including the department of health and  
30 environment, to implement and operate the program. Behavioral health  
31 intervention teams shall consist of behavioral health intervention team  
32 liaisons employed by the school district, and clinical therapists and case  
33 managers employed by the participating community mental health center.

34 (c) All moneys received by a qualifying school district that are  
35 attributable to the behavioral health intervention weighting shall be  
36 expended solely to implement and administer the behavioral health  
37 intervention team program in accordance with the provisions of this  
38 section and in accordance with agreements entered into pursuant to  
39 subsection (b).

40 (d) Each behavioral health intervention team liaison shall be certified  
41 as a master's level behavioral health professional, unless the state board  
42 grants a waiver to the school district hiring such liaison that allows such  
43 school district to hire a liaison certified as a bachelor's level behavioral

1 health professional.

2 (e) School districts shall prioritize services under the behavioral  
3 health intervention team program for students who are in the custody of  
4 the secretary for children and families. The Kansas department for children  
5 and families, or the case management contractor, shall notify the school  
6 district upon enrollment of a child in such school district that such child is  
7 in the custody of the secretary for children and families.

8 (f) The provisions of this section shall be effective on and after July  
9 1, 2019.

10 Sec. 5. On and after July 1, 2019, K.S.A. 72-5130 is hereby amended  
11 to read as follows: 72-5130. ~~(a) There is hereby established in the state~~  
12 ~~treasury the mineral production education fund which shall be~~  
13 ~~administered by the department of education. On and after July 1, 2016, all~~  
14 ~~moneys that are to be credited to the mineral production education fund~~  
15 ~~pursuant to the provisions of K.S.A. 79-4227, and amendments thereto,~~  
16 ~~shall be deposited in the state treasury in accordance with the provisions of~~  
17 ~~K.S.A. 75-4215, and amendments thereto, and shall be credited to the~~  
18 ~~mineral production education fund. All expenditures from the mineral~~  
19 ~~production education fund shall be for school district finance. All~~  
20 ~~expenditures from the mineral production education fund shall be made in~~  
21 ~~accordance with appropriation acts upon warrants of the director of~~  
22 ~~accounts and reports issued pursuant to vouchers approved by the~~  
23 ~~commissioner of education or the designee of the commissioner.~~

24 ~~(b) On January 15 and July 15 of each year, the director of accounts~~  
25 ~~and reports shall transfer a sum equal to the total amount of moneys~~  
26 ~~credited to the mineral production education fund during the six months~~  
27 ~~next preceding the date of transfer, from the mineral production education~~  
28 ~~fund to the state school district finance fund. On July 1, 2019, the director~~  
29 ~~of accounts and reports shall transfer all moneys in the mineral~~  
30 ~~production education fund to the state general fund. On July 1, 2019, all~~  
31 ~~liabilities of the mineral production education fund are hereby transferred~~  
32 ~~to and imposed on the state general fund, and the mineral production~~  
33 ~~education fund is hereby abolished.~~

34 Sec. 6. On and after July 1, 2019, K.S.A. 72-5131 is hereby amended  
35 to read as follows: 72-5131. K.S.A. 72-5131 through 72-5176, and  
36 amendments thereto, *and section 4, and amendments thereto*, shall be  
37 known and may be cited as the Kansas school equity and enhancement act.

38 Sec. 7. On and after July 1, 2019, K.S.A. 72-5132 is hereby amended  
39 to read as follows: 72-5132. As used in the Kansas school equity and  
40 enhancement act, K.S.A. 72-5131 et seq., and amendments thereto:

41 (a) "Adjusted enrollment" means the enrollment of a school district  
42 adjusted by adding the following weightings, if any, to the enrollment of a  
43 school district: At-risk student weighting; *behavioral health intervention*

1 *weighting*; bilingual weighting; career technical education weighting;  
 2 high-density at-risk student weighting; high enrollment weighting; low  
 3 enrollment weighting; school facilities weighting; ancillary school  
 4 facilities weighting; cost-of-living weighting; special education and related  
 5 services weighting; and transportation weighting.

6 (b) "Ancillary school facilities weighting" means an addend  
 7 component assigned to the enrollment of school districts pursuant to  
 8 K.S.A. 72-5158, and amendments thereto, on the basis of costs attributable  
 9 to commencing operation of one or more new school facilities by such  
 10 school districts.

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

14 (2) The term "at-risk student" shall not include any student enrolled  
 15 in any of the grades one through 12 who is in attendance less than full  
 16 time, or any student who is over 19 years of age. The provisions of this  
 17 paragraph shall not apply to any student who has an individualized  
 18 education program.

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

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

26 (1) For school year 2018-2019, \$4,165;

27 (2) for school year 2019-2020, ~~\$4,302~~ \$4,371; and

28 (3) for school year 2020-2021, \$4,439; \$4,512

29 ~~(4) for school year 2021-2022, \$4,576;~~

30 ~~(5) for school year 2022-2023, \$4,713; and~~

31 ~~(6) for school year 2023-2024, and each school year thereafter, the~~  
 32 ~~BASE aid shall be the BASE aid amount for the immediately preceding~~  
 33 ~~school year plus an amount equal to the average percentage increase in the~~  
 34 ~~consumer price index for all urban consumers in the midwest region as~~  
 35 ~~published by the bureau of labor statistics of the United States department~~  
 36 ~~of labor during the three immediately preceding school years rounded to~~  
 37 ~~the nearest whole dollar amount.~~

38 (f) "*Behavioral health intervention weighting*" means an addend  
 39 component assigned to the enrollment of school districts pursuant to  
 40 section 4, and amendments thereto, on the basis of costs attributable to  
 41 maintenance of behavioral health intervention team programs by such  
 42 school districts.

43 ~~(g)~~ (g) "Bilingual weighting" means an addend component assigned to



1 the enrollment of school districts pursuant to K.S.A. 72-5150, and  
2 amendments thereto, on the basis of costs attributable to the maintenance  
3 of bilingual educational programs by such school districts.

4 ~~(g)~~(h) "Board" means the board of education of a school district.

5 ~~(h)~~(i) "Budget per student" means the general fund budget of a school  
6 district divided by the enrollment of the school district.

7 ~~(i)~~(j) "Categorical fund" means and includes the following funds of a  
8 school district: Adult education fund; adult supplementary education fund;  
9 at-risk education fund; bilingual education fund; career and postsecondary  
10 education fund; driver training fund; educational excellence grant program  
11 fund; extraordinary school program fund; food service fund; parent  
12 education program fund; preschool-aged at-risk education fund;  
13 professional development fund; special education fund; and summer  
14 program fund.

15 ~~(j)~~(k) "Cost-of-living weighting" means an addend component  
16 assigned to the enrollment of school districts pursuant to K.S.A. 72-5159,  
17 and amendments thereto, on the basis of costs attributable to the cost of  
18 living in such school districts.

19 ~~(k)~~(l) "Current school year" means the school year during which state  
20 foundation aid is determined by the state board under K.S.A. 72-5134, and  
21 amendments thereto.

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

23 (1) The number of students regularly enrolled in kindergarten and  
24 grades one through 12 in the school district on September 20 of the  
25 preceding school year plus the number of preschool-aged at-risk students  
26 regularly enrolled in the school district on September 20 of the current  
27 school year, except a student who is a foreign exchange student shall not  
28 be counted unless such student is regularly enrolled in the school district  
29 on September 20 and attending kindergarten or any of the grades one  
30 through 12 maintained by the school district for at least one semester or  
31 two quarters, or the equivalent thereof.

32 (2) If the enrollment in a school district in the preceding school year  
33 has decreased from enrollment in the second preceding school year, the  
34 enrollment of the school district in the current school year means the sum  
35 of:

36 (A) The enrollment in the second preceding school year, excluding  
37 students under paragraph (2)(B), minus enrollment in the preceding school  
38 year of preschool-aged at-risk students, if any, plus enrollment in the  
39 current school year of preschool-aged at-risk students, if any; and

40 (B) the adjusted enrollment in the second preceding school year of  
41 any students participating in the tax credit for low income students  
42 scholarship program pursuant to K.S.A. 72-4351 et seq., and amendments  
43 thereto, in the preceding school year, if any, plus the adjusted enrollment in

1 the preceding school year of preschool-aged at-risk students who are  
2 participating in the tax credit for low income students scholarship program  
3 pursuant to K.S.A. 72-4351 et seq., and amendments thereto, in the current  
4 school year, if any.

5 (3) For any school district that has a military student, as that term is  
6 defined in K.S.A. 72-5139, and amendments thereto, enrolled in such  
7 district, and that received federal impact aid for the preceding school year,  
8 if the enrollment in such school district in the preceding school year has  
9 decreased from enrollment in the second preceding school year, the  
10 enrollment of the school district in the current school year means  
11 whichever is the greater of:

12 (A) The enrollment determined under paragraph (2); or

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

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

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

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

24 (4) The enrollment determined under paragraph (1), (2) or (3), except  
25 if the school district begins to offer kindergarten on a full-time basis in  
26 such school year, students regularly enrolled in kindergarten in the school  
27 district in the preceding school year shall be counted as one student  
28 regardless of actual attendance during such preceding school year.

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

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

41 ~~(o)~~(p) "General fund" means the fund of a school district from which  
42 operating expenses are paid and in which is deposited all amounts of state  
43 foundation aid provided under this act, payments under K.S.A. 72-528,

1 and amendments thereto, payments of federal funds made available under  
2 the provisions of title I of public law 874, except amounts received for  
3 assistance in cases of major disaster and amounts received under the low-  
4 rent housing program and such other moneys as are provided by law.

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

7 ~~(q)~~(r) "High-density at-risk student weighting" means an addend  
8 component assigned to the enrollment of school districts pursuant to  
9 K.S.A. 72-5151(b), and amendments thereto, on the basis of costs  
10 attributable to the maintenance of at-risk educational programs by such  
11 school districts.

12 ~~(r)~~(s) "High enrollment weighting" means an addend component  
13 assigned to the enrollment of school districts pursuant to K.S.A. 72-  
14 5149(b), and amendments thereto, on the basis of costs attributable to  
15 maintenance of educational programs by such school districts.

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

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

20 (1) An amount equal to any unexpended and unencumbered balance  
21 remaining in the general fund of the school district, except moneys  
22 received by the school district and authorized to be expended for the  
23 purposes specified in K.S.A. 72-5168, and amendments thereto;

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

27 (3) an amount equal to the amount deposited in the general fund in  
28 the current school year from moneys received in such school year by the  
29 school district under the provisions of K.S.A. 72-3123(a), and amendments  
30 thereto;

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

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

41 (6) an amount equal to the amount of payments received by the  
42 school district under the provisions of K.S.A. 72-3423, and amendments  
43 thereto;

1 (7) an amount equal to the amount of any grant received by the  
2 school district under the provisions of K.S.A. 72-3425, and amendments  
3 thereto; and

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

6 ~~(u)~~(v) "Low enrollment weighting" means an addend component  
7 assigned to the enrollment of school districts pursuant to K.S.A. 72-  
8 5149(a), and amendments thereto, on the basis of costs attributable to  
9 maintenance of educational programs by such school districts.

10 ~~(v)~~(w) "Operating expenses" means the total expenditures and lawful  
11 transfers from the general fund of a school district during a school year for  
12 all purposes, except expenditures for the purposes specified in K.S.A. 72-  
13 5168, and amendments thereto.

14 ~~(w)~~(x) "Preceding school year" means the school year immediately  
15 before the current school year.

16 ~~(x)~~(y) "Preschool-aged at-risk student" means an at-risk student who  
17 has attained the age of three years, is under the age of eligibility for  
18 attendance at kindergarten, and has been selected by the state board in  
19 accordance with guidelines governing the selection of students for  
20 participation in head start programs.

21 ~~(y)~~(z) "Preschool-aged exceptional children" means exceptional  
22 children, except gifted children, who have attained the age of three years  
23 but are under the age of eligibility for attendance at kindergarten. The  
24 terms "exceptional children" and "gifted children" have the same meaning  
25 as those terms are defined in K.S.A. 72-3404, and amendments thereto.

26 ~~(z)~~(aa) "Psychiatric residential treatment facility" means the same as  
27 such term is defined in K.S.A. 72-1173, and amendments thereto.

28 ~~(aa)~~(bb) "School district" means a school district organized under the  
29 laws of this state that is maintaining public school for a school term in  
30 accordance with the provisions of K.S.A. 72-3115, and amendments  
31 thereto.

32 ~~(bb)~~(cc) "School facilities weighting" means an addend component  
33 assigned to the enrollment of school districts pursuant to K.S.A. 72-5156,  
34 and amendments thereto, on the basis of costs attributable to commencing  
35 operation of one or more new school facilities by such school districts.

36 ~~(cc)~~(dd) "School year" means the 12-month period ending June 30.

37 ~~(dd)~~(ee) "September 20" has its usual meaning, except that in any  
38 year in which September 20 is not a day on which school is maintained, it  
39 means the first day after September 20 on which school is maintained.

40 ~~(ee)~~(ff) "Special education and related services weighting" means an  
41 addend component assigned to the enrollment of school districts pursuant  
42 to K.S.A. 72-5157, and amendments thereto, on the basis of costs  
43 attributable to the maintenance of special education and related services by

1 such school districts.

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

3 ~~(gg)~~(hh) "State foundation aid" means the amount of aid distributed  
4 to a school district as determined by the state board pursuant to K.S.A. 72-  
5 5134, and amendments thereto.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (a) For school year 2018-2019, one student;

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

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

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

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

23 (b) a student who attended public school in Kansas during school  
24 year 2016-2017 and who attended public school in Kansas during the  
25 immediately preceding school year.

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

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

28 (B) except as provided in paragraph (2), an individual confined in and  
29 receiving educational services provided for by a school district at a  
30 juvenile detention facility; and

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

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

37 ~~(ii)~~(jj) "Total foundation aid" means an amount equal to the product  
38 obtained by multiplying the BASE aid by the adjusted enrollment of a  
39 school district.

40 ~~(jj)~~(kk) "Transportation weighting" means an addend component  
41 assigned to the enrollment of school districts pursuant to K.S.A. 72-5148,  
42 and amendments thereto, on the basis of costs attributable to the provision  
43 or furnishing of transportation.

1       ~~(k)~~(l) "Virtual school" means the same as such term is defined in  
2 K.S.A. 72-3712, and amendments thereto.

3       Sec. 8. On and after July 1, 2019, K.S.A. 72-5142 is hereby amended  
4 to read as follows: 72-5142. (a) The board of education of each school  
5 district shall levy an ad valorem tax upon the taxable tangible property of  
6 the school district in the school years specified in subsection (b) for the  
7 purpose of:

8       (1) Financing that portion of the school district's general fund budget  
9 that is not financed from any other source provided by law;

10       (2) paying a portion of the costs of operating and maintaining public  
11 schools in partial fulfillment of the constitutional obligation of the  
12 legislature to finance the educational interests of the state; and

13       (3) with respect to any redevelopment school district established prior  
14 to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto,  
15 paying a portion of the principal and interest on bonds issued by cities  
16 under authority of K.S.A. 12-1774, and amendments thereto, for the  
17 financing of redevelopment projects upon property located within the  
18 school district.

19       (b) The tax required under subsection (a) shall be levied at a rate of  
20 20 mills in the school years ~~2017-2018~~ 2019-2020 and ~~2018-2019~~ 2020-  
21 2021.

22       (c) The proceeds from the tax levied by a district under authority of  
23 this section, except the proceeds of such tax levied for the purpose  
24 described in subsection (a)(3), shall be remitted to the state treasurer in  
25 accordance with the provisions of K.S.A. 75-4215, and amendments  
26 thereto. Upon receipt of each such remittance, the state treasurer shall  
27 deposit the entire amount in the state treasury to the credit of the state  
28 school district finance fund.

29       (d) No school district shall proceed under K.S.A. 79-1964, 79-1964a  
30 or 79-1964b, and amendments thereto.

31       Sec. 9. On and after July 1, 2019, K.S.A. 72-5144 is hereby amended  
32 to read as follows: 72-5144. (a) (1) ~~Subject to the provisions of subsection~~  
33 ~~(e)~~—The provisions of this subsection shall apply in any school year in  
34 which the amount of BASE aid is \$4,490 or less.

35       (2) The board of education of a school district may adopt a local  
36 option budget that does not exceed the local option budget calculated as if  
37 the BASE aid was \$4,490, or that does not exceed the local option budget  
38 as calculated pursuant to K.S.A. 72-5143, and amendments thereto,  
39 whichever is greater.

40       (b) The board of education of a school district may adopt a local  
41 option budget that does not exceed the local option budget calculated as if  
42 the school district received state aid for special education and related  
43 services equal to the amount of state aid for special education and related

1 services received in school year 2008-2009, or that does not exceed the  
2 local option budget as calculated pursuant to K.S.A. 72-5143, and  
3 amendments thereto, whichever is greater.

4 (c) The board of any school district may exercise the authority  
5 granted under subsection (a) or (b) or both subsections (a) and (b).

6 (d) To the extent that the provisions of K.S.A. 72-5143, and  
7 amendments thereto, conflict with this section, this section shall control.

8 ~~(e) For school year 2019-2020, and each school year thereafter, the~~  
9 ~~specified dollar amount used in subsection (a) for purposes of determining~~  
10 ~~the local option budget of a school district shall be the specified dollar~~  
11 ~~amount used for the immediately preceding school year plus an amount~~  
12 ~~equal to the average percentage increase in the consumer price index for~~  
13 ~~all urban consumers in the midwest region as published by the bureau of~~  
14 ~~labor statistics of the United States department of labor during the three~~  
15 ~~immediately preceding school years.~~

16 Sec. 10. On and after July 1, 2019, K.S.A. 72-5151 is hereby  
17 amended to read as follows: 72-5151. (a) The at-risk student weighting of  
18 each school district shall be determined by the state board as follows:

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

21 (2) multiply the number determined under subsection (a)(1) by ~~0.484~~  
22 *0.51*. The resulting ~~sum~~ *product* is the at-risk student weighting of the  
23 school district.

24 *(b) Commencing in school year 2019-2020, each school district shall*  
25 *spend those moneys that are attributable to that portion of such school*  
26 *district's at-risk student weighting that is equal to an at-risk student*  
27 *weighting of 0.026 on the at-risk evidence-based programs identified by*  
28 *the state board pursuant to K.S.A. 72-5153(d)(2), and amendments*  
29 *thereto. If a school district does not spend such moneys on such programs,*  
30 *the state board shall notify the school district that it shall either spend*  
31 *such moneys on such programs or show improvement within two years of*  
32 *notification. Improvement shall include, but not be limited to, the*  
33 *following: (1) Increases in the percentage of students who are proficient*  
34 *on state math and English language arts assessments; and (2) decreases in*  
35 *the achievement gap percentages among student subgroups identified by*  
36 *the state board. If a school district has been notified pursuant to this*  
37 *subsection and does not show improvement within two years, the school*  
38 *district shall be given one additional year to either spend moneys on the*  
39 *at-risk evidence-based programs identified pursuant to K.S.A. 72-5153(d)*  
40 *(2), and amendments thereto, in accordance with this subsection, or show*  
41 *improvement. If after the additional year the school district does not*  
42 *comply with the expenditure requirements of this subsection or show*  
43 *improvement, then such school district shall not receive an amount of*



1 *money attributable to that portion of the at-risk student weighting equal to*  
 2 *0.026 in the immediately succeeding school year.*

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

6 (1) (A) If the enrollment of the school district is at least 35% at-risk  
 7 students, but less than 50% at-risk students:

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

10 (ii) multiply the difference determined under subsection ~~(b)(1)(A)(i)~~  
 11 ~~(c)(1)(A)(i)~~ by 0.7; and

12 (iii) multiply the product determined under subsection ~~(b)(1)(A)(ii)~~  
 13 ~~(c)(1)(A)(ii)~~ by the number of at-risk students included in the enrollment of  
 14 the school district; or

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

18 (2) (A) if the enrollment of a school in the school district is at least  
 19 35% at-risk students, but less than 50% at-risk students:

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

22 (ii) multiply the difference determined under subsection ~~(b)(2)(A)(i)~~  
 23 ~~(c)(2)(A)(i)~~ by 0.7; and

24 (iii) multiply the product determined under subsection ~~(b)(2)(A)(ii)~~  
 25 ~~(c)(2)(A)(ii)~~ by the number of at-risk students included in the enrollment of  
 26 such school; or

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

30 (C) add the products determined under subsections ~~(b)(2)(A)(iii)~~ (c)  
 31 ~~(2)(A)(iii)~~ and ~~(b)(2)(B)~~ (c)(2)(B) for each such school in the school  
 32 district, respectively.

33 (3) The high-density at-risk weighting of the school district shall be  
 34 the greater of the product determined under subsection ~~(b)(1)~~ (c)(1) or the  
 35 sum determined under subsection ~~(b)(2)(C)~~ (c)(2)(C).

36 (4) Commencing in school year 2018-2019, school districts that  
 37 qualify to receive the high-density at-risk weighting pursuant to this  
 38 section shall spend any money attributable to the school district's high-  
 39 density at-risk weighting on the at-risk best practices developed by the  
 40 state board pursuant to K.S.A. 72-5153(d), and amendments thereto. If a  
 41 school district that qualifies for the high-density at-risk weighting does not  
 42 spend such money on such best practices, the state board shall notify the  
 43 school district that it shall either spend such money on such best practices

1 or shall show improvement within five years of notification. Improvement  
2 shall include, but not be limited to, *increases in* the following: (A) The  
3 percentage of students at grade level on state math and English language  
4 arts assessments; (B) the percentage of students that are college and career  
5 ready on state math and English language arts assessments; (C) the  
6 average composite ACT score; or (D) the four-year graduation rate. If a  
7 school district does not spend such money on such best practices and does  
8 not show improvement within five years, the school district shall not  
9 qualify to receive the high-density at-risk weighting in the succeeding  
10 school year.

11 (5) The provisions of this subsection shall expire on July 1, 2020.

12 Sec. 11. On and after July 1, 2019, K.S.A. 72-5153 is hereby  
13 amended to read as follows: 72-5153. (a) There is hereby established in  
14 every school district an at-risk education fund, which shall consist of all  
15 moneys deposited therein or transferred thereto according to law. The  
16 expenses of a school district directly attributable to providing ~~at-risk~~  
17 student assistance *to* or programs *for students receiving at-risk program*  
18 *services* shall be paid from the at-risk education fund. *Of the moneys*  
19 *deposited in or otherwise credited to the general fund of a school district*  
20 *pursuant to K.S.A. 72-5135, and amendments thereto, an amount equal to*  
21 *that portion of the school district's total foundation aid that is attributable*  
22 *to 50% of the at-risk student weighting of such school district shall be*  
23 *transferred to the at-risk education fund of such school district.*

24 (b) Any balance remaining in the at-risk education fund at the end of  
25 the budget year shall be carried forward into the at-risk education fund for  
26 succeeding budget years. Such fund shall not be subject to the provisions  
27 of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing  
28 the budget of such school district, the amounts credited to and the amount  
29 on hand in the at-risk education fund, and the amount expended therefrom  
30 shall be included in the annual budget for the information of the residents  
31 of the school district. Interest earned on the investment of moneys in any  
32 such fund shall be credited to that fund.

33 (c) Commencing in school year 2018-2019, expenditures from the at-  
34 risk education fund of a school district shall only be made for the  
35 following purposes:

36 (1) At-risk educational programs based on best practices identified  
37 pursuant to subsection (d);

38 (2) personnel providing educational services in conjunction with such  
39 programs; or

40 (3) services contracted for by the school district to provide at-risk  
41 educational programs based on best practices identified pursuant to  
42 subsection (d).

43 (d) ~~(1) On or before July 1, 2018,~~ The state board shall identify and

1 approve evidence-based best practices for at-risk programs and instruction  
2 of students receiving at-risk program services.

3 (2) *The state board shall identify and approve evidence-based*  
4 *programs provided by state-based, national nonprofit organizations that:*

5 (A) *Focus on students who are identified as at-risk or who face other*  
6 *identifiable barriers to success, and who are ranked in the lower 50<sup>th</sup>*  
7 *percentile in such student's class;*

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

10 (C) *evaluate outcomes data for such students, including, but not*  
11 *limited to, school attendance, academic progress, graduation rates,*  
12 *pursuit of postsecondary education or other career advancement.*

13 (3) *The state board shall review and update such best practices and*  
14 *evidence-based programs as necessary and as part of its five-year*  
15 *accreditation system review process.*

16 (e) Each year the board of education of each school district shall  
17 prepare and submit to the state board a report on the assistance or  
18 programs provided by the school district for students identified as at-risk.  
19 Such report shall include the number of students identified as at-risk who  
20 were served or provided assistance, the type of service provided, the  
21 research upon which the school district relied in determining that a need  
22 for service or assistance existed, the results of providing such service or  
23 assistance and any other information required by the state board.

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

28 (g) *As used in this section, the term "evidence-based instruction"*  
29 *means an education delivery system based on independent research that*  
30 *consistently produces better student outcomes over a five-year period than*  
31 *would otherwise be achieved by the same at-risk students.*

32 Sec. 12. On and after July 1, 2019, K.S.A. 2018 Supp. 79-201x is  
33 hereby amended to read as follows: 79-201x. For taxable years ~~2017~~ 2019  
34 and ~~2018~~ 2020, the following described property, to the extent herein  
35 specified, shall be and is hereby exempt from the property tax levied  
36 pursuant to the provisions of K.S.A. 72-5142, and amendments thereto:  
37 Property used for residential purposes to the extent of \$20,000 of its  
38 appraised valuation.

39 Sec. 13. On and after July 1, 2019, K.S.A. 2018 Supp. 79-4227 is  
40 hereby amended to read as follows: 79-4227. (a) All revenue collected or  
41 received by the director from the tax imposed by this act shall be remitted  
42 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,  
43 and amendments thereto. Upon receipt of each such remittance, the state

1 treasurer shall deposit the entire amount in the state treasury. The state  
2 treasurer shall first credit such amount as the director shall order to the  
3 mineral production tax refund fund created under subsection (b) of this  
4 section. Second, the state treasurer shall credit 7% of the remainder of  
5 such amounts to the special county mineral production tax fund created in  
6 subsection (c). Finally, the state treasurer shall credit the remainder of such  
7 amounts ~~collected or received from the tax imposed by this act during~~  
8 ~~fiscal years 2013, 2014 and 2015 for oil and gas for any county which had~~  
9 ~~\$100,000 or more in receipts of the excise tax upon the severance and~~  
10 ~~production of oil and gas as follows: (1) 12.41% to the oil and gas~~  
11 ~~valuation depletion trust fund; and (2) the remainder shall be credited to~~  
12 ~~the state general fund. The state treasurer shall credit the remainder of such~~  
13 ~~amounts collected or received from the tax imposed by this act during~~  
14 ~~fiscal year 2016, and thereafter, and distributed during fiscal year 2017,~~  
15 ~~and thereafter, for oil and gas for any county which had \$100,000 or more~~  
16 ~~in receipts of the excise tax upon the severance and production of oil and~~  
17 ~~gas as follows: (1) 20% to the mineral production education fund created~~  
18 ~~in K.S.A. 72-6462\*, and amendments thereto; and (2) the remainder shall~~  
19 ~~be credited to the state general fund.~~

20 (b) A refund fund designated as "mineral production tax refund fund"  
21 not to exceed \$50,000 is hereby created for the prompt payment of all tax  
22 refunds. The mineral production tax refund fund shall be in such amount,  
23 within the limit set by this section, as the director shall determine is  
24 necessary to meet current refunding requirements under this act.

25 (c) There is hereby created a special county mineral production tax  
26 fund. On December 1, 1983, and quarterly thereafter, the director of  
27 taxation shall distribute all moneys credited to such fund to the county  
28 treasurers of all counties in which taxes were levied under K.S.A. 79-4217,  
29 and amendments thereto, for the severing and producing of coal, oil or gas  
30 from property within the county, in the proportion that the taxes levied  
31 upon production in each county bears to the total of all of such taxes levied  
32 in all of such counties. Such distribution shall be based on returns filed,  
33 with any adjustments or corrections thereto made by the director of  
34 taxation.

35 (d) The secretary of revenue shall make provision for the  
36 determination of the counties within which taxes are levied under K.S.A.  
37 79-4217, and amendments thereto, for the severance of coal, oil or gas and  
38 shall certify the same to the director of accounts and reports.

39 (e) The director of accounts and reports shall draw warrants on the  
40 state treasurer payable to the county treasurer of each county entitled to  
41 payment from the special county mineral production tax fund upon  
42 vouchers approved by the director of taxation. Upon receipt of such  
43 warrant, each county treasurer shall credit 50% of the amount thereof to

1 the county general fund and shall distribute the remaining 50% thereof to  
2 the treasurer of each school district all or any portion of which is located  
3 within the county in the proportion that the assessed value of coal, oil and  
4 gas properties within each district bears to the total of the assessed value of  
5 all coal, oil and gas properties within the county. Such assessed valuation  
6 shall be determined upon the basis of the most recent November 1 tax roll.  
7 The treasurer of each school district shall credit the entire amount of the  
8 moneys so received to the general fund of the school district.

9 Sec. 14. On and after July 1, 2019, K.S.A. 72-5130, 72-5131, 72-  
10 5132, 72-5142, 72-5144, 72-5151 and 72-5153 and K.S.A. 2018 Supp. 79-  
11 201x and 79-4227 are hereby repealed.

12 Sec. 15. This act shall take effect and be in force from and after its  
13 publication in the Kansas register.