AN ACT concerning education; relating to the financing thereof; relating to the Kansas school equity and enhancement act; amending K.S.A. 2017 Supp. 72-5132, 72-5133, 72-5143, 72-5145, 72-5148, 72-5149, 72-5150, 72-5151, 72-5155, 72-53,113 and 72-53,116 and repealing the existing sections; also repealing K.S.A. 2017 Supp. 72-1171, 72-6463, 72-6464, 72-6465, 72-6466, 72-6467, 72-6468, 72-6469, 72-6470, 72-6471, 72-6472, 72-6473, 72-6474, 72-6475, 72-6477, 72-6478, 72-6479, 72-6480 and 72-6481.

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

Section 1. K.S.A. 2017 Supp. 72-5132 is hereby amended to read as follows: 72-5132. As used in the Kansas school equity and enhancement act, K.S.A. 2017 Supp. 72-5131 et seq., and amendments thereto:

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

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

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

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

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

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

(1) For school year 2017-2018, $4,006;
(2) for school year 2018-2019, $4,128; and
(3) for school year 2019-2020, and each school year thereafter, the
BASE aid shall be the BASE aid amount for the immediately preceding
school year plus an amount equal to the average percentage increase in the
consumer price index for all urban consumers in the midwest region as
published by the bureau of labor statistics of the United States department
of labor during the three immediately preceding school years.

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

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

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

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

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

(k) "Current school year" means the school year during which state
foundation aid is determined by the state board under K.S.A. 2017 Supp.
72-5134, and amendments thereto.

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

(m) "Enrollment" means:

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

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

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

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

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

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

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

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

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

and

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

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

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

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

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

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

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

(q) "High-density at-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5151(b), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

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

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

(t) "Local foundation aid" means the sum of the following amounts:

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

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

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

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

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

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

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

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

(u) "Low enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5149(a), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(v) "Operating expenses" means the total expenditures and lawful transfers from the general fund of a school district during a school year for all purposes, except expenditures for the purposes specified in K.S.A. 2017 Supp. 72-5168, and amendments thereto.

(w) "Preceding school year" means the school year immediately
before the current school year.

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

(z) (y) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten. The terms "exceptional children" and "gifted children" have the same meaning as those terms are defined in K.S.A. 2017 Supp. 72-3404, and amendments thereto.

(aa) (z) "Psychiatric residential treatment facility" means the same as such term is defined in K.S.A. 2017 Supp. 72-1173, and amendments thereto.

(bb) (aa) "School district" means a school district organized under the laws of this state that is maintaining public school for a school term in accordance with the provisions of K.S.A. 2017 Supp. 72-3115, and amendments thereto.

(cc) (bb) "School facilities weighting" means an added component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5156, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

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

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

(ff) (ee) "Special education and related services weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5157, and amendments thereto, on the basis of costs attributable to the maintenance of special education and related services by such school districts.

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

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

(hh) (ii) (1) "Student" means any person who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 maintained by the school district or who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 in another school district in accordance with an agreement entered into under authority of K.S.A. 2017 Supp. 72-13,101, and
amendments thereto, or who is regularly enrolled in a school district and
attending special education services provided for preschool-aged
exceptional children by the school district.
(2) (A) Except as otherwise provided in this subsection, the following
shall be counted as one student:
(i) A student in attendance full-time; and
(ii) a student enrolled in a school district and attending special
education and related services, provided for by the school district.
(B) The following shall be counted as \( \frac{1}{2} \) student:
(i) A student enrolled in a school district and attending special
education and related services for preschool-aged exceptional children
provided for by the school district; and
(ii) a preschool-aged at-risk student enrolled in a school district and
receiving services under an approved at-risk student assistance plan
maintained by the school district.
(C) A student in attendance part-time shall be counted as that
proportion of one student (to the nearest \( \frac{1}{10} \)) that the student's attendance
bears to full-time attendance.
(D) A student enrolled in and attending an institution of
postsecondary education that is authorized under the laws of this state to
award academic degrees shall be counted as one student if the student's
postsecondary education enrollment and attendance together with the
student's attendance in either of the grades 11 or 12 is at least \( \frac{5}{6} \) time,
otherwise the student shall be counted as that proportion of one student (to
the nearest \( \frac{1}{10} \)) that the total time of the student's postsecondary education
attendance and attendance in grades 11 or 12, as applicable, bears to full-
time attendance.
(E) A student enrolled in and attending a technical college, a career
technical education program of a community college or other approved
career technical education program shall be counted as one student, if the
student's career technical education attendance together with the student's
attendance in any of grades nine through 12 is at least \( \frac{5}{6} \) time, otherwise
the student shall be counted as that proportion of one student (to the
nearest \( \frac{1}{10} \)) that the total time of the student's career technical education
attendance and attendance in any of grades nine through 12 bears to full-
time attendance.
(F) A student enrolled in a school district and attending a non-virtual
school and also attending a virtual school shall be counted as that
proportion of one student (to the nearest \( \frac{1}{10} \)) that the student's attendance
at the non-virtual school bears to full-time attendance.
(G) A student enrolled in a school district and attending special
education and related services provided for by the school district and also
attending a virtual school shall be counted as that proportion of one
student (to the nearest $\frac{1}{10}$) that the student’s attendance at the non-virtual school bears to full-time attendance.

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

(a) For school years 2017-2018 and 2018-2019, one student;
(b) for school year 2019-2020 and 2020-2021, $\frac{3}{4}$ of a student; and
(c) for school year 2021-2022 and each school year thereafter, $\frac{1}{2}$ of a student.

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

(a) A student whose parent or legal guardian is an employee of the school district where such student is enrolled; or
(b) a student who attended public school in Kansas during school year 2016-2017 and who attended public school in Kansas during the immediately preceding school year.

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

(A) An individual residing at the Flint Hills job corps center;
(B) except as provided in subsection (ii)(2), an individual confined in and receiving educational services provided for by a school district at a juvenile detention facility; and
(C) an individual enrolled in a school district but housed, maintained and receiving educational services at a state institution or a psychiatric residential treatment facility.

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

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

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

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

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

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

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

Sec. 3. K.S.A. 2017 Supp. 72-5143 is hereby amended to read as
follows: 72-5143. (a) In each school year, the board of education of a
school district may adopt, by resolution, a local option budget that does
not exceed the state prescribed percentage.

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

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

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

(c) If the board of a school district desires to increase its local option
budget authority above the amount authorized under subsection (b), the
board may adopt, by resolution, such budget in an amount not to exceed
the state prescribed percentage. The adoption of a resolution pursuant to
this subsection shall require a majority vote of the members of the board.
The resolution shall be published at least once in a newspaper having
general circulation in the school district. The resolution shall be published
in substantial compliance with the following form:
Unified School District No. _______,

                              ______________ County, Kansas.

RESOLUTION

Be It Resolved that:

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

CERTIFICATE

This is to certify that the above resolution was duly adopted by the
board of education of unified school district No._____, ________County,
Kansas, on the _____ day of ______, _____.

____________________________
Clerk of the board of education.

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

(d) Unless specifically stated otherwise in the resolution, the authority
to adopt a local option budget shall be continuous and permanent. The
board of any school district that is authorized to adopt a local option
budget may choose not to adopt such a budget or may adopt a budget in an
amount less than the amount authorized. If the board of any school district
whose authority to adopt a local option budget is not continuous and
permanent refrains from adopting a local option budget, the authority of
such school district to adopt a local option budget shall not be extended by
such refrainment beyond the period specified in the resolution authorizing
adoption of such budget.

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

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

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

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

(h) The board of any school district that desires to increase its local option budget authority for the immediately succeeding school year shall submit written notice of such intent to the state board by April 1 of the current school year.

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

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

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

(4) (A) Except as provided in subsection (h)(4)(B), any unexpended moneys remaining in the supplemental general fund of a school district at the conclusion of any school year in which a local option budget is adopted shall be maintained in such fund.

(B) If the school district received supplemental state aid in the school year, the state board shall determine the ratio of the amount of supplemental general state aid received to the amount of the local option budget.
budget of the school district for the school year and multiply the total amount of the unexpended moneys remaining by such ratio. An amount equal to the amount of the product shall be transferred to the general fund of the school district or remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of any such remittance, the state treasurer shall deposit the same in the state treasury to the credit of the state school district finance fund.

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

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

(l) As used in this section:

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

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

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

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

(b) The state board shall:

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

   (B) for school year 2018-2019 and each school year thereafter, determine the average assessed valuation per student of each school district by adding the assessed valuation per student for each of the three immediately preceding school years and dividing the resulting sum by three;

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

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

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

5. (A) if the quotient obtained under subsection (b)(4) equals or
(B) if the quotient obtained under subsection (b)(4) is less than one, subtract the quotient obtained under subsection (b)(4) from one, and multiply the difference by the amount of the local option budget of the school district for the immediately preceding school year. The resulting product is the amount of supplemental state aid the school district is to receive for the school year.

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

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

Sec. 5. K.S.A. 2017 Supp. 72-5148 is hereby amended to read as follows: 72-5148. (a) The transportation weighting of each school district shall be determined by the state board as follows:

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

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

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

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

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

(6) add one to the quotient obtained under subsection (a)(5);
(7) multiply the sum obtained under subsection (a)(6) by the amount
determined under subsection (a)(3);
(8) divide the amount determined under subsection (a)(1) by the
product obtained under subsection (a)(7). The resulting quotient is the per-
student cost of transportation;
(9) on a density-cost graph, plot the per-student cost of transportation
for each school district;
(10) construct a curve of best fit for the points so plotted;
(11) adjust the curve of best fit as follows:
(A) Identify the 10 school districts on the density-cost graph with the
highest indices of density;
(B) determine the median per-student cost of transportation for those
10 school districts, excluding the highest per-student cost of
transportation and the lowest per-student cost of transportation for the
school districts identified under subsection (a)(11)(A); and
(C) beginning at the point on the curve of best fit that corresponds to
the median per-student cost of transportation determined under subsection
(a)(11)(B), the curve of best fit shall be adjusted such that it presents a
horizontal line with a value on the vertical axis equal to such median per-
student cost of transportation;
(12) locate the index of density for the school district on the base
line of the density-cost graph and from the point on the adjusted curve of
best fit directly above this point of index of density follow a line parallel to
the base line to the point of intersection with the vertical line, which point
is the formula per-student cost of transportation of the school district;
(13) divide the formula per-student cost of transportation of the
school district by the BASE aid; and
(14) multiply the quotient obtained under subsection (a)(12) (a)
(13) by the number of students who are included in the enrollment of the
school district, are residing 2\(\frac{1}{2}\) miles or more by the usually traveled road
to the school building they attend, and for whom transportation is being
made available by, and at the expense of, the district.
(b) (1) For school years 2017-2018 through 2020-2021, the
transportation weighting of the school district shall be either the product
determined under subsection (a)(13) (a)(14), or that portion of such school
district's general state aid for school year 2016-2017 that was attributable
to the school district's transportation weighting, whichever is greater.
(2) For school year 2021-2022, and each school year thereafter, the
transportation weighting of the school district shall be the product
determined under subsection (a)(13) (a)(14).
(c) For the purpose of providing accurate and reliable data on student
transportation, the state board is authorized to adopt rules and regulations
prescribing procedures that school districts shall follow in reporting
pertinent information, including uniform reporting of expenditures for transportation.

(d) As used in this section:

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

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

(3) "Index of density" means the number of students who are included in the enrollment of a school district in the current school year, are residing the designated distance or more by the usually traveled road from the school building they attend, and for whom transportation is being made available on regular school routes by the school district, divided by the number of square miles of territory in the school district.

Sec. 6. K.S.A. 2017 Supp. 72-5149 is hereby amended to read as follows: 72-5149. (a) The low enrollment weighting of each school district shall be determined by the state board as follows:

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

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

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

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

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

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

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

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

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

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

(B) multiply the difference obtained under subsection (a)(3)(A) by 1.2375;
(C) subtract the product obtained under subsection (a)(3)(B) from 5,406;
(D) divide the difference obtained under subsection (a)(3)(C) by 3,642.4;
(E) subtract one from the quotient obtained under subsection (c)(D);
(F) multiply the difference obtained under subsection (a)(3)(E) by the enrollment of the school district. The resulting product is the low enrollment weighting of the school district.

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

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

(a) Determine the full-time equivalent enrollment in approved programs of bilingual education during the preceding school year and multiply such enrollment by 0.395;
(b) determine the number of students enrolled in approved programs of bilingual education during the preceding school year and multiply such enrollment by 0.185; and
(c) the bilingual weighting shall be either the amount determined under subsection (a) or (b), whichever is greater.

Sec. 8. K.S.A. 2017 Supp. 72-5151 is hereby amended to read as follows: 72-5151. (a) The at-risk student weighting of each school district shall be determined by the state board as follows:

(1) Determine the number of at-risk students included in the enrollment of the school district; and
(2) for a school district with an enrollment that consists of 10% or more at-risk students, multiply the number determined under subsection (a)(1) by 0.484. The resulting sum is the at-risk student weighting of the school district; or
(3) for a school district with an enrollment that consists of less than 10% at-risk students, multiply the number of students equal to 10% of such school district's enrollment by 0.484. The resulting sum is the at-risk student weighting of the school district. A school district whose at-risk student weighting is determined pursuant to this paragraph shall submit a report to the state board in such form and manner as required by the state board that identifies those students enrolled in such school district who are receiving at-risk program services and the criteria each such student satisfies in order to receive at-risk program services. The state board shall adopt rules and regulations that establish the criteria for eligibility for at-risk program services. The provisions of this paragraph shall only apply to
those school districts that offer instruction in kindergarten and grades one through 12.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 9. K.S.A. 2017 Supp. 72-5155 is hereby amended to read as follows: 72-5155. (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, 2019.

Sec. 10. K.S.A. 2017 Supp. 72-53,113 is hereby amended to read as follows: 72-53,113. (a) The board of education of any school district may make an annual tax levy at a mill rate not to exceed the statutorily prescribed mill rate upon the taxable tangible property in the school district for the purposes specified in this act and, with respect to any redevelopment district established prior to July 1, 2017, pursuant to K.S.A. 12-1771, and amendments thereto, for the purpose of paying a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. No levy shall be made under this act until a resolution is adopted by the board of education in the following form:

Unified School District No. ______,

____________________________ County, Kansas.

RESOLUTION

Be It Resolved that:

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

CERTIFICATE

This is to certify that the above resolution was duly adopted by the
board of education of Unified School District No. ______, __________
County, Kansas, on the ____ day of ________, ____.

_____________________________
Clerk of the board of education.

All of the blanks in the above resolution shall be appropriately filled.
The blank preceding the word "mills" shall be filled with a specific
number. The resolution shall be published once a week for two consecutive
weeks in a newspaper having general circulation in the school district. If
no petition as specified above is filed in accordance with the provisions of
the resolution, the board of education may make the tax levy specified in
the resolution. If a petition is filed as provided in the resolution, the board
of education may notify the county election officer of the date of an
election to be held to submit the question of whether the tax levy shall be
authorized. If the board of education fails to notify the county election
officer within 60 calendar days after a petition is filed, the resolution shall
be deemed abandoned and no like resolution shall be adopted by the board
of education within the nine months following the first publication of the
resolution.

(b) As used in this act:
(1) "Unconditionally authorized to make a capital outlay tax levy"
means that the school district has adopted a resolution under this section,
has published the same, and either that the resolution was not protested or
that it was protested and an election has been held by which the tax levy
specified in the resolution was approved;
(2) "statutorily prescribed mill rate" means: (A) Eight mills; (B) the
mill levy rate in excess of eight mills if the resolution fixing such rate was
approved at an election prior to the effective date of this act; or (C) the
mill levy rate in excess of eight mills if no petition or no sufficient petition
was filed in protest to a resolution fixing such rate in excess of eight mills
and the protest period for filing such petition has expired;
(3) "asbestos control project" means any activity which is necessary
or incidental to the control of asbestos-containing material in buildings of
school districts and includes, but not by way of limitation, any activity
undertaken for the removal or encapsulation of asbestos-containing
material, for any remodeling, renovation, replacement, rehabilitation or
other restoration necessitated by such removal or encapsulation, for
conducting inspections, reinspections and periodic surveillance of
buildings, performing response actions, and developing, implementing and
updating operations and maintenance programs and management plans;
(4) "asbestos" means the asbestiform varieties of chrysotile
(serpentine), crocidolite (riebeckite), amosite (cummingtonitegrunerite),
anthophyllite, tremolite, and actinolite; and
(5) "asbestos-containing material" means any material or product
which contains more than 1% asbestos.
Sec. 11. K.S.A. 2017 Supp. 72-53,116 is hereby amended to read as
follows: 72-53,116. (a) Any moneys in the capital outlay fund of any
school district and any moneys received from issuance of bonds under
K.S.A. 2017 Supp. 72-53,117 or 72-53,122, and amendments thereto, may
be used for the purpose of the acquisition, construction, reconstruction,
repair, remodeling, additions to, furnishing, maintaining and equipping of
school district property and equipment necessary for school district
purposes, including: (1) Computer software; (2) performance uniforms; (3)
housing and boarding pupils enrolled in an area vocational school operated
under the board of education; (4) architectural expenses; (5) building sites;
(6) undertaking and maintenance of asbestos control projects; (7) school
buses; and (8) utility expenses; (9) property and casualty insurance; and
(10) other fixed assets.
(b) The board of education of any school district is hereby authorized
to invest any portion of the capital outlay fund of the school district which
is not currently needed in investments authorized by K.S.A. 12-1675, and
amendments thereto, in the manner prescribed therein, or may invest the
same in direct obligations of the United States government maturing or
redeemable at par and accrued interest within three years from date of
purchase, the principal and interest whereof is guaranteed by the
government of the United States. All interest received on any such
investment shall upon receipt thereof be credited to the capital outlay fund.
Sec. 12. K.S.A. 2017 Supp. 72-1171, 72-5132, 72-5133, 72-5143, 72-
5145, 72-5148, 72-5149, 72-5150, 72-5151, 72-5155, 72-53,113, 72-
53,116, 72-6463, 72-6464, 72-6465, 72-6466, 72-6467, 72-6468, 72-6469,
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Sec. 13. This act shall take effect and be in force from and after its publication in the statute book.