

## HOUSE BILL No. 2261

By Committee on Education

2-7

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1 AN ACT concerning school districts; relating to school finance; amending  
2 K.S.A. 2012 Supp. 72-965, 72-3607, 72-3715, 72-6414a, 72-6414b, 72-  
3 6420, 72-6421, 72-6423, 72-6426, 72-6460, 72-8237, 72-8250, 72-  
4 9509 and 72-9609 and repealing the existing sections.  
5

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

7 Section 1. K.S.A. 2012 Supp. 72-965 is hereby amended to read as  
8 follows: 72-965.(a) The state board shall be responsible for the distribution  
9 and allocation of state and federal funds for special education. Such  
10 moneys shall be expended only in accordance with and for the purposes  
11 specified in federal or state law. Payments under this act may be made in  
12 installments and in advance or by way of reimbursement, with necessary  
13 adjustments for overpayments or underpayments. Federal funds for special  
14 education shall be deposited in the state treasury.

15 (b) The state board is hereby authorized to accept from an individual  
16 or individuals, the United States government or any of its agencies or any  
17 other public or private body, grants or contributions of money, funds or  
18 property which the state board may authorize to be used in accordance  
19 with appropriation acts, for or in aid of special education or related  
20 services or any of the purposes authorized by the federal law or this act.

21 (c) (1) Each board may use up to 15% of the amount it receives each  
22 year under the federal law to develop and implement coordinated, early  
23 intervening services for students in kindergarten through grade 12, with a  
24 particular emphasis on students in kindergarten through grade three, who  
25 have not been identified as needing special education or related services  
26 but who appear to need additional academic and behavioral support to  
27 succeed in a general education environment.

28 (2) In implementing coordinated, early intervening services under this  
29 subsection, a board may carry out activities that include:

30 (A) Providing professional development for teachers and other school  
31 staff to enable such personnel to deliver scientifically based academic  
32 instruction and behavioral interventions, including scientifically based  
33 literacy instruction and, where appropriate, instruction on the use of  
34 adaptive and instructional software; and

35 (B) providing educational and behavioral evaluations, services and  
36 supports, including scientifically based literacy instruction.

1 (3) Each board that develops and maintains coordinated, early  
2 intervening services under this subsection shall annually report to the  
3 department:

4 (A) The number of students served under this subsection; and

5 (B) the number of students served under this subsection who  
6 subsequently receive special education and related services under this title  
7 during the two-year period preceding each report.

8 (d) Except for moneys received under K.S.A. 72-978, and  
9 amendments thereto, from cooperative agreements entered into under  
10 K.S.A. 72-968, and amendments thereto, any unencumbered balance of  
11 moneys attributable to appropriations by the legislature for special  
12 education or related services remaining in the special education fund of a  
13 school district on June 30, ~~2012~~ *of the current school year*, may be  
14 expended in the school year that immediately succeeds such date by the  
15 school district for general operating expenses of the school district as  
16 approved by the board of education in an amount not to exceed  $\frac{1}{3}$  of the  
17 unencumbered balance of the school district's special education fund.

18 Sec. 2. K.S.A. 2012 Supp. 72-3607 is hereby amended to read as  
19 follows: 72-3607. (a) There is hereby established in every school district  
20 which has developed and is operating a parent education program for  
21 which grants are awarded under this act a fund which shall be called the  
22 parent education program fund, which fund shall consist of all moneys  
23 deposited therein or transferred thereto according to law. Notwithstanding  
24 any other provision of law, all moneys received by the school district from  
25 whatever source for a parent education program operated under this act  
26 shall be credited to the fund established by this section. Amounts deposited  
27 in the parent education program fund shall be used exclusively for the  
28 payment of expenses directly attributable to the program.

29 (b) Any unencumbered balance of moneys remaining in the parent  
30 education program fund of a school district on June 30, ~~2012~~ *of the*  
31 *current school year*, may be expended in the school year that immediately  
32 succeeds such date by the school district for general operating expenses of  
33 the school district as approved by the board of education.

34 Sec. 3. K.S.A. 2012 Supp. 72-3715 is hereby amended to read as  
35 follows: 72-3715. (a) In order to be included in the full-time equivalent  
36 enrollment of a virtual school, a pupil shall be in attendance at the virtual  
37 school on: (1) A single school day on or before September 19 of each  
38 school year; and (2) on a single school day on or after September 20, but  
39 before October 4 of each school year.

40 (b) A school district which offers a virtual school shall determine the  
41 full-time equivalent enrollment of each pupil enrolled in the virtual school  
42 on September 20 of each school year as follows:

43 (1) Determine the number of hours the pupil was in attendance on a

1 single school day on or before September 19 of each school year;

2 (2) determine the number of hours the pupil was in attendance on a  
3 single school day on or after September 20, but before October 4 of each  
4 school year;

5 (3) add the numbers obtained under paragraphs (1) and (2);

6 (4) divide the sum obtained under paragraph (3) by 12. The quotient  
7 is the full-time equivalent enrollment of the pupil.

8 (c) The school days on which a district determines the full-time  
9 equivalent enrollment of a pupil under paragraphs (1) and (2) of subsection  
10 (b) shall be the school days on which the pupil has the highest number of  
11 hours of attendance at the virtual school. No more than six hours of  
12 attendance may be counted in a single school day. Attendance may be  
13 shown by a pupil's on-line activity or entries in the pupil's virtual school  
14 journal or log of activities.

15 (d) (1) Subject to the availability of appropriations for virtual school  
16 state aid and within the limits of any such appropriations, each school year  
17 a school district which offers a virtual school shall be entitled to virtual  
18 school state aid.

19 (2) The state board of education shall determine the amount of virtual  
20 school state aid a school district is entitled to receive as follows:

21 (A) Multiply the full-time equivalent enrollment of the virtual school  
22 by an amount equal to 105% of the amount of base state aid per pupil;

23 (B) multiply the full-time equivalent enrollment of nonproficient at-  
24 risk pupils enrolled in an approved at-risk program offered by the virtual  
25 school, if any, by an amount equal to 25% of the amount of base state aid  
26 per pupil;

27 (C) add any amount determined under K.S.A. 2012 Supp. 72-3716,  
28 and amendments thereto; and

29 (D) add the amounts obtained under subparagraphs (A) through (C).  
30 The sum is the amount of the virtual school state aid to which the school  
31 district is entitled.

32 (3) There is hereby established in every school district a fund which  
33 shall be called the virtual school fund, which fund shall consist of all  
34 moneys deposited therein or transferred thereto according to law. Moneys  
35 received as virtual school state aid shall be deposited in the general fund of  
36 the school district and transferred to the virtual school fund of the district.  
37 The expenses of a district directly attributable to virtual schools offered by  
38 a school district shall be paid from the virtual school fund. The cost of an  
39 advance placement course provided to a pupil described in subsection (d)  
40 (2)(D) shall be paid by the virtual school.

41 Any balance remaining in the virtual school fund at the end of the  
42 budget year shall be carried forward into the virtual school fund for  
43 succeeding budget years. Such fund shall not be subject to the provisions

1 of K.S.A. 79-2925 through 79-2937, and amendments thereto.

2 Any unencumbered balance of moneys remaining in the virtual school  
3 fund of a school district on June 30, ~~2012~~ *of the current school year*, may  
4 be expended in the school year that immediately succeeds such date by the  
5 school district for general operating expenses of the school district as  
6 approved by the board of education.

7 In preparing the budget of such school district, the amounts credited to  
8 and the amount on hand in the virtual school fund, and the amount  
9 expended therefrom shall be included in the annual budget for the  
10 information of the residents of the school district. Interest earned on the  
11 investment of moneys in any such fund shall be credited to that fund.

12 (e) For the purposes of this section, a pupil enrolled in a virtual  
13 school who is not a resident of the state of Kansas shall not be counted in  
14 the full-time equivalent enrollment of the virtual school.

15 Sec. 4. K.S.A. 2012 Supp. 72-6414a is hereby amended to read as  
16 follows: 72-6414a. (a) There is hereby established in every district a fund  
17 which shall be called the at-risk education fund, which fund shall consist  
18 of all moneys deposited therein or transferred thereto according to law.  
19 The expenses of a district directly attributable to providing at-risk  
20 assistance or programs, including assistance or programs provided to  
21 nonproficient pupils, shall be paid from the at-risk education fund.

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

31 Any unencumbered balance of moneys remaining in the at-risk  
32 education fund of a school district on June 30, ~~2012~~ *of the current school*  
33 *year*, may be expended in the school year that immediately succeeds such  
34 date by the school district for general operating expenses of the school  
35 district as approved by the board of education.

36 (c) Each year the board of education of each school district shall  
37 prepare and submit to the state board a report on the at-risk program or  
38 assistance provided by the district. Such report shall include information  
39 specifying the number of at-risk pupils and nonproficient pupils who were  
40 served or provided assistance, the type of service provided, the research  
41 upon which the district relied in determining that a need for service or  
42 assistance existed, the results of providing such service or assistance and  
43 any other information required by the state board.

1 (d) In order to achieve uniform reporting of the number of at-risk  
2 pupils and nonproficient pupils provided service or assistance by school  
3 districts in at-risk programs, districts shall report the number of at-risk  
4 pupils and nonproficient pupils served or assisted in the manner required  
5 by the state board.

6 Sec. 5. K.S.A. 2012 Supp. 72-6414b is hereby amended to read as  
7 follows: 72-6414b. (a) There is hereby established in every district a fund  
8 which shall be called the preschool-aged at-risk education fund, which  
9 fund shall consist of all moneys deposited therein or transferred thereto  
10 according to law. The expenses of a district directly attributable to  
11 providing preschool-aged at-risk assistance or programs shall be paid from  
12 the preschool-aged at-risk education fund.

13 (b) A school district may expend amounts received from the  
14 preschool-aged at-risk weighting to pay the cost of providing at-risk,  
15 bilingual and vocational education programs and services.

16 (c) Any balance remaining in the preschool-aged at-risk education  
17 fund at the end of the budget year shall be carried forward into the  
18 preschool-aged at-risk education fund for succeeding budget years. Such  
19 fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-  
20 2937, and amendments thereto. In preparing the budget of such school  
21 district, the amounts credited to and the amount on hand in the preschool-  
22 aged at-risk education fund, and the amount expended therefrom shall be  
23 included in the annual budget for the information of the residents of the  
24 school district. Interest earned on the investment of moneys in any such  
25 fund shall be credited to that fund.

26 Any unencumbered balance of moneys remaining in the preschool-aged  
27 at-risk education fund of a school district on June 30, ~~2012~~ *of the current*  
28 *school year*, may be expended in the school year that immediately  
29 succeeds such date by the school district for general operating expenses of  
30 the school district as approved by the board of education.

31 (d) Each year the board of education of each school district shall  
32 prepare and submit to the state board a report on the preschool-aged at-risk  
33 program or assistance provided by the district. Such report shall include  
34 information specifying the number of pupils who were served or provided  
35 assistance, the type of service provided, the research upon which the  
36 district relied in determining that a need for service or assistance existed,  
37 the results of providing such service or assistance and any other  
38 information required by the state board.

39 Sec. 6. K.S.A. 2012 Supp. 72-6420 is hereby amended to read as  
40 follows: 72-6420. (a) There is hereby established in every district a fund  
41 which shall be called the special education fund, which fund shall consist  
42 of all moneys deposited therein or transferred thereto according to law.  
43 Notwithstanding any other provision of law, all moneys received by the

1 district from whatever source for special education shall be credited to the  
2 special education fund established by this section, except that: (1)  
3 Amounts of payments received by a district under K.S.A. 72-979, and  
4 amendments thereto, and amounts of grants, if any, received by a district  
5 under K.S.A. 72-983, and amendments thereto, shall be deposited in the  
6 general fund of the district and transferred to the special education fund;  
7 and (2) moneys received by a district pursuant to lawful agreements made  
8 under K.S.A. 72-968, and amendments thereto, shall be credited to the  
9 special fund established under the agreements.

10 (b) The expenses of a district directly attributable to special education  
11 shall be paid from the special education fund and from special funds  
12 established under K.S.A. 72-968, and amendments thereto.

13 (c) Obligations of a district pursuant to lawful agreements made  
14 under K.S.A. 72-968, and amendments thereto, shall be paid from the  
15 special education fund established by this section.

16 (d) Except for moneys received under K.S.A. 72-978, and  
17 amendments thereto, from cooperative agreements entered into under  
18 K.S.A. 72-968, and amendments thereto, any unencumbered balance of  
19 moneys attributable to appropriations by the legislature for special  
20 education or related services remaining in the special education fund of a  
21 school district on June 30, ~~2012~~ *of the current school year*, may be  
22 expended in the school year that immediately succeeds such date by the  
23 school district for general operating expenses of the school district as  
24 approved by the board of education in an amount not to exceed  $\frac{1}{3}$  of the  
25 unencumbered balance of the school district's special education fund.

26 Sec. 7. K.S.A. 2012 Supp. 72-6421 is hereby amended to read as  
27 follows: 72-6421. (a) There is hereby established in every district a fund  
28 which shall be called the vocational education fund. All moneys received  
29 by a district for any course or program authorized and approved under the  
30 provisions of article 44 of chapter 72 of Kansas Statutes Annotated, and  
31 amendments thereto, except for courses and programs conducted in an area  
32 vocational school, shall be credited to the vocational education fund. All  
33 moneys received by the district from tuition, fees or charges or from any  
34 other source for vocational education courses or programs, except for  
35 courses and programs conducted in an area vocational school, shall be  
36 credited to the vocational education fund. The expenses of a district  
37 directly attributable to vocational education shall be paid from the  
38 vocational education fund.

39 (b) Obligations of a district pursuant to lawful agreements made  
40 under K.S.A. 72-4421, and amendments thereto, shall be paid from the  
41 vocational education fund established by this section. If any such  
42 agreement expresses an obligation of a district in terms of a mill levy, such  
43 obligation shall be construed to mean an amount equal to that which would

1 be produced by the levy.

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

11 Any unencumbered balance of moneys attributable to appropriations by  
12 the legislature in the vocational education fund of a school district on June  
13 30, ~~2012~~ *of the current school year*, may be expended in the school year  
14 that immediately succeeds such date by the school district for general  
15 operating expenses of the school district as approved by the board of  
16 education.

17 Sec. 8. K.S.A. 2012 Supp. 72-6423 is hereby amended to read as  
18 follows: 72-6423. (a) There is hereby established in every district a fund  
19 which shall be called the driver training fund which fund shall consist of  
20 all moneys deposited therein or transferred thereto according to law. All  
21 moneys received by the district from distributions made from the state  
22 safety fund and the motorcycle safety fund and from tuition, fees or  
23 charges for driver training courses shall be credited to the driver training  
24 fund. The expenses of a district directly attributable to driver training shall  
25 be paid from the driver training fund.

26 (b) Any unencumbered balance of moneys remaining in the driver  
27 training fund of a school district on June 30, ~~2012~~ *of the current school*  
28 *year*, may be expended in the school year that immediately succeeds such  
29 date by the school district for general operating expenses of the school  
30 district as approved by the board of education.

31 Sec. 9. K.S.A. 2012 Supp. 72-6426 is hereby amended to read as  
32 follows: 72-6426. (a) There is hereby established in every district a fund  
33 which shall be called the contingency reserve fund. Such fund shall consist  
34 of all moneys deposited therein or transferred thereto according to law.  
35 The fund shall be maintained for payment of expenses of a district  
36 attributable to financial contingencies as determined by the board.

37 ~~(b) Except as otherwise provided in subsection (c), at no time in~~  
38 ~~school year 2008-2009 or each school year thereafter shall the amount~~  
39 ~~maintained in the contingency reserve fund exceed an amount equal to~~  
40 ~~10% of the general fund budget of the district for the school year.~~

41 ~~(c)(1) If the amount in the contingency reserve fund of a district is in~~  
42 ~~excess of the amount authorized under subsection (b), and if such excess~~  
43 ~~amount is the result of a reduction in the general fund budget of the district~~

1 for the school year because of a decrease in enrollment, the district may  
2 maintain the excess amount in the fund until depletion of such excess  
3 amount by expenditure from the fund for the purposes thereof.

4 ~~(2) The limitation on the amount which may be maintained in the~~  
5 ~~contingency reserve fund imposed under subsection (b) shall not apply to~~  
6 ~~any district whose state financial aid is computed under the provisions of~~  
7 ~~K.S.A. 72-6445a, and amendments thereto. Any such district may maintain~~  
8 ~~the excess amount in the fund until depletion of such excess amount by~~  
9 ~~expenditure from the fund for the purposes thereof.~~

10 ~~(d)(b) Notwithstanding the provisions of subsection (c), Any~~  
11 unencumbered balance of moneys remaining in the contingency reserve  
12 fund of a school district on June 30, ~~2012~~ *of the current school year*, may  
13 be expended *in* the school year that immediately succeeds such date by the  
14 school district for general operating expenses of the school district as  
15 approved by the board of education.

16 Sec. 10. K.S.A. 2012 Supp. 72-6460 is hereby amended to read as  
17 follows: 72-6460. (a) For school year ~~2012-2013~~ *2013-2014, and each*  
18 *school year thereafter*, subject to any limitations as provided in this act,  
19 any school district may expend the unencumbered balance of the moneys  
20 held in the at-risk education fund, as provided in K.S.A. 76-6414a, and  
21 amendments thereto, bilingual education fund, as provided in K.S.A. 72-  
22 9509, and amendments thereto, contingency reserve fund, as provided in  
23 K.S.A. 72-6426, and amendments thereto, driver training fund, as provided  
24 in K.S.A. 72-6423, and amendments thereto, parent education program  
25 fund, as provided in K.S.A. 72-3607, and amendments thereto, preschool-  
26 aged at-risk education fund, as provided in K.S.A. 72-6414b, and  
27 amendments thereto, professional development fund, as provided in  
28 K.S.A. 72-9609, and amendments thereto, summer program fund, as  
29 provided in K.S.A. 72-8237, and amendments thereto, textbook and  
30 student materials revolving fund, as provided in K.S.A. 72-8250, and  
31 amendments thereto, special education fund, as provided in K.S.A. 72-965  
32 and 72-6420, and amendments thereto, virtual school fund, as provided in  
33 K.S.A. 72-3715, and amendments thereto, and vocational education fund,  
34 as provided in K.S.A. 72-6421, and amendments thereto, to pay for  
35 general operating expenses of the district out of the general fund as  
36 approved by the board of education of such district.

37 The board of education of a school district shall consider the use of  
38 such funds in the following order of priority:

39 (1) At-risk education fund, bilingual education fund, contingency  
40 reserve fund, driver training fund, parent education program fund,  
41 preschool-aged at-risk education fund, professional development fund,  
42 summer program fund, virtual school fund and vocational education fund;

43 (2) textbook and student materials revolving fund; and



1 (3) special education fund.

2 The board of education of a school district shall not be limited to the  
3 order of priority as listed in this subsection if the board so chooses. The  
4 board of education of a school district shall not be required to use the total  
5 amount of the unencumbered balance of moneys in a fund before using the  
6 unencumbered balance of moneys in another fund.

7 (b) The amount of money expended by a school district in school year  
8 ~~2012-2013~~ 2013-2014, and each school year thereafter, from the  
9 unencumbered balance of moneys in the funds under subsection (a) of this  
10 section shall not exceed, in the aggregate, an amount determined by the  
11 state board of education. Such amount shall be determined by the state  
12 board as follows:

13 (1) Determine the adjusted enrollment of the district, excluding  
14 special education and related services weighting, for the current school  
15 year;

16 (2) multiply the adjusted enrollment determined under paragraph (1)  
17 by \$250. The product is the aggregate amount of moneys that may be  
18 expended by a school district in the current school year from the  
19 unencumbered balance of moneys in the funds under subsection (a) of this  
20 section.

21 ~~It is the public policy goal of the state of Kansas that~~ At least 65%  
22 of the aggregate of all unencumbered balances authorized to be expended  
23 for general operating expenses pursuant to subsection (a) shall be  
24 expended in the classroom or for instruction, as provided in K.S.A. 2012  
25 Supp. 72-64c01, and amendments thereto.

26 *(d) The superintendent appointed by the board of education of each*  
27 *school district under K.S.A. 72-8202b shall report the unencumbered*  
28 *balance of moneys in each fund listed in subsection (a) to the board of*  
29 *education in June of each year at the meeting described in K.S.A. 72-8205,*  
30 *and amendments thereto.*

31 Sec. 11. K.S.A. 2012 Supp. 72-8237 is hereby amended to read as  
32 follows: 72-8237. (a) The board of education of any school district may:  
33 (1) Establish, operate and maintain a summer program for pupils; (2) enter  
34 into cooperative or interlocal agreements with one or more other boards of  
35 education for the establishment, operation and maintenance of a summer  
36 program for pupils; and (3) prescribe and collect fees for providing a  
37 summer program for pupils or provide such program without charge.

38 (b) Fees for providing a summer program for pupils shall be  
39 prescribed and collected only to recover the costs incurred as a result of  
40 and directly attributable to the establishment, operation and maintenance  
41 of the program.

42 (c) No school district may collect fees for providing a summer  
43 program for pupils required to attend such a program in accordance with

1 the provisions of law, rules and regulations of the state board of education,  
2 policy of the board of education, or an individualized education plan  
3 developed for an exceptional child.

4 (d) There is hereby established in every district which establishes,  
5 operates and maintains a summer program a fund which shall be called the  
6 summer program fund, which fund shall consist of all moneys deposited  
7 therein or transferred thereto according to law. All moneys received by a  
8 district from fees collected under this section or from any other source for  
9 summer programs shall be credited to the summer program fund. The  
10 expenses of a district directly attributable to summer programs shall be  
11 paid from the summer program fund.

12 Any unencumbered balance of moneys remaining in the summer  
13 program fund of a school district on June 30, ~~2012~~ *of the current school*  
14 *year*, may be expended in the school year that immediately succeeds such  
15 date by the school district for general operating expenses of the school  
16 district as approved by the board of education.

17 (e) As used in this section, the term "summer program" means a  
18 program which is established by the board of education of a school district  
19 and operated during the summer months for the purpose of giving remedial  
20 instruction to pupils or for the purpose of conducting special projects and  
21 activities designed to enrich and enhance the educational experience of  
22 pupils, or for both such purposes.

23 Sec. 12. K.S.A. 2012 Supp. 72-8250 is hereby amended to read as  
24 follows: 72-8250. (a) There is hereby established in every school district a  
25 textbook and student materials revolving fund. Moneys in such fund shall  
26 be used to:

27 (1) Purchase any items designated in K.S.A. 72-5389, and  
28 amendments thereto;

29 (2) pay the cost of materials or other items used in curricular,  
30 extracurricular or other school-related activities; and

31 (3) purchase textbooks as authorized by K.S.A. 72-4141, and  
32 amendments thereto.

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

42 Any unencumbered balance of moneys remaining in the textbook and  
43 student materials revolving fund of a school district on June 30, ~~2012~~ *of*

1 *the current school year*, may be expended in the school year that  
2 immediately succeeds such date by the school district for general operating  
3 expenses of the school district as approved by the board of education in an  
4 amount not to exceed  $\frac{1}{3}$  of the unencumbered balance of the school  
5 district's textbook and student materials revolving fund.

6 Sec. 13. K.S.A. 2012 Supp. 72-9509 is hereby amended to read as  
7 follows: 72-9509. (a) There is hereby established in every school district a  
8 fund which shall be called the bilingual education fund, which fund shall  
9 consist of all moneys deposited therein or transferred thereto according to  
10 law. The expenses of a district directly attributable to such bilingual  
11 education programs shall be paid from the bilingual education fund.

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

21 Any unencumbered balance of moneys remaining in the bilingual  
22 education fund of a school district on June 30, ~~2012~~ *of the current school*  
23 *year*, may be expended in the school year that immediately succeeds such  
24 date by the school district for general operating expenses of the school  
25 district as approved by the board of education.

26 (c) Each year the board of education of each school district shall  
27 prepare and submit to the state board a report on the bilingual education  
28 program and assistance provided by the district. Such report shall include  
29 information specifying the number of pupils who were served or provided  
30 assistance, the type of service provided, the research upon which the  
31 district relied in determining that a need for service or assistance existed,  
32 the results of providing such service or assistance and any other  
33 information required by the state board.

34 Sec. 14. K.S.A. 2012 Supp. 72-9609 is hereby amended to read as  
35 follows: 72-9609. There is hereby established in every school district a  
36 fund which shall be called the professional development fund, which fund  
37 shall consist of all moneys deposited therein or transferred thereto  
38 according to law. All moneys received by the school district from whatever  
39 source for professional development programs established under this act  
40 shall be credited to the fund established by this section. The expenses of a  
41 school district directly attributable to professional development programs  
42 shall be paid from the professional development fund.

43 Any unencumbered balance of moneys remaining in the professional

1 development fund of a school district on June 30, ~~2012~~ *of the current*  
2 *school year*; may be expended in the school year that immediately  
3 succeeds such date by the school district for general operating expenses of  
4 the school district as approved by the board of education.

5 Sec. 15. K.S.A. 2012 Supp. 72-965, 72-3607, 72-3715, 72-6414a, 72-  
6 6414b, 72-6420, 72-6421, 72-6423, 72-6426, 72-6460, 72-8237, 72-8250,  
7 72-9509 and 72-9609 are hereby repealed.

8 Sec. 16. This act shall take effect and be in force from and after its  
9 publication in the statute book.