

SESSION OF 2019

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR HOUSE
BILL NO. 2395**

As Recommended by House Committee on
K-12 Education Budget

Brief*

Sub. for HB 2395 would make appropriations to the Kansas State Department of Education (KSDE) for FY 2019, FY 2020, and FY 2021. It would also make several amendments to the Kansas School Equity and Enhancement Act (KSEEA) and other statutes related to public schools.

Appropriations

The bill would make supplemental appropriations to KSDE and lapse moneys in certain funds in FY 2019. The approved budget in FY 2019 would be \$5.1 billion, including \$3.5 billion from the State General Fund (SGF).

The bill would make appropriations to KSDE for FY 2020 totaling \$5.6 billion, including \$4.1 billion from the SGF.

Finally, the bill would make appropriations to KSDE for FY 2021 for the six major categories of state aid to school districts: State Foundation Aid, Supplemental State Aid (LOB State Aid), Special education State Aid, Capital Outlay State Aid, Capital Improvement State Aid, and Kansas Public Employee Retirement System (KPERs) employer contributions. This would not include appropriations for smaller school aid programs, the Children's Cabinet, or KSDE's operating budget.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

KSEEA Amendments

The bill would make several amendments to the KSEEA.

Base Aid for Student Excellence (BASE)

The bill would amend the BASE for FY 2020 and FY 2021. It would also eliminate the scheduled BASE increases for FY 2022 and FY 2023, along with the automatic inflationary increases based on the Consumer Price Index (CPI) of the Midwest region previously scheduled to begin in FY 2024. Planned BASE increases would be as follows.

BASE AID FOR STUDENT EXCELLENCE (SY 2019-2020 through SY 2022-2023)			
School Year	Current		Sub. for HB 2395
	Law		
2019-2020	\$	4,302	\$ 4,371
2020-2021		4,439	4,512
2021-2022		4,576	--
2022-2023		4,713	--

At-Risk Weighting

The bill would increase the at-risk student weighting from 0.484 to 0.51. The moneys attributable to this 0.026 increase in the weighting would be required to be used solely for evidence-based programs identified by the State Board of Education (KSBE). The bill would also require KSBE to identify and approve evidence-based programs provided by state-based national nonprofit organizations that:

- Focus on students who are identified as at-risk and who are ranked in the lower 50th percentile in their class;

- Provide evidence-based instruction and support services to such students; and
- Evaluate outcomes data for such students, including, but not limited to, school attendance, academic progress, graduation rates, pursuit of postsecondary education, or other career advancement.

In the event a school district does not spend such moneys on such programs, the school district would be required to show improvement in the percentage of students who are proficient in state math and English language arts assessments within three years or the district would not be eligible to receive the moneys attributable to the 0.026 increase for the following year.

The bill would also require school districts to transfer at least the portion of their Total Foundation Aid attributable to 50.0 percent of the at-risk student weighting to their at-risk education fund.

Behavioral Health Weighting

The bill would create a new behavioral health intervention weighting. To qualify for the weighting, a school district would have to implement the Behavioral Health Intervention Team program. Each student attending a school with an assigned behavioral health liaison would qualify for a weighting of 0.015. The bill would require the liaison to hold a master's degree in a behavioral health profession, unless a waiver is granted by KSBE, which would allow a liaison to be a bachelor's level behavioral health professional. Moneys attributable to the weighting would be required to be spent by a participating school district on school liaisons, payments to the participating Community Mental Health Center (CMHC), and payments to the Kansas Department of Health and Environment (KDHE) for a portion of the State's Medicaid match.

Local Option Budget

The bill would eliminate an inflation factor for the artificial BASE used to calculate a school district's Local Option Budget (LOB). The artificial LOB BASE is currently scheduled to increase based on a calculation from the Midwest region CPI beginning in FY 2020.

Other Provisions

Extension of 20-Mill Property Tax Levy

The bill would extend the statewide 20-mill property tax levy for schools to FY 2020 and FY 2021. The bill would also extend the \$20,000 homestead exemption for the 20-mill levy for the same fiscal years.

Abolition of the Mineral Production Education Fund

The bill would abolish the Mineral Produced Education Fund beginning in FY 2020 and all moneys that would go to the fund would be credited to the SGF.

School Safety and Security Grants

The bill would allow KSBE to award School Safety and Security Grants for the acquisition and installation of security cameras; for any other systems, equipment, and services necessary for monitoring school facilities; and for securing doors, windows, and any other entrances to school facilities.

Dyslexia Training Grants

The bill would require KSBE to award professional development grants for dyslexia training to school districts for FY 2020. The bill would limit the total amount of the grants to \$749,000.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the House Committee on Appropriations at the request of Representative Williams. At the House Committee hearing proponent testimony was provided by representatives of Cerner, Educational Management Consultants, and the Kansas Chamber of Commerce, and by a private citizen. The proponents generally favored the increase in the at-risk weighting to target funds at under-performing students and the inclusion of provisions related to information technology. Written-only proponent testimony was provided by a representative of the United Methodist Health Ministry Fund.

Neutral testimony was provided by representatives of the Association of Community Mental Health Centers of Kansas, the Community Care Network of Kansas, and the Kansas Policy Institute.

Opponent testimony was provided by representatives of Equality Kansas, the Kansas Association of School Boards, the Kansas National Education Association, the Mainstream Coalition, and the United School Administrators of Kansas and Kansas School Superintendents Association. The opponents were generally opposed to the elimination of scheduled BASE increases for FY 2022 and FY 2023, the Kansas Hope Scholarship Act, and the composition of the bullying task force.

Written-only opponent testimony was provided by representatives of Blue Valley Special Education Advisory Council, Education First Shawnee Mission, Game On for Kansas Schools, Kansas City College Connect, Kansas Families for Education, the Kansas PTA, Olathe Public Education Network, Schools for Fair Funding, Schools for Quality Education, Stand Up Blue Valley, USD 113 (Prairie

Hills), USD 262 (Valley Center), USD 329 (Wabaunsee), USD 357 (Belle Plaine), USD 456 (Marais des Cygnes Valley), and USD 512 (Shawnee Mission).

Prior to recommending the creation of a substitute bill, the House Committee adopted the following amendments to the bill:

- Deleted all provisions that were included in House Sub. for SB 16;
- Deleted the Kansas Hope Scholarship Act;
- Deleted the Legislative Task Force on Bullying Prevention in Public Schools;
- Deleted the requirement for school districts to reduce average unencumbered cash balances to 15.0 percent of operating expenditures;
- Added language to require KSBE to award professional development funding for dyslexia training as grants (*Note*: This replaced language providing \$1,000 to each elementary school in the state);
- Adjusted the behavioral health intervention team weighting from 0.5 to 0.015 to accurately reflect the intention of the bill; and
- Added language to expand the potential uses of Safe and Secure Schools Grants.