

HOUSE BILL No. 2410

By Committee on Appropriations

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, 2018, and June 30, 2019, for the department of
 4 education; creating the Kansas school equity and enhancement act;
 5 amending K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1770a, 12-1775a,
 6 12-1776a, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3712, 72-
 7 3715, 72-5333b, 72-64b01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-
 8 6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-
 9 8233, 72-8236, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-
 10 8316, 72-8415b, 72-8801, 72-8804, 72-8908, 72-9509, 72-9609, 72-
 11 99a02, 72-99a02, as amended by section 87 of this act, 74-4939a, 74-
 12 8925, 74-99b43, 75-2319, 79-201x, 79-213, 79-2001 and 79-2925b and
 13 repealing the existing sections; also repealing K.S.A. 2016 Supp. 46-
 14 1133 and 72-6482.

15
 16 *Be it enacted by the Legislature of the State of Kansas:*
 17 Section 1.

DEPARTMENT OF EDUCATION

18
 19 (a) There is appropriated for the above agency from the state general
 20 fund for the fiscal year ending June 30, 2018, the following:

21 Operating expenditures (including official
 22 hospitality) (652-00-1000-0053).....\$12,515,606
 23 *Provided*, That any unencumbered balance in the operating expenditures
 24 (including official hospitality) account in excess of \$100 as of June 30,
 25 2017, is hereby reappropriated for fiscal year 2018.
 26 Special education services
 27 aid (652-00-1000-0700).....\$437,680,455

28 *Provided*, That any unencumbered balance in the special education
 29 services aid account in excess of \$100 as of June 30, 2017, is hereby
 30 reappropriated for fiscal year 2018: *Provided further*, That expenditures
 31 shall not be made from the special education services aid account for the
 32 provision of instruction for any homebound or hospitalized child unless
 33 the categorization of such child as exceptional is conjoined with the
 34 categorization of the child within one or more of the other categories of
 35 exceptionality: *And provided further*, That expenditures shall be made from
 36 this account for grants to school districts in amounts determined pursuant

Proposed Amendments to HB 2410 #12
 House Committee on K-12 Budget
 Prepared by Jason Long
 Office of Revisor of Statutes

1 New Sec. 4. As used in the Kansas school equity and enhancement
2 act, section 3 et seq, and amendments thereto:

3 (a) "Adjusted enrollment" means the foundation enrollment of a
4 school district adjusted by adding the following weightings, if any, to the
5 enrollment of the school district: At-risk student weighting; ^{Cost-of-living} career technical education weighting;
6 weighting; declining enrollment weighting; high-density at-risk student
7 weighting; bilingual weighting; low enrollment weighting; new school
8 facilities cost weighting; special education and related services weighting;
9 and transportation weighting.

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

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

18 (c) "At-risk student weighting" means an addend component assigned
19 to the foundation enrollment of school districts pursuant to section 27(a),
20 and amendments thereto, on the basis of costs attributable to the
21 maintenance of at-risk educational programs by such school districts.

22 (d) (1) Except as otherwise provided in this subsection, "base aid for
23 student excellence" or "BASE aid" means an amount appropriated by the
24 legislature in a fiscal year for the designated year. For school year 2017-
25 2018, the amount of BASE aid shall be \$5,212.

26 (2) Commencing in school year 2018-2019, and each school year
27 thereafter, the BASE aid shall increase by an amount equal to the
28 percentage increase in the consumer price index for all urban consumers in
29 the midwest region as published by the bureau of labor statistics of the
30 United States department of labor during the second preceding school year.

31 (3) For any school year in which the local foundation budget for each
32 school district is determined pursuant to section 14(b), and amendments
33 thereto, the BASE aid for such school year shall be \$5,320.

34 (4) The amount of BASE aid is subject to reduction commensurate
35 with any reduction under K.S.A. 75-6704, and amendments thereto, in the
36 amount of the appropriation from the state general fund for state
37 foundation aid. If the amount of appropriations for state foundation aid is
38 insufficient to pay in full the amount each school district is entitled to
39 receive for any school year, the amount of BASE aid for such school year
40 is subject to reduction commensurate with the amount of the insufficiency.

41 (e) "Bilingual weighting" means an addend component assigned to
42 the foundation enrollment of school districts pursuant to section 26, and
43 amendments thereto, on the basis of costs attributable to the maintenance

1 educational programs.

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

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

14 New Sec. 30. The special education and related services weighting of
15 each school district shall be determined by the state board as follows:

16 (a) Add the amount of payments received by the school district under
17 the provisions of K.S.A. 72-979, and amendments thereto, to the amount
18 of any grants received by the school district under the provisions of K.S.A.
19 72-983, and amendments thereto; and

20 (2) divide the sum obtained under subsection (a) by the BASE aid.
21 The resulting quotient is the special education and related services
22 weighting of the school district.

23 New Sec. 31. (a) (1) The board of education of a school district to
24 which the provisions of this section apply may levy an ad valorem tax on
25 the taxable tangible property of the school district each year for a period of
26 time not to exceed two years in an amount not to exceed the amount
27 authorized by the state board of tax appeals under this subsection for the
28 purpose of financing the costs incurred by the state that are directly
29 attributable to assignment of new school facilities cost weighting to the
30 foundation enrollment of the school district. The state board of tax appeals
31 may authorize the school district to make a levy that will produce an
32 amount that is not greater than the difference between the amount of costs
33 directly attributable to commencing operation of one or more new school
34 facilities and the amount that is financed from any other source provided
35 by law for such purpose. If the school district is not eligible, or will be
36 ineligible, for new school facilities cost weighting in any one or more
37 years during the two-year period for which the school district is authorized
38 to levy a tax under this subsection, the state board of tax appeals may
39 authorize the school district to make a levy, in such year or years of
40 ineligibility, that will produce an amount that is not greater than the actual
41 amount of costs attributable to commencing operation of the facility or
42 facilities.

43 (2) The state board of tax appeals shall certify to the state board the

New Sec. 30. (a) The career technical education weighting of each school district shall be determined by the state board by multiplying the full-time equivalent enrollment in approved career technical education programs during the preceding school year by 0.5. The resulting product is the career technical education weighting of the school district.
(b) The provisions of this section shall expire on July 1, 2018.

1 and enhancement act, section 3 et seq., and amendments thereto, shall be
2 null and void.

3 New Sec. 47. (a) There is hereby established in the state treasury the
4 school district capital outlay state aid fund. Such fund shall consist of all
5 moneys transferred thereto under the provisions of subsection (d).

6 (b) Each school district that levies a tax pursuant to K.S.A. 72-8801
7 et seq., and amendments thereto, shall receive payment from the school
8 district capital outlay state aid fund in an amount determined by the state
9 board of education as provided in this section.

10 (c) The state board shall:

11 (1) Determine the amount of the assessed valuation per student of
12 each school district in the state for the preceding school year and round
13 such amount to the nearest \$1,000. The rounded amount is the assessed
14 valuation per student of a school district for the purposes of this
15 subsection;

16 (2) determine the median assessed valuation per student of all school
17 districts;

18 (3) prepare a schedule of dollar amounts using the amount of the
19 median assessed valuation per student of all school districts as the point of
20 beginning. The schedule of dollar amounts shall range upward in equal
21 \$1,000 intervals from the point of beginning to and including an amount
22 that is equal to the amount of the assessed valuation per student of the
23 school district with the highest assessed valuation per student of all school
24 districts and shall range downward in equal \$1,000 intervals from the point
25 of beginning to and including an amount that is equal to the amount of the
26 assessed valuation per student of the school district with the lowest
27 assessed valuation per student of all school districts;

28 (4) determine a state aid percentage factor for each school district by
29 assigning a state aid computation percentage to the amount of the median
30 assessed valuation per student shown on the schedule, decreasing the state
31 aid computation percentage assigned to the amount of the median assessed
32 valuation per student by one percentage point for each \$1,000 interval
33 above the amount of the median assessed valuation per student, and
34 increasing the state aid computation percentage assigned to the amount of
35 the median assessed valuation per student by one percentage point for each
36 \$1,000 interval below the amount of the median assessed valuation per
37 student. The state aid percentage factor of a school district is the
38 percentage assigned to the schedule amount that is equal to the amount of
39 the assessed valuation per student of the school district, except that the
40 state aid percentage factor of a school district shall not exceed 100%. The
41 state aid computation percentage is 25%;

42 (5) determine the amount levied by each school district pursuant to
43 K.S.A. 72-8801 et seq., and amendments thereto; and

New Sec. 48. (a) The state department of education shall
conduct a study of the cost of career technical education
programs offered by school districts, including, but not limited
to, the following:

(1) The career technical education programs offered by school
districts;

(2) the costs associated with offering such programs,
including salaries and wages, materials, equipment and facilities;
and

(3) the coordination between school districts, community
colleges and technical colleges in offering such programs.

(b) On or before January 15, 2018, the state department of
education shall prepare a report on its findings and shall make
recommendations on amendments to the Kansas school equity
and enhancement act, section 3 et seq., and amendments thereto,
for the financing of career technical education programs using a
tiered technical education model or other funding model. The
report shall be submitted to the governor and the legislature.
(c) The provisions of this section shall expire on July 1, 2018.