SENATE BILL No. 16

By Committee on Education

1-16

AN ACT concerning education; relating to the Kansas school equity and enhancement act; authorizing expenditures from the at-risk education fund; amending K.S.A. 72-5153 and 72-5193 and repealing the existing sections.

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

Section 1. K.S.A. 72-5153 is hereby amended to read as follows: 72-5153. (a) There is hereby established in every school district an at-risk education fund, which shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to providing at-risk student assistance or programs shall be paid from the at-risk education fund.

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

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

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

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

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

(d) (1) On or before July 1, 2018, The state board shall identify and approve evidence-based best practices for at-risk programs and instruction of students receiving at-risk program services. On and after July 1, 2019, such best practices shall include, but not be limited to, programs and services provided by state-based national nonprofit organizations that:
(A) Focus on students who are identified as at-risk or who face other identifiable barriers to success;
(B) provide peer-reviewed, evidence-based instruction and support services to such students inside and outside the school setting; and
(C) show proven and consistent effectiveness through outcomes data, including, but not limited to, school attendance, academic progress, graduation rates, pursuit of postsecondary education or career advancement.

(2) The state board shall review and update such best practices as necessary and as part of its five-year accreditation system review process.

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

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

Sec. 2. K.S.A. 72-5193 is hereby amended to read as follows: 72-5193. Article 6 of the constitution of the state of Kansas states that the legislature shall provide for intellectual, educational, vocational and scientific improvement by establishing and maintaining public schools; provide for a state board of education having general supervision of public schools, educational institutions and the educational interests of the state, except those delegated by law to the state board of regents; and make suitable provision for finance of the educational interests of the state. It is the purpose and intention of the legislature to provide a financing system for the education of kindergarten and grades one through 12 which that provides students with the capacities set forth in K.S.A. 72-3218, and amendments thereto. Such financing system shall be sufficiently flexible for the legislature to consider and utilize financing methods from all available resources in order to satisfy the constitutional requirements under article 6. Such financing methods shall include, but are not limited to, the following:

(a) Federal funding to unified school districts or public schools, including any grants or federal assistance;
(b) subject to appropriations by the legislature, appropriations of state moneys for the improvement of public education, including, but not limited to, the following:
(1) Financing to unified school districts through the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto;

(2) Financing to unified school districts through any provisions which provide state aid, such as capital improvements state aid, capital outlay state aid and any other state aid paid, distributed or allocated to school districts on the basis of the assessed valuation of school districts;

(3) Employer contributions to the Kansas public employees retirement system for public schools;

(4) Appropriations to the Kansas children’s cabinet for programs serving students enrolled in unified school districts in meeting the goal specified in K.S.A. 72-3218, and amendments thereto;

(5) Appropriations to any programs which provide early learning to four-year-old children with the purpose of preparing them for success in public schools;

(6) Appropriations to any programs, such as jobs for America’s graduates, boys and girls club and communities in schools, which provide individualized support to students enrolled in unified school districts in meeting and assist with achievement of the goal specified in K.S.A. 72-3218, and amendments thereto;

(7) Transportation financing, including any transfers from the state general fund and state highway fund to the state department of education to provide technical education transportation, special education transportation or school bus safety;

(8) Financing to other facilities providing public education to students, such as the Kansas state school for the blind, the Kansas state school for the deaf, school district juvenile detention facilities and the Flint Hills job corps center;

(9) Appropriations relating to the Kansas academy of mathematics and science;

(10) Appropriations relating to teaching excellence, such as scholarships, awards, training or in-service workshops;

(11) Appropriations to the state board of regents to provide technical education incentives to unified school districts and tuition costs to postsecondary institutions which provide career technical education to secondary students; and

(12) Appropriations to any postsecondary educational institution which provides postsecondary education to a secondary student without charging tuition to such student;

(c) Any provision which authorizes the levying of local taxes for the purpose of financing public schools; and

(d) Any transfer of funds or appropriations from one object or fund to another approved by the legislature for the purpose of financing public
schools.

Sec. 3. K.S.A. 72-5153 and 72-5193 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.