

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

16 Section 1.

DEPARTMENT OF EDUCATION

17
 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 #10
 House Committee on K-12 Budget
 Prepared by Jason Long
 Office of Revisor of Statutes

1 to and in accordance with the provisions of K.S.A. 72-983, and
 2 amendments thereto: *And provided further*, That expenditures shall be
 3 made from the amount remaining in this account, after deduction of the
 4 expenditures specified in the foregoing proviso, for payments to school
 5 districts in amounts determined pursuant to and in accordance with the
 6 provisions of K.S.A. 72-978, and amendments thereto.

7 State foundation

8 aid (652-00-1000-0820).....~~\$1,883,737,602~~

9 *Provided*, That any unencumbered balance in the general state aid account

10 in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal

11 year 2018.

12 Supplemental state

13 aid (652-00-1000-0840).....\$474,109,284

14 *Provided*, That any unencumbered balance in the supplemental general

15 state aid account in excess of \$100 as of June 30, 2017, is hereby

16 reappropriated for fiscal year 2018.

17 Activities state aid.....\$6,811,638

18 Information technology education

19 opportunities (652-00-1000-0600).....\$500,000

20 Kansas reading success

21 program (652-00-1000-0070).....\$2,100,000

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

23 *Provided*, That the above agency shall make expenditures from the

24 discretionary grants account during the fiscal year 2018, in the amount not

25 less than \$125,000 for after school programs for middle school students in

26 the sixth, seventh and eighth grades: *Provided further*, That the after

27 school programs may also include fifth and ninth grade students, if they

28 attend a junior high: *And provided further*, That such discretionary grants

29 shall be awarded to after school programs that operate for a minimum of

30 two hours a day, every day that school is in session, and a minimum of six

31 hours a day for a minimum of five weeks during the summer: *And*

32 *provided further*, That the discretionary grants awarded to after school

33 programs shall require a \$1 for \$1 local match: *And provided further*, That

34 the aggregate amount of discretionary grants awarded to any one after

35 school program shall not exceed \$25,000: *And provided further*, That

36 during the fiscal year ending June 30, 2018, expenditures shall be made by

37 the above agency from the discretionary grants fund for fiscal year 2018 to

38 establish a pilot program for communities in schools programming in three

39 school districts in Kansas: *And provided further*, That communities in

40 schools shall conduct an outcomes based study of its programming during

41 fiscal year 2018: *And provided further*, That the Kansas department of

42 education is hereby authorized and directed to provide to communities in

43 schools such student or other data as shall be necessary to permit

\$1,888,737,602

1 services aid account in excess of \$100 as of June 30, 2018, is hereby
 2 reappropriated for fiscal year 2019: *Provided further*; That expenditures
 3 shall not be made from the special education services aid account for the
 4 provision of instruction for any homebound or hospitalized child unless
 5 the categorization of such child as exceptional is conjoined with the
 6 categorization of the child within one or more of the other categories of
 7 exceptionality: *And provided further*; That expenditures shall be made from
 8 this account for grants to school districts in amounts determined pursuant
 9 to and in accordance with the provisions of K.S.A. 72-983, and
 10 amendments thereto: *And provided further*; That expenditures shall be
 11 made from the amount remaining in this account, after deduction of the
 12 expenditures specified in the foregoing proviso, for payments to school
 13 districts in amounts determined pursuant to and in accordance with the
 14 provisions of K.S.A. 72-978, and amendments thereto.
 15 State foundation aid (652-00-1000-0820).....~~\$1,899,440,531~~
 16 *Provided*, That any unencumbered balance in the general state aid account
 17 in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal
 18 year 2019.
 19 Supplemental state aid (652-00-1000-0840).....\$474,109,284
 20 *Provided*, That any unencumbered balance in the supplemental general
 21 state aid account in excess of \$100 as of June 30, 2018, is hereby
 22 reappropriated for fiscal year 2019.
 23 Activities state aid.....\$12,000,000
 24 Information technology education
 25 opportunities (652-00-1000-0600).....\$500,000
 26 Kansas reading success
 27 program (652-00-1000-0070).....\$2,100,000
 28 Discretionary grants (652-00-1000-0400).....\$322,457

\$1,899,440,531

29 *Provided*, That the above agency shall make expenditures from the
 30 discretionary grants account during the fiscal year 2019, in the amount not
 31 less than \$125,000 for after school programs for middle school students in
 32 the sixth, seventh and eighth grades: *Provided further*; That the after school
 33 programs may also include fifth and ninth grade students, if they attend a
 34 junior high: *And provided further*; That such discretionary grants shall be
 35 awarded to after school programs that operate for a minimum of two hours
 36 a day, every day that school is in session, and a minimum of six hours a
 37 day for a minimum of five weeks during the summer: *And provided*
 38 *further*; That the discretionary grants awarded to after school programs
 39 shall require a \$1 for \$1 local match: *And provided further*; That the
 40 aggregate amount of discretionary grants awarded to any one after school
 41 program shall not exceed \$25,000: *And provided further*; That during the
 42 fiscal year ending June 30, 2019, expenditures shall be made by the above
 43 agency from the discretionary grants fund for fiscal year 2019 to establish

1 1,800;
 2 (C) multiply the product determined under subsection (b)(2)(B) by
 3 0.105. The resulting sum is the high-density at-risk student weighting of
 4 the school district, except in no event shall a school district's high-density
 5 at-risk student weighting exceed 0.105.

6 New Sec. 28. (a) If a student submits an application for free meals
 7 under the national school lunch act on or before the date on which the
 8 enrollment of the school district is calculated and it is later determined by
 9 the school district or the department of education that the student should
 10 not have been eligible for free meals, the school district or the department
 11 shall notify the state board of such determination. Except as provided in
 12 subsection (b), upon receipt of such notice, the state board shall recompute
 13 the adjusted enrollment of the school district and the general fund budget
 14 of the school district based on the adjusted enrollment of the school district
 15 excluding the at-risk student weighting and high density at-risk student
 16 weighting, if any, assigned to such student.

17 (b) If a student becomes ineligible to receive free meals under the
 18 national school lunch act for failure to submit, in a timely manner, any
 19 documentation necessary for verification of eligibility as required by the
 20 national school lunch act, but subsequently submits such documentation,
 21 such student shall not be excluded from the calculation of the adjusted
 22 enrollment of the school district if the school district forwards a copy of
 23 such documentation to the state board no later than January 14 of the
 24 school year.

25 New Sec. 29. (a) There is hereby established in every school district
 26 an at-risk education fund, which shall consist of all moneys deposited
 27 therein or transferred thereto according to law. The expenses of a school
 28 district directly attributable to providing at-risk student assistance or
 29 programs shall be paid from the at-risk education fund.

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

38 (c) Expenditures from the at-risk education fund of a school district
 39 shall only be made for the following purposes:

- 40 (1) At-risk educational programs approved by the state board;
- 41 (2) personnel providing educational services in conjunction with such
- 42 programs; and
- 43 (3) services contracted for by the school district to provide at-risk

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) There is hereby established in every school district a preschool-aged 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 preschool-aged at-risk assistance or programs shall be paid from the preschool-aged at-risk education fund.

(b) Any balance remaining in the preschool-aged at-risk education fund at the end of the budget year shall be carried forward into the preschool-aged 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 preschool-aged 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.

(c) Each year the board of each school district shall prepare and submit to the state board a report on the preschool-aged at-risk student assistance or programs provided by the school district. Such report shall include the number of students 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.

