

House Substitute for SENATE BILL No. 387

AN ACT concerning education; making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, and June 30, 2026, for the state department of education; establishing the education funding task force and requiring such task force to review and make recommendations regarding the state's school finance system prior to the expiration of the Kansas school equity and enhancement act; abolishing the special education and related services funding task force; revising the special education state aid statewide excess costs calculation; requiring the state board of education to determine excess costs for each school district; requiring the state board of education to establish a special education state aid equalization distribution method and to distribute certain amounts of special education state aid pursuant to such method; requiring each school district to transfer the amount attributable to the special education and related services weighting from the supplemental general fund to the school district's special education fund; establishing a pilot program in school years 2024-2025 and 2025-2026 to require certain school districts to submit annually to the state board of education an at-risk student accountability plan and to measure and show academic improvement in certain student cohort groups; requiring all school districts to participate in such program commencing in school year 2026-2027; holding school districts accountable to meeting the student cohort group improvement goals; revising requirements relating to school district at-risk education fund expenditures; prohibiting the state board of education from substantially revising curriculum standards in English language arts and mathematics until 75% of all students achieve a certain academic proficiency level; requiring school districts to give enrollment priority to students who reside in Kansas over students who do not reside in the state except under certain circumstances; authorizing certain nonresident students to continue enrollment in a school district of nonresidence; authorizing a school district to deem nonresident students as not in good standing prior to enrollment and an appeal process for students who are denied enrollment pursuant to such action; requiring school district student transfer policy revisions to be published on the school district's website; exempting virtual schools from open enrollment requirements; limiting the legislative option to purchase school district buildings and authorizing the legislative coordinating council to deny the legislative option when the legislature is not in session; prohibiting school districts from refusing to convey a building or property solely because the buyer or lessee may use or intends to use the building or property for nonpublic school purposes; establishing requirements for the determination of virtual school state aid for certain students who are funded on a per credit hour basis; requiring virtual school state aid be determined using full-time equivalent enrollment; authorizing students enrolled in a virtual school to participate in activities regulated by the Kansas state high school activities association; amending K.S.A. 72-3422 and 72-5143 and K.S.A. 2023 Supp. 72-1439, 72-3123, 72-3124, 72-3126, 72-3127, 72-3216, 72-3715, 72-5153, 72-5170, 72-5193 and 72-7121 and repealing the existing sections; also repealing K.S.A. 2023 Supp. 72-3442.

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

New Section 1.

DEPARTMENT OF EDUCATION

(a) On the effective date of this act, of the \$29,810,273 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 2(a) of chapter 98 of the 2023 Session Laws of Kansas from the state general fund in the KPERS – school employer contributions – non-USDs account (652-00-1000-0100), the sum of \$714,470 is hereby lapsed.

(b) On the effective date of this act, of the \$531,880,516 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 2(a) of chapter 98 of the 2023 Session Laws of Kansas from the state general fund in the KPERS – school employer contributions – USDs account (652-00-1000-0110), the sum of \$341 is hereby lapsed.

(c) On the effective date of this act, of the \$2,558,881,605 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 4(a) of chapter 94 of the 2022 Session Laws of Kansas from the state general fund in the state foundation aid account (652-00-1000-0820), the sum of \$81,919,737 is hereby lapsed.

(d) On the effective date of this act, of the \$568,150,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 4(a) of chapter 94 of the 2022 Session Laws of Kansas from the state general fund in the supplemental state aid account (652-00-1000-0840), the sum of \$14,574,571 is hereby lapsed.

(e) On the effective date of this act, the \$40,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 2(a) of chapter 98 of the 2023 Session Laws of Kansas from the state general fund in the career technical education pilot account (652-00-1000-0940) is hereby lapsed.

(f) On the effective date of this act, the \$300,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 2(a) of chapter 98 of the 2023 Session Laws of Kansas from the state general fund in the juvenile transitional crisis center pilot account (652-00-1000-0210) is hereby lapsed.

(g) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including
official hospitality) (652-00-1000-0053).....\$87,297
New Sec. 2.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (including
official hospitality) (652-00-1000-0053).....\$15,207,808

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Center for READing (652-00-1000-0080).....\$80,000

Provided, That the above agency shall expend moneys in such account to provide a project manager grant to the center for reading at Pittsburg state university to: (1) Assist in the development and support of a science of reading curricula for the state educational institutions and colleges based on the knowledge and practice standards that have been adopted by the state department of education; (2) develop and support a recommended dyslexia textbook list for in-class learning for school districts to use; (3) develop and support a recommended dyslexia resources list for in-class learning for school districts to use; (4) provide knowledge and support for a train the trainer program and professional development curriculum for school districts to use; and (5) provide knowledge and support for developing a list of qualified trainers for school districts to hire.

KPERS – school employer
contributions – non-USDs (652-00-1000-0100).....\$25,215,128

Provided, That any unencumbered balance in the KPERS-school employer contributions – non-USDs account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

KPERS – school employer
contributions-USDs (652-00-1000-0110).....\$506,277,807

Provided, That any unencumbered balance in the KPERS-school employer contributions – USDs account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

ACT and workkeys assessments
program (652-00-1000-0140).....\$2,800,000

Career and technical education transportation
state aid (652-00-1000-0190).....\$1,482,338

Education commission of
the states (652-00-1000-0220).....\$67,700

School safety hotline (652-00-1000-0230).....\$10,000

School safety and
security grants (652-00-1000-0235).....\$5,000,000

Provided, That expenditures shall be made by the above agency from the school safety and security grants account for fiscal year 2025 for

disbursements of grant moneys approved by the state board of education for the: (1) Acquisition of automated external defibrillators and routine maintenance of such devices; (2) purchase and installation of security cameras that are compatible with the firearm detection software specified in paragraph (3); and (3) notwithstanding the provisions of K.S.A. 72-1151, and amendments thereto, or any other statute, acquisition and implementation of firearm detection software that: (A) Can reduce the threat and impact of gun violence by providing a firearm detection software solution that integrates into existing security camera systems; (B) is designated as qualified anti-terrorism technology under the federal SAFETY act, 6 U.S.C. § 441 et seq.; (C) complies with industry standard information security frameworks, including ISO 27001 and SOC 2 type 2; (D) is managed through a constantly monitored operations center that is staffed by highly trained analysts to ensure rapid communication of possible threats to end users; (E) is developed in the United States without the use of any third-party or open-source data; (F) is protected by an awarded patent that includes a training database populated with frames of actual videos of firearms that were taken in relevant environments across diverse industries; (G) is utilized in at least 30 states with customers in the public and private sectors; (H) does not store, monetize or collect any biometric data or personally identifiable information; and (I) is able to detect three broad firearm classifications with a minimum of 300 subclassifications and has the ability to detect at least 2,000 permutations: *Provided further*, That all moneys expended for school safety and security grants for fiscal year 2025 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the school district that may be used for such purpose: *And provided further*, That, notwithstanding the provisions of K.S.A. 75-3739, and amendments thereto, or any other statute, not less than 30 days following the effective date of this act, the above agency shall publish a list of the entities that provide firearm detection software that meets the requirements of paragraph (3).

School district juvenile detention facilities and Flint Hills job corps center grants (652-00-1000-0290).....\$5,060,528

Provided, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-1173, and amendments thereto.

School food assistance (652-00-1000-0320).....\$2,510,486

Virtual math education program (652-00-1000-0330).....\$2,000,000

Provided, That expenditures from the virtual math education program account shall be used by the above agency for the purpose of implementing a virtual math program to be used by school districts: *Provided further*, That the above agency is hereby authorized to select and implement a virtual math program that shall be customized to Kansas curriculum standards, be evidence-based, not impose any fee or cost upon students, provide tutoring in multiple languages, provide professional development for the implementation of the program and have been implemented in other states during the preceding eight fiscal years: *And provided further*, That any school district shall be authorized to use such program: *And provided further*, That the above agency shall recommend that all school districts use such program: *And provided further*, That all school districts shall track and report to the above

agency twice during school year 2024-2025, as determined by the above agency, on the number of attendance centers and students who are and who are not using such program or other virtual math program, the number of teachers participating in the professional development provided by such program or other virtual math program and the effect of any such virtual math program on student academic proficiency: *And provided further*, That the above agency shall compile such reports and submit a summary report to the house of representatives standing committee on K-12 education budget and the senate standing committee on education during the 2025 regular session of the legislature: *And provided further*, That such report shall include all available information reported to the above agency for school year 2024-2025.

Mentor teacher (652-00-1000-0440).....\$1,300,000
 Educable deaf-blind and severely handicapped children's programs aid (652-00-1000-0630).....\$110,000
 Special education services aid (652-00-1000-0700).....\$65,500,000
Provided, That if section 5, and amendments thereto, and the amendments to K.S.A. 72-3422 and 72-5143, and amendments thereto, as provided in this act are not enacted into law, then on July 1, 2024, the \$65,500,000 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, by this section in the special education services aid account is hereby lapsed.
 Governor's teaching excellence scholarships and awards (652-00-1000-0770).....\$360,693
 State foundation aid (652-00-1000-0820).....\$29,601,655
 Professional development state aid (652-00-1000-0860).....\$1,770,000
 Computer science education advancement grant (652-00-1000-0920).....\$1,000,000

Provided, That expenditures shall be made by the above agency from the computer science education advancement grant account for fiscal year 2025 to provide grants to high-quality professional learning providers to develop and implement teacher professional development programs for the computer science courses as established in K.S.A. 2023 Supp. 72-3258, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

School district capital improvement fund.....No limit
 School district capital outlay state aid fund.....No limit
 Educational technology coordinator fund (652-00-2157).....No limit
Provided, That expenditures shall be made by the above agency for the fiscal year ending June 30, 2025, from the educational technology coordinator fund of the department of education to provide data on the number of school districts served and cost savings for those districts in fiscal year 2025 in order to assess the cost effectiveness of the position of educational technology coordinator.
 SparkWheel program fund (652-00-2221).....No limit
 Inservice education workshop fee fund (652-00-2230).....No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of education is hereby authorized

to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Federal indirect cost reimbursement fund (652-00-2312).....No limit
 Conversion of materials and equipment fund (652-00-2420).....No limit
 School bus safety fund (652-00-2532).....No limit
 State safety fund (652-00-2538).....No limit
Provided, That notwithstanding the provisions of K.S.A. 8-272, and amendments thereto, or any other statute, funds shall be distributed during fiscal year 2025 as soon as moneys are available.
 Motorcycle safety fund (652-00-2633).....No limit
 Teacher and administrator fee fund (652-00-2723).....No limit
 Service clearing fund (652-00-2869).....No limit
 ARPA supplemental (652-00-3028).....No limit
 Reimbursement for services fund (652-00-3056).....No limit
 ESSA – student support academic enrichment – federal fund (652-00-3113).....No limit
 NAEP fee fund.....No limit
 Educationally deprived children – state operations – federal fund (652-00-3131).....No limit
 Food assistance – federal fund (652-00-3230).....No limit
 Elementary and secondary school aid – federal fund (652-00-3233).....No limit
 Education of handicapped children fund – federal (652-00-3234).....No limit
 Community-based child abuse prevention – federal fund (652-00-3319).....No limit
 TANF children's programs – federal fund (652-00-3323).....No limit
 21st century community learning centers – federal fund (652-00-3519).....No limit
 State assessments – federal fund (652-00-3520).....No limit
 Rural and low-income schools program – federal fund (652-00-3521).....No limit
 Language assistance state grants – federal fund (652-00-3522).....No limit
 State grants for improving teacher quality – federal fund (652-00-3526).....No limit
 State grants for improving teacher quality – federal fund – state operations (652-00-3527).....No limit
 Food assistance – school breakfast program – federal fund (652-00-3529).....No limit
 Food assistance – national school lunch program –

federal fund (652-00-3530).....No limit
 Food assistance – child
 and adult care food program –
 federal fund (652-00-3531)..... No limit
 Elementary and secondary school aid –
 federal fund – local education
 agency fund (652-00-3532).....No limit
 Education of handicapped
 children fund – state operations –
 federal fund (652-00-3534).....No limit
 Education of handicapped
 children fund – preschool –
 federal fund (652-00-3535).....No limit
 Education of handicapped
 children fund – preschool state
 operations – federal (652-00-3536).....No limit
 Elementary and secondary school
 aid – federal fund – migrant
 education fund (652-00-3537).....No limit
 Elementary and secondary school aid –
 federal fund – migrant education –
 state operations (652-00-3538).....No limit
 Vocational education title II –
 federal fund (652-00-3539).....No limit
 Vocational education title II – federal fund –
 state operations (652-00-3540).....No limit
 Educational research grants and
 projects fund (652-00-3592).....No limit
 ARPA agency state fiscal
 recovery fund (652-00-3756).....No limit
Provided, That, notwithstanding any memorandum of agreement
 between the office of recovery and the above agency concerning the
 use of state fiscal recovery fund moneys allocated to the above agency
 for the Kansas connect and learn initiative, during the fiscal year
 ending June 30, 2025, expenditures shall be made by the above agency
 from the ARPA agency state fiscal recovery fund account in the amount
 of \$2,500,000 for payments to school districts for the provision of
 special education and related services in amounts determined pursuant
 to and in accordance with the provisions of K.S.A. 72-3422, and
 amendments thereto.
 ARPA capital projects fund (652-00-3761).....No limit
 Local school district contribution program
 checkoff fund (652-00-7005).....No limit
Provided, That notwithstanding the provisions of K.S.A. 79-3221n, and
 amendments thereto, or any other statute, during the fiscal year ending
 June 30, 2025, any moneys in such fund where a taxpayer fails to
 designate a unified school district on such taxpayer's individual income
 tax return may be expended by the above agency to distribute to unified
 school districts.
 Governor's teaching excellence
 scholarships program
 repayment fund (652-00-7221).....No limit
Provided, That all expenditures from the governor's teaching excellence
 scholarships program repayment fund shall be made in accordance with
 K.S.A. 72-2166, and amendments thereto: *Provided further*, That each
 such grant shall be required to be matched on a \$1-for-\$1 basis from
 nonstate sources: *And provided further*, That award of each such grant
 shall be conditioned upon the recipient entering into an agreement
 requiring the grant to be repaid if the recipient fails to complete the

course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor's teaching excellence scholarships program repayment fund.

Private donations, gifts, grants and bequests fund (652-00-7307).....No limit
 Family and children investment fund (652-00-7375).....No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2025, the following:

Children's cabinet accountability fund (652-00-2000-2402).....\$375,000

Provided, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

CIF grants (652-00-2000-2408).....\$23,720,493

Provided, That any unencumbered balance in the CIF grants account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Parent education program (652-00-2000-2510).....\$9,437,635

Provided, That any unencumbered balance in the parent education program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount that is equal to not less than 50% of the grant.

Pre-K pilot (652-00-2000-2535).....\$4,200,000

Provided, That any unencumbered balance in the pre-K pilot account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Early childhood infrastructure (652-00-2000-2555).....\$1,408,512

Provided, That any unencumbered balance in the early childhood infrastructure account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Imagination library (652-00-2000-2560).....\$1,500,000

Provided, That any unencumbered balance in the imagination library account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That the children's cabinet shall operate the nonprofit corporation organized under section 501(c)(3) of the internal revenue code of 1986, according to the corporation's articles of incorporation, to receive gifts, donations, grants and other moneys and engage in fundraising projects for the benefit of the Dolly Parton's imagination library book gifting program to develop, implement, promote and sustain reading by the children of Kansas.

Children's cabinet public-private partnership pilot program.....\$5,000,000

Provided, That all expenditures from the children's cabinet public-private partnership pilot program account shall be provided to a community foundation-led project that funds operational support to childcare providers in rural and frontier communities and can serve as a regional model for addressing childcare supply challenges: *Provided further*, That all such expenditures from such account shall require a match of private moneys on the basis of \$1 state moneys for \$1 private moneys: *And provided further*, That it is the intent of the legislature that the appropriation to the children's cabinet public-private partnership pilot program account made by this act is intended to be a one-time

appropriation and that no moneys shall be appropriated to such account for fiscal year 2026.

(d) On July 1, 2024, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund (652-00-7375-7900) of the department of education to the SparkWheel program fund (652-00-2221-2400) of the department of education.

(e) On March 30, 2025, and June 30, 2025, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$550,000 from the state safety fund (652-00-2538-2030) to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services that are performed on behalf of the department of education by other state agencies that receive appropriations from the state general fund to provide such services.

(f) On July 1, 2024, and quarterly thereafter, the director of accounts and reports shall transfer \$81,250 from the state highway fund (276-00-4100-4100) of the department of transportation to the school bus safety fund (652-00-2532-2300) of the department of education.

(g) On July 1, 2024, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund (652-00-2633-2050) of the department of education to the motorcycle safety fund (561-00-2366-2360) of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

(h) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$70,000 from the USAC E-rate program federal fund (561-00-3920-3920) of the state board of regents to the education technology coordinator fund (652-00-2157-2157) of the department of education.

(i) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2025, the following:

Children's cabinet administration (652-00-7000-7001).....\$276,533

Provided, That any unencumbered balance in the children's cabinet administration account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(j) During the fiscal year ending June 30, 2025, the commissioner of education, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2025 from the state general fund for the department of education to another item of appropriation for fiscal year 2025 from the state general fund for the department of education. The commissioner of education shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(k) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2025, the following:

KPERS – school employer contribution (652-00-1700-1700).....\$42,826,858
Provided, That during the fiscal year ending June 30, 2025, the amount appropriated from the expanded lottery act revenues fund in the KPERS – school employer contribution account (652-00-1700-1700) for the department of education shall be for the purpose of reducing the unfunded actuarial liability of the Kansas public employees retirement system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, in accordance with K.S.A. 74-8768, and amendments thereto.

(l) On July 1, 2024, the director of accounts and reports shall transfer all moneys in the communities in schools program fund to the SparkWheel program fund. On July 1, 2024, all liabilities of the communities in schools program fund are hereby transferred to and imposed on the SparkWheel program fund and the communities in schools program fund is hereby abolished.

New Sec. 3.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2026, the following:

State foundation aid (652-00-1000-0820).....\$3,027,848,697
Provided, That any unencumbered balance in the state foundation aid account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026.

Supplemental state aid (652-00-1000-0840).....\$601,800,000
Provided, That any unencumbered balance in the supplemental state aid account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026.

Special education services aid (652-00-1000-0700).....\$601,018,818
Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided further*; That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child, unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: *And provided further*; That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3425, and amendments thereto: *And provided further*; That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing provisos, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3422, and amendments thereto: *And provided further*; That if section 5, and amendments thereto, and the amendments to K.S.A. 72-3422 and 72-5143, and amendments thereto, as provided in this act are not enacted into law, then on July 1, 2025, the sum of \$65,500,000 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2026, by this section in the special education services aid account is hereby lapsed.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2026, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund (652-00-7393).....No limit
Mineral production

education fund (652-00-7669-7669).....No limit

New Sec. 4. (a) There is hereby established the education funding task force. The task force shall be composed of the following 11 voting members:

- (1) Two members of the house of representatives appointed by the speaker of the house of representatives;
- (2) one member of the house of representatives appointed by the minority leader of the house of representatives;
- (3) two members of the senate appointed by the president of the senate;
- (4) one member of the senate appointed by the minority leader of the senate;
- (5) one member of the state board of education appointed by the state board of education;
- (6) one member, who shall be a parent of a student who attends kindergarten or any of the grades one through 12 at a school district in the state, appointed by the speaker of the house of representatives;
- (7) one member, who shall be a current or retired public school teacher, appointed by the president of the senate;
- (8) one member, who shall be a superintendent of a rural school district, appointed by the state board of education; and
- (9) one member, who shall be a superintendent of an urban school district, appointed by the state board of education.

(b) The task force shall consist of the following four ex officio members who shall be nonvoting members:

- (1) The deputy commissioner of fiscal and administrative services of the state department of education or the deputy commissioner's designee;
- (2) the chairperson of the Kansas children's cabinet or the chairperson's designee;
- (3) the director of the division of the budget or the director's designee; and
- (4) the director of special education and title services of the state department of education or the director's designee.

(c) Any superintendent who is appointed as a member of the task force pursuant to subsection (a)(8) or (a)(9) may designate another individual to attend any or all meetings of the task force as such member's designee.

(d) The education funding task force shall review the:

- (1) Current school finance system in Kansas, including, but not limited to, the Kansas school equity and enhancement act;
- (2) current methods for determining and disbursing special education state aid;
- (3) inputs of the current school finance system, including, but not limited to, funding levels, funding sources and funding impacts;
- (4) outputs of the current school finance system, including, but not limited to, academic achievement outcomes and other measures of student success;
- (5) current academic reporting requirements with respect to state assessments and student achievement; and
- (6) achievement goals established by the state department of education in the consolidated state plan submitted to the federal department of education pursuant to the elementary and secondary education act of 1965, as amended by the every student succeeds act, including, but not limited to, the goal to have 75% of all students and student subgroups achieve proficiency on the statewide assessments in English language arts and mathematics by 2030, which has been defined by the state board of education as requiring students to score in performance levels 3 and 4 combined on such statewide assessments.

(e) The task force shall prepare and submit a report to the legislature and the governor on or before January 11, 2027. Such report shall include recommendations regarding:

(1) The establishment of a school finance formula that will replace the Kansas school equity and enhancement act after its expiration. When making such recommendations, the task force shall pursue the following goals for such school finance formula:

(A) The formula shall be reasonably calculated to have all students meet or exceed the educational goal established in K.S.A. 72-3218(c), and amendments thereto;

(B) the formula shall provide adequate, consistent and reliable school funding;

(C) the formula shall provide equitable school funding; and

(D) the formula shall provide meaningful accountability measures;

(2) whether revisions to the current methods for determining and disbursing special education state aid are advisable or necessary; and

(3) any other recommendations related to school finance.

(f) (1) Members shall be appointed to the education funding task force on or before November 30, 2024. In even-numbered years, the chairperson of the task force shall be designated by the speaker of the house of representatives and the vice chairperson shall be designated by the president of the senate. In odd-numbered years, the chairperson of the task force shall be designated by the president of the senate and the vice chairperson shall be designated by the speaker of the house of representatives. Any vacancy in the membership of the task force shall be filled by appointment in the same manner prescribed by this section for the original appointment.

(2) A quorum of the task force shall be six voting members. All actions of the task force may be taken by a majority of members present when there is a quorum.

(3) If approved by the legislative coordinating council, members of the task force attending meetings authorized by the task force shall be paid amounts for expenses, mileage and subsistence as provided in K.S.A. 75-3223(e), and amendments thereto.

(4) The staff of the office of revisor of statutes, the legislative research department and the division of legislative administrative services shall provide such assistance as may be requested by the task force.

(5) The task force may meet at any time and at any place within the state upon the call of the chairperson.

(g) This section shall expire on July 1, 2027.

New Sec. 5. (a) Each year, prior to making any special education state aid distributions to school districts pursuant to K.S.A. 72-3422, and amendments thereto, the state board of education shall determine each school district's excess cost as follows:

(1) Determine the school district's weighted full-time equivalent student enrollment excluding the special education weighted full-time equivalent as provided on the legal maximum general fund calculation data computed by the state department of education excluding the special education and related services weighting, bilingual weighting, transportation weighting, career technical education weighting and at-risk student weighting;

(2) multiply the amount determined in paragraph (1) by the base aid for student excellence established pursuant to K.S.A. 72-5132, and amendments thereto;

(3) divide the amount obtained in paragraph (2) by the total number of unweighted full-time equivalent students enrolled in the school district on September 20;

(4) determine the total full-time equivalent enrollment of

exceptional children receiving special education and related services provided by all school districts;

(5) multiply the amount of the quotient obtained in paragraph (3) by the full-time equivalent enrollment determined in paragraph (4);

(6) multiply the amount of the product obtained in paragraph (5) by the school district's local option budget authorized percent;

(7) add the amount determined in paragraph (5) to the amount determined in paragraph (6);

(8) determine the amount of federal funds received by the school district for the provision of special education and related services;

(9) determine the amount of revenue received by the school district for medicaid reimbursements and rendered under contracts with the state institutions for the provision of special education and related services by the state institution;

(10) add the amounts determined under paragraphs (7) through (9);

(11) determine the total amount of expenditures of the school district for the provision of special education and related services; and

(12) subtract the amount of the sum obtained under paragraph (10) from the amount determined under paragraph (11). The amount determined under this paragraph shall be the school district's excess cost.

(b) To determine excess costs pursuant to subsection (a) for any school district that has paid for the provision of special education and related services under an interlocal agreement or as a member of a cooperative, the state board of education shall assign the costs for the provision of special education and related services to each participating school district in an amount that bears the same relation as the amount paid by the school district in the current school year for the provision of special education and related services bears to the aggregate of all amounts paid by all school districts that are subject to such interlocal agreement or that are participating in such cooperative membership agreement.

(c) Each year, the state department of education shall:

(1) Report to each school district the school district's excess cost determined pursuant to subsection (a);

(2) publish the excess cost determinations made for each school district pursuant to subsection (a) on the state department of education's website; and

(3) on or before January 31 of each year, prepare and submit a report to the house standing committee on K-12 education budget and the senate standing committee on education, or any successor committees, that provides a computation of school district excess costs as determined pursuant to subsection (a) and the special education services aid equalization distribution schedule established by the state board of education for distributions of special education state aid pursuant to K.S.A. 72-3422(e), and amendments thereto.

(d) This section shall take effect and be in force from and after July 1, 2024.

New Sec. 6. (a) Each participating school district board of education shall submit annually to the state board of education an at-risk student accountability plan to attain at-risk student proficiency in accordance with this section and to ensure the provision of programs and services that are above and beyond regular education services to students who are eligible for at-risk programs and services. Such plan shall be submitted to the state board of education on a form and in the manner required by the state board. The purpose of each school district's at-risk student accountability plan is to:

(1) Demonstrate that the school district is using evidenced-based

instruction, as defined in K.S.A. 72-5153, and amendments thereto, for the education of students who are identified as eligible to receive at-risk programs and services;

(2) measure longitudinal academic improvement in a quantitative manner;

(3) establish quantitative student academic improvement goals for certain identified student cohort groups and strive to meet such goals through the provision of evidence-based instruction that is provided to such cohort groups above and beyond regular educational services;

(4) ensure that at-risk education fund moneys are expended in accordance with the law by providing services above and beyond regular education services; and

(5) continue the process of identifying certain student cohort groups and providing evidence-based instruction above and beyond that of a regular education to such identified student cohort groups until the school district achieves the state board of education's goal to have 75% of all students achieve proficiency by scoring at performance level 3 or 4 on the state assessments for English language arts and mathematics.

(b) Each at-risk student accountability plan shall identify not fewer than one cohort group of students who are enrolled and attending grade three each school year that such cohort group is required to be identified and not fewer than one cohort group of students enrolled in and attending kindergarten or any of the grades one through eight each school year that such cohort group is required to be identified. Except as provided in this subsection, one of the student cohort groups identified by the school district for either such grade level shall be the students who are eligible for free meals pursuant to the national school lunch program. For the other grade level, the school district shall identify any other student cohort group that corresponds to one of the subgroups identified for state assessment purposes or shall identify a cohort group of students who are identified as eligible to receive at-risk educational programs and services pursuant to the same at-risk identification criteria established pursuant to K.S.A. 72-5153a, and amendments thereto. A school district shall not identify a cohort group of students pursuant to this subsection if such cohort group is comprised of 10 or fewer students. If both cohort groups of students who are eligible for free meals are comprised of 10 or fewer students, the school district shall identify another cohort group pursuant to this subsection.

(c) (1) Each participating school district board of education shall establish a four-year quantitative academic improvement goal for each identified student cohort group in accordance with this subsection and shall repeat such process every four years as provided in this section. The academic improvement goal established for a cohort group pursuant to this section shall be related to the achievement of academic proficiency in the areas of English language arts and mathematics. Once a school district establishes a four-year quantitative academic improvement goal for a cohort group on the school district's at-risk accountability plan, the school district shall not revise or revoke such goal for such cohort group in order to meet or exceed such goal.

(2) To attain the four-year quantitative academic improvement goal for each identified student cohort group, the school district board of education shall identify and implement two through four targeted supports or interventions for each identified student cohort group. Such supports or interventions shall be selected from the state board of education's list of approved at-risk educational programs established pursuant to K.S.A. 72-5153, and amendments thereto. The purpose of the targeted supports or interventions is to provide evidence-based instruction above and beyond regular education services to the

identified student cohort group and evaluate whether such targeted supports or interventions have a positive impact on academic improvement. A school district board of education may select different targeted supports or interventions for each identified student cohort group and may change such targeted supports or interventions if the chosen targeted supports or interventions are not having a positive impact academic improvement.

(d) (1) Each participating school district board of education shall conduct a four-year or five-year longitudinal academic evaluation of each student cohort group identified on the school district's at-risk student accountability plan to evaluate whether such students improved upon attainment of academic proficiency and met or exceeded the quantitative academic improvement goal established by the school district board of education.

(2) To evaluate whether the student cohort group that is first identified in grade three pursuant to this section is achieving at a level that is sufficient to meet or exceed the quantitative academic improvement goal established for such cohort group, the school district shall select and specify in the school district's at-risk accountability plan not more than two quantitative measures to evaluate the cohort group's achievement. One of such quantitative measures used by the school district shall be the English language arts and mathematics state assessments. The school district may choose one additional quantitative measure to evaluate such cohort group's progress from the list of approved quantitative measures in paragraph (4).

(3) To evaluate whether the other student cohort group that is first identified in kindergarten or any of the grades one through eight pursuant to this section is achieving at a level that is sufficient to meet or exceed the quantitative academic improvement goal established for such cohort group, the school district shall select and specify on the school district's at-risk accountability plan not more than two quantitative measures to evaluate such cohort group's achievement. If such identified student cohort group will take the English language arts and mathematics state assessments in a school year that such cohort group is evaluated pursuant to this section, the school district shall use such state assessments to evaluate the cohort group's achievement and may choose one additional quantitative measure to evaluate such cohort group's progress from the list of approved quantitative measures in paragraph (4). If such identified student cohort group will not take the English language arts and mathematics state assessments in a school year that such cohort group is evaluated, the school district shall use one or two quantitative measures to evaluate such cohort group's progress from the list of approved quantitative measures in paragraph (4).

(4) Subject to the requirements of paragraphs (2) and (3), the quantitative measures that a school district may use to evaluate whether an identified student cohort group is achieving at a level that is sufficient to meet or exceed the quantitative academic improvement goal established for such cohort group shall only include the following:

- (A) The English language arts and mathematics state assessments;
- (B) a formative assessment approved by the state board of education;
- (C) a summative assessment approved by the state board of education; or
- (D) ACT or ACT workkeys assessments.

(e) If the identified student cohort group meets or exceeds the quantitative academic improvement goal established for such cohort group at the end of the four-year period, the school district board of education shall repeat the process established pursuant to this section

by identifying another student cohort group, establishing a four-year quantitative academic improvement goal for such cohort group and conducting a four-year or five-year longitudinal academic evaluation of such cohort group in accordance with this section.

(f) If the identified student cohort group does not meet or exceed the quantitative academic improvement goal established for such cohort group at the end of the four-year period:

(1) The state board of education shall deem such school district as not meeting at-risk improvement requirements on the school district's at-risk student achievement report published on the state board's website pursuant to subsection (j) until such school district meets the quantitative academic improvement goal established by the school district board of education for the subsequent cohort group identified pursuant to subsection (b) that replaces the cohort group that did not meet or exceed the four-year longitudinal academic improvement goal;

(2) the school district board of education shall continue to evaluate the longitudinal academic performance of such student cohort group for one additional school year in accordance with this section; and

(3) the school district board of education shall repeat the process established pursuant to this section by identifying another student cohort group pursuant to subsection (b), establishing a four-year quantitative academic improvement goal for such cohort group and conducting a four-year or five-year longitudinal academic evaluation of such cohort group in accordance with this section.

(g) (1) Commencing in school year 2030-2031, if an identified student cohort group does not meet or exceed the quantitative academic improvement goal established for such cohort group at the end of the one additional school year that the school district is authorized to evaluate such cohort group pursuant to subsection (f)(2), notwithstanding the provisions of K.S.A. 72-5131 et seq., and amendments thereto, the school district's at-risk student weighting and high-density at-risk student weighting entitlements in the school year following such one additional school year shall be determined and adjusted by the state board as follows:

(A) If only one student cohort group identified on the school district's at-risk accountability plan fails to meet or exceed the quantitative academic improvement goal established by the school district board of education at the end of the one additional school year that the school district is authorized to evaluate such cohort group pursuant to subsection (f)(2), the state board of education shall:

(i) Determine the BASE aid amount that was in effect in the final year of the five-year evaluation period of such cohort group;

(ii) determine the difference between the BASE aid amount in the current school year pursuant to K.S.A. 72-5132, and amendments thereto, and the BASE aid amount determined pursuant to subsection (g)(1)(A)(i);

(iii) multiply the amount determined pursuant to subsection (g)(1)(A)(ii) by 0.50;

(iv) add the amount determined pursuant to subsection (g)(1)(A)(i) to the amount determined pursuant to subsection (g)(1)(A)(iii); and

(v) multiply the sum determined pursuant to subsection (g)(1)(A)(iv) by the school district's at-risk student weighting and high-density at-risk student weighting determined pursuant to K.S.A. 72-5151, and amendments thereto. The computed amount is the amount of state aid attributable to the at-risk student weighting and high-density at-risk weighting that the school district shall be entitled to receive in the current school year; or

(B) if both student cohort groups identified on the school district's at-risk accountability plan fail to meet or exceed the quantitative

academic improvement goals established by the school district board of education at the end of the one additional school year that the school district is authorized to evaluate such cohort groups pursuant to subsection (f)(2), the state board of education shall:

(i) Determine the BASE aid amount that was in effect in the final year of the five-year evaluation period of such cohort groups; and

(ii) multiply the amount determined pursuant to subsection (g)(1)(B)(i) by the school district's at-risk student weighting and high-density at-risk student weighting determined pursuant to K.S.A. 72-5151, and amendments thereto. The computed amount is the amount of state aid attributable to the at-risk student weighting and high-density at-risk student weighting that the school district shall be entitled to receive in the current school year; and

(2) commencing in school year 2030-2031, the state board of education shall determine a school district's at-risk student weighting and high-density at-risk student weighting entitlements pursuant to this subsection for the school year following the one additional school year that the school district is authorized to evaluate a cohort group pursuant to subsection (f)(2) and in which the cohort group identified on the school district's at-risk accountability plan fails to meet or exceed the quantitative academic improvement goal established by the school district board of education at the end of the five-year evaluation period of such cohort group.

(h) Each participating school district board of education shall continue to follow the school district's at-risk student accountability plan and update the plan annually or as may be necessary to repeat the process established pursuant to this section every four years by identifying another student cohort group, establishing a four-year quantitative academic improvement goal for such cohort group and conducting a four-year or five-year longitudinal academic evaluation of such cohort group in accordance with this section. Such process shall continue until the school district achieves the state board of education's goal to have 75% of all students who took the statewide assessments during the preceding school year achieve academic proficiency by scoring at performance level 3 or 4 on the statewide assessments in both English language arts and mathematics.

(i) (1) For school years 2024-2025 and 2025-2026, the provisions of subsections (a) through (h) shall be implemented as a pilot program by 10 school districts selected by the state board of education for participation in such pilot program. When selecting the 10 school districts that will participate in such pilot program, the state board of education shall select a diverse array of school districts with consideration given to a school district's size, location, student demographics and level of staff participation and prior training in the science of reading.

(2) Commencing in school year 2026-2027, the provisions of subsections (a) through (h) shall be implemented by all school districts, including the school districts that participated in the pilot program. A school district that participated in the pilot program may identify new student cohort groups in such school year.

(j) (1) Each school district board of education shall submit annually to the state board of education an at-risk student achievement report on a form and in the manner established by the state board that includes:

(A) Subject to the provisions of subsection (i), the school district's at-risk student accountability plan to attain student proficiency established in accordance with this section that includes the cohort groups identified by the board of education of the school district and the quantitative academic improvement goals established for such

cohort groups;

(B) subject to the provisions of subsection (i), the current progress of the school district's plan to attain at-risk student proficiency and an estimation of whether the school district expects to meet or exceed the longitudinal academic improvement goals established by the school district board of education pursuant to this section;

(C) the expenditures made from the school district's at-risk education fund, which shall be submitted:

(i) In school years 2024-2025 and 2025-2026 by the school districts that are participating in the pilot program established pursuant to subsection (i); and

(ii) in school year 2026-2027 and each school year thereafter, by all school districts;

(D) the at-risk educational programs, services and resources and the provisional at-risk educational programs that the school district is using to support student achievement for students identified as eligible to receive at-risk program services and the targeted supports and interventions from the state board of education's list of approved at-risk educational programs that the school district is using to provide evidence-based instruction above and beyond regular education services to achieve the longitudinal academic improvement goals established for each cohort group;

(E) the number of students identified as eligible to receive at-risk or provisional at-risk educational programs and services who were served or provided assistance under the school district's approved at-risk program; and

(F) the data and research that the school district utilized to determine what programs and services are needed to implement the district's approved at-risk program.

(2) Each school district may provide a supplemental narrative to accompany the school district's at-risk student achievement report to provide information regarding annual progress reports or reasons why the school district was able to meet or not meet the longitudinal academic improvement goals established for each cohort group identified on the school district's at-risk student accountability plan pursuant to this section.

(3) To achieve uniform reporting of the number of students who are provided at-risk programs and services above and beyond that of a regular education, school districts shall report the information required pursuant to this subsection in a uniform manner required by the state board.

(k) Commencing in school year 2026-2027, the state board of education shall publish the plans and reports submitted by all school districts on the state board of education's website through the link on the state department of education's website homepage titled "accountability reports" with such reports published under a link titled "school district at-risk student accountability plans and reports." Commencing in school year 2026-2027, each school district board of education shall publish the school district's report on the school district's website and provide a link to the state department of education's website where all such reports are displayed.

(l) On or before January 31 each year, the state department of education shall prepare and present a summary of the reports submitted pursuant to subsection (j) to the house of representatives standing committee on K-12 education budget and the senate standing committee on education or any successor committees.

(m) As used in this section, "longitudinal" means the repeated examination and progress monitoring of the same individuals of a particular cohort group of students over a period of time.

(n) The provisions of this section shall take effect and be in force from and after July 1, 2024.

New Sec. 7. (a) Except as otherwise provided in subsection (b), in each school year, if a school district has open seats remaining after completion of the nonresident student transfer application process established pursuant to K.S.A. 72-3123, and amendments thereto, the board of education of the school district may consider applications for enrollment submitted by students who are residents of another state. The board of education of the school district shall give priority to nonresident students who reside in Kansas over those students who reside in another state prior to considering applications submitted by students who are residents of another state.

(b) If a student who is a resident of another state has a parent or person acting as parent employed by a school district in this state, the board of education of such school district may permit such student to enroll in and attend the school district as if the student is a resident of the school district.

Sec. 8. On and after July 1, 2024, K.S.A. 2023 Supp. 72-1439 is hereby amended to read as follows: 72-1439. (a) Within 30 days after the board of education of a school district adopts a resolution to dispose of a school district building pursuant to K.S.A. 72-3216, and amendments thereto, such board of education shall submit written notice of its intention to dispose of such building to the legislature. Such notice shall be filed with the chief clerk of the house of representatives and the secretary of the senate and shall contain the following:

- (1) A description of the school district's use of such building immediately prior to the decision to dispose of such building;
- (2) the reason for such building's disuse and the decision to dispose of such building;
- (3) the legal description of the real property to be disposed of; and
- (4) a copy of the resolution adopted by the board of education.

(b) (1) If the notice required under subsection (a) is received by the legislature during a regular legislative session, then the legislature shall have 45 days to adopt a concurrent resolution in accordance with subsection (c) stating the legislature's intention for the state to acquire such building.

(2) If the notice required under subsection (a) is received when the legislature is not in regular session, then *not more than 45 days after such notice is received by the legislature, the legislative coordinating council may deny the legislative option authorized pursuant to this section for the state to acquire the school district building. If the legislative coordinating council denies the legislative option for the state to acquire the school district building pursuant to this paragraph, the provisions of subsections (c) and (d) shall not apply, and the school district may proceed with disposing of such building in accordance with state law. If the legislative coordinating council does not deny the legislative option for the state to acquire the school district building within such 45-day period, then the legislature shall have 45 days from the commencement of the next regular session to adopt a concurrent resolution in accordance with subsection (c) stating the legislature's intention for the state to acquire such building.*

~~(3) If the legislature does not adopt a concurrent resolution in accordance with subsection (c) within the 45-day period, then the school district may proceed with the disposition of such school district building in accordance with state law.~~

(c) The legislature may adopt a concurrent resolution stating the legislature's intention that the state acquire the school district building. Such concurrent resolution shall include:

- (1) The name of the school district that owns such building;
- (2) the information contained in the written notice as described in subsection (a)(1) through (3); and
- (3) the state agency that intends to acquire such building and the intended use of such building upon acquisition.

(d) Upon adoption of a concurrent resolution in accordance with subsection (c), the state agency named in such resolution shall have 180 days to complete the acquisition of such school district building and take title to the real property. Upon request of the state agency acquiring the school district building, the legislative coordinating council may extend the 180-day period for a period of not more than 60 days. The board of education of the school district shall not sell, gift, lease or otherwise convey such building or any of the real property described in the written notice or take any action or refrain from taking any action that would diminish the value of such property during the 180-day period or any extension thereof. ~~If the state agency does not take title to the property within the 180-day period or any extension thereof, then the school district may proceed with disposition of such school district building in accordance with state law and any written agreements entered into between such state agency and the school district.~~

(e) *If the legislature does not adopt a concurrent resolution in accordance with subsection (c) within the 45-day period or if the state agency does not take title to the property within the 180-day period or any extension thereof pursuant to subsection (d), the board may dispose of the property in such manner and upon such terms and conditions as the board deems to be in the best interest of the school district. Conveyances of school buildings and other school properties pursuant to this section shall be executed by the president of the board and attested by the clerk.*

(f) ~~For purposes of~~ *As used in this section, the term:*

(1) *"Building" means any building that was used in any prior school year as an attendance center for students enrolled in kindergarten or any of the grades one through 12.*

(2) *"State agency" means any state agency, department, authority, institution, division, bureau or other state governmental entity.*

Sec. 9. K.S.A. 2023 Supp. 72-3123 is hereby amended to read as follows: 72-3123. (a) ~~Beginning in school year 2024-2025, any child of school age pursuant to K.S.A. 72-3118, and amendments thereto, may attend a school operated by a school district where such child does not reside if such school district has open seats as determined pursuant to this section.~~

~~(b)~~ *the board of education of any school district shall permit nonresident students to enroll in and attend the schools of the district if such school district has open seats as determined pursuant to this section.*

~~(e)~~*(b)* Each school district shall determine capacity in each school of the school district for the following school year as follows:

(1) For kindergarten and grades one through eight, the classroom student-teacher ratio in each grade level; and

(2) for grades nine through 12, the student-teacher ratio for each school building or program in each school building, including, but not limited to, advanced placement or international baccalaureate programs.

~~(d)~~*(c)* (1) On or before May 1 of each year, each school board shall determine for each grade level in each school building of the school district for the next succeeding school year the:

(A) Capacity as determined pursuant to subsection ~~(e)~~*(b)*;

(B) number of students expected to attend school in the school

district; and

(C) number of open seats available to nonresident students.

(2) On or before June 1 of each year, each school district shall publish on such school district's website the number of open seats available to nonresident students in each grade level for each school building of the school district for the next succeeding school year.

(3) From ~~June~~ *January* 1 through June ~~30~~ *15*, each school district shall accept applications from nonresident students *who are seeking to enroll in and attend the school district in the next succeeding school year*. Applications shall be on a form and in a manner determined by the school district.

(4) If the number of applications for a grade level in a school building is less than the number of available seats for such grade level in such school building, the nonresident students shall be accepted for enrollment and attendance at such school district. If the number of applications for a grade level in a school building is greater than the number of available seats for such grade level in such school building, the school district shall randomly select nonresident students using a confidential lottery process. Such process shall be completed on or before July 15 of each year.

(5) The school district shall provide to the parent or person acting as parent of a nonresident student who was not accepted for or denied enrollment at such school district the reason for the nonacceptance or denial and an explanation of the nonresident student selection process *on or before July 30 of each year*.

(6) If a school district denies an application of a nonresident student due to the school district deeming the nonresident student as not in good standing, the parent or person acting as parent of such student may appeal such denial to the school district board of education.

~~(d)~~ (1) Subject to capacity, school districts shall give priority to any sibling of a nonresident student ~~who was~~ *is enrolled in and attending such school district or who is* accepted to enroll in and attend such school district. Priority shall be given when the nonresident student is first accepted and, if necessary, at any other time the school district considers transfer applications. Any such sibling shall not be subject to the open seat lottery.

(2) Subject to capacity, school districts shall give priority to any nonresident student who is a military student as defined in K.S.A. 72-5139, and amendments thereto. Priority shall be given when the military student is first accepted and, if necessary, at any other time the school district considers transfer applications. Any such military student shall not be subject to the open seat lottery.

(3) Any child who is in the custody of the department for children and families and who is living in the home of a nonresident student who transfers may attend school in the receiving school district.

(4) Any nonresident student who has a parent or person acting as parent employed by a school district shall be permitted to enroll in and attend such school district as if the student is a resident of the school district. Any such student shall not be subject to the open-seat lottery established pursuant to subsection ~~(d)~~(c) when enrolling in and attending the school district where the parent or person acting as parent is employed.

(5) Any child who is experiencing homelessness shall be permitted to enroll in and attend the school district of origin or the school district of residence.

~~(e)~~ (e) A school district shall not:

(1) Charge tuition or fees to any nonresident student who transfers to such school district pursuant to this section except fees that are

otherwise charged to every student enrolled in and attending school in the district; or

(2) accept or deny a nonresident student transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude or athletic ability.

~~(g)~~(f) (1) A nonresident student ~~who has been~~ accepted for enrollment and attendance at a receiving school district *on or after June 1, 2024*, shall be permitted to continue such enrollment and attendance in such school district until such student graduates from high school, unless such student is *deemed as* no longer in good standing pursuant to subsection (g).

(2) *A nonresident student who was enrolled in and attended a school district of nonresidence during school year 2023-2024 shall be permitted to continue such enrollment and attendance in such school district until such student graduates from high school, unless such student is deemed as no longer in good standing pursuant to subsection (g).*

(3) *A nonresident student who was enrolled in and attended a school district of residence during school year 2023-2024 shall be permitted to continue such enrollment and attendance in such school district until such student graduates from high school, unless such student is deemed as no longer in good standing pursuant to subsection (g).*

(g) A receiving school district may deem ~~a~~ any nonresident student as not in good standing in accordance with such school district's nonresident transfer policy, *including any nonresident student who has not previously attended or been enrolled in the receiving school district. If a school district deems a nonresident student as not in good standing, such school district may deny such student's enrollment or continued enrollment in the school district.* Prior to making any determination to deem a nonresident student as not in good standing, a district shall consider a student's status as a homeless child and the resulting factors of homelessness on such student's standing.

(h) A student may always enroll at any time in the school district where such student resides.

(i) Except for a child in the custody of the department for children and families or a child who is experiencing homelessness, a nonresident student shall not transfer more than once per school year to one or more receiving school districts pursuant to the provisions of this section.

(j) *Neither a resident school district nor a receiving school district shall ~~not~~ be required to provide transportation to nonresident students unless otherwise required by applicable law.* If space is available on school district transportation vehicles, a school district may provide nonresident students an in-district bus stop where transportation may be provided by such school district to and from such bus stop and the school for such nonresident students. A school district shall ensure that transportation for nonresident homeless students is provided comparably to that of housed students.

(k) Each school district board of education shall submit *annually* to the state department of education the school district's policy adopted pursuant to K.S.A. 2023 Supp. 72-3126, and amendments thereto, the number of nonresident student transfers approved and denied by such board in each grade level and whether the denials were based on capacity or in accordance with the policy adopted pursuant to K.S.A. 2023 Supp. 72-3126, and amendments thereto. The state department of education shall collect and report such data on such department's website and make such data available to the legislative division of post

audit.

(1) Each year, the state department of education, as part of the department's enrollment audit, shall audit the nonresident student capacity and enrollment.

(2) In calendar year 2027, *subject to a request made by the house standing committee on K-12 education budget or the senate standing committee on education, or any successor committees*, the legislative post audit committee shall direct the legislative division of post audit to conduct an audit of nonresident student transfers pursuant to this section. *If requested*, such audit shall be reported to the legislative post audit committee on or before January 15, 2028, and subsequently presented to the house standing committee on K-12 education budget and the senate standing committee on education, or any successor committees.

(m) Nothing in this section shall be construed to exempt any nonresident student who transfers to a receiving school district pursuant to this section from the policies and requirements of the activities association referred to in K.S.A. 72-7114, and amendments thereto.

(n) The provisions of this section shall not apply to any:

(1) School located on a military installation as defined in K.S.A. 72-8268, and amendments thereto; *or*

(2) *virtual school as defined in K.S.A. 72-3712, and amendments thereto.*

Sec. 10. K.S.A. 2023 Supp. 72-3124 is hereby amended to read as follows: 72-3124. (a) The board of education of any school district shall allow any *nonresident* student ~~who is not a resident of the district~~ to enroll in and attend school in such district pursuant to K.S.A. 72-3123, and amendments thereto. The board of education of such district may furnish or provide transportation to any nonresident student who is enrolled in and attending school in the district. If the district agrees to furnish or provide transportation to a nonresident student, such transportation shall be furnished or provided until the end of the school year. Prior to providing or furnishing transportation to a nonresident student, the receiving school district shall notify the board of education of the sending school district that transportation will be furnished or provided for such student.

(b) Nonresident students shall be counted as regularly enrolled in and attending school in the receiving school district for the purpose of computations under the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto, except computation of transportation weighting under such act, and for the purposes of the statutory provisions contained in article 64 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto. Such nonresident student shall not be charged for the costs of attendance at school.

Sec. 11. K.S.A. 2023 Supp. 72-3126 is hereby amended to read as follows: 72-3126. (a) (1) On or before January 1, 2024, each board of education of a school district shall adopt a policy to determine the number of nonresident students that the school district has the capacity to accept in each grade level for each school of the school district pursuant to K.S.A. 72-3123, and amendments thereto. Such policies shall clearly specify the reasons that the board may use to deny continued enrollment of a nonresident student who is not in good standing. Such reasons for a denial of continued enrollment may include, but shall not be limited to, the nonresident student's record of school absenteeism and repeated suspensions or expulsions.

(2) A school district's policy adopted pursuant to this section shall consider the adverse impact of homelessness on a student's attendance and any resulting suspensions or expulsions before making a determination on the continued enrollment of a student who is

homeless. A district shall consider the obstacles a homeless student faces to arrive at school on time or each day due to housing instability, lack of transportation or lack of other basic resources that can hinder consistent attendance.

(b) Prior to adopting such policy, the board of education shall call and hold a hearing on the proposed policy. The board of education shall provide notice of such hearing, which shall include the time, date and place of the public hearing to be held on the proposed policy. Such notice shall be published at least once each week for two consecutive weeks in a newspaper of general circulation in the school district and shall also be posted on the school district's website.

(c) At such hearing, a representative of the board shall present the board's proposal for the policy and the board shall hear testimony regarding the proposed policy. Following the public hearing, after consideration of the testimony and evidence presented or submitted at such public hearing, the board shall determine whether to adopt or revise the proposed policy at a subsequent public meeting of the board.

(d) *The school district shall publish the policy adopted pursuant to subsection (a) shall be published and any subsequent revisions to such policy on the school district's website through a link on the school district's website homepage titled "open enrollment information."*

(e) The provisions of this section shall not apply to any school located on a military installation as defined in K.S.A. 72-8268, and amendments thereto.

Sec. 12. K.S.A. 2023 Supp. 72-3127 is hereby amended to read as follows: 72-3127. ~~(a)~~ As used in K.S.A. 72-3122 through 72-3125, and amendments thereto, and K.S.A. 2023 Supp. 72-3126 and section 7, and amendments thereto:

~~(1)~~(a) "Homeless child" means a child who lacks a fixed, regular and adequate nighttime residence and whose primary nighttime residence is:

~~(A)~~(1) A supervised publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters and transitional housing for the mentally ill;

~~(B)~~(2) an institution that provides a temporary residence for individuals intended to be institutionalized; or

~~(C)~~(3) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for humans.

~~(2)~~(b) "Nonresident student" ~~or "nonresident transfer student"~~ means a ~~student~~ child of school age pursuant to K.S.A. 72-3118, and amendments thereto, who resides in Kansas and is enrolled and in attendance at or seeking to enroll and attend a school located in a school district where such student is not a resident.

~~(3)~~(c) "Parent" means and includes natural parents, adoptive parents, stepparents and foster parents.

~~(4)~~(d) "Person acting as parent" means:

~~(A)~~(1) A guardian or conservator; or

~~(B)~~(2) a person, other than a parent, who:

~~(i)~~(A) Is liable by law to maintain, care for or support the child;

~~(ii)~~(B) has actual care and control of the child and is contributing the major portion of the cost of support of the child;

~~(iii)~~(C) has actual care and control of the child with the written consent of a person who has legal custody of the child; or

~~(iv)~~(D) has been granted custody of the child by a court of competent jurisdiction.

~~(5)~~(e) "Receiving school district" means a school district of nonresidence of a student who attends school in such school district.

~~(6)~~(f) "School district" means a school district organized and

operating under the laws of this state.

~~(7)(g)~~ "Sending school district" means a school district of residence of a student who attends school in a school district not of the student's residence.

~~(8)(h)~~ "Sibling" means a brother or sister of the whole or half blood, adoptive brother or sister, a stepbrother or stepsister or a foster brother or foster sister.

~~(b) This section shall take effect and be in force from and after July 1, 2023.~~

Sec. 13. On and after July 1, 2024, K.S.A. 2023 Supp. 72-3216 is hereby amended to read as follows: 72-3216. (a) (1) Subject to paragraph (2), every unified school district shall maintain, offer and teach kindergarten and grades one through 12 and shall offer and teach at least 30 units of instruction for students enrolled in grades nine through 12 in each high school operated by the board of education. The units of instruction, to qualify for the purpose of this section, shall have the prior approval of the state board of education.

(2) Any unified school district which has discontinued kindergarten, any grade or unit of instruction under authority of K.S.A. 72-13,101, and amendments thereto, and has entered into an agreement with another unified school district for the provision of kindergarten or any such grade or unit of instruction has complied with the kindergarten, grade and unit of instruction requirements of this section.

(b) The board of education shall adopt all necessary rules and regulations for the government and conduct of its schools, consistent with the laws of the state.

(c) The board of education may divide the district into subdistricts for purposes of attendance by pupils.

(d) (1) The board of education shall have the title to and the care and keeping of all school buildings and other school property belonging to the district. The board may open any or all school buildings for community purposes and may adopt rules and regulations governing use of school buildings for those purposes. School buildings and other school properties no longer needed by the school district may be disposed of by the board upon the affirmative recorded vote of not less than a majority of the members of the board at a regular meeting. Subject to the provisions of K.S.A. 2023 Supp. 72-1439, and amendments thereto, the board may dispose of the property in such manner and upon such terms and conditions as the board deems to be in the best interest of the school district. Conveyances of school buildings and other school properties shall be executed by the president of the board and attested by the clerk.

(2) *When disposing of any school district property pursuant to this section or K.S.A. 2023 Supp. 72-1439, and amendments thereto, a board of education of a school district shall not refuse to sell, lease or convey any interest in a building or property to a prospective buyer or lessee solely because the prospective buyer or lessee may use or intends to use the building or property as a nonpublic school building.*

(e) The board shall have the power to acquire personal and real property by purchase, gift or the exercise of the power of eminent domain in accordance with K.S.A. 72-1144, and amendments thereto.

Sec. 14. On and after July 1, 2024, K.S.A. 72-3422 is hereby amended to read as follows: 72-3422. (a) Each year, the state board of education shall determine the amount of state aid for the provision of special education and related services each school district shall receive for the ensuing school year. The amount of such state aid shall be computed by the state board as provided in this section.

(b) (1) *The state board shall determine the total amount of special education state aid to be provided to school districts for the provision*

of special education and related services as follows:

~~(1)(A)~~ Determine the total amount of general fund and local option budgets of all school districts weighted full-time equivalent student enrollment as provided on the legal maximum general fund calculation data computed by the state department of education excluding the special education and related services weighting, bilingual weighting, transportation weighting, career technical education weighting and at-risk student weighting;

~~(2)(B)~~ subtract from the amount determined in subsection ~~(a)(1)~~ the total amount attributable to assignment of transportation weighting, bilingual weighting, career technical education weighting, special education weighting and at-risk student weighting to the enrollment of all school districts multiply the amount determined in paragraph ~~(1)(A)~~ by the base aid for student excellence established pursuant to K.S.A. 72-5132, and amendments thereto;

~~(3)(C)~~ divide the remainder amount obtained in subsection ~~(a)(2)~~ paragraph ~~(1)(B)~~ by the total number of unweighted full-time equivalent pupils students enrolled in all school districts on September 20;

~~(4)(D)~~ determine the total full-time equivalent enrollment of exceptional children receiving special education and related services provided by all school districts;

~~(5)(E)~~ multiply the amount of the quotient obtained in subsection ~~(a)(3)~~ paragraph ~~(1)(C)~~ by the full-time equivalent enrollment determined in subsection ~~(a)(4)~~ paragraph ~~(1)(D)~~;

~~(6)(F)~~ multiply the amount of the product obtained in paragraph ~~(1)(E)~~ by the statewide average local option budget authorized percent;

~~(G)~~ add the amount determined in paragraph ~~(1)(E)~~ to the amount determined in paragraph ~~(1)(F)~~;

~~(H)~~ determine the amount of federal funds received by all school districts for the provision of special education and related services;

~~(7)(I)~~ determine the amount of revenue received by all school districts for medicaid reimbursements and rendered under contracts with the state institutions for the provisions of special education and related services by the state institution;

~~(8)(J)~~ add the amounts determined under subsections ~~(a)(6)~~ and ~~(a)(7)~~ to the amount of the product obtained under subsection ~~(a)(5)~~ paragraphs ~~(1)(G)~~ through ~~(1)(I)~~;

~~(9)(K)~~ determine the total amount of expenditures of all school districts for the provision of special education and related services;

~~(10)(L)~~ subtract the amount of the sum obtained under subsection ~~(a)(8)~~ paragraph ~~(1)(J)~~ from the amount determined under subsection ~~(a)(9)~~ paragraph ~~(1)(K)~~; and

~~(11)~~ multiply the remainder obtained under subsection ~~(a)(10)~~ by 92%~~(M)~~ multiply the amount determined under paragraph ~~(1)(L)~~ by 92%.

(2) Subject to appropriation acts of the legislature, the computed amount is the total amount of state aid that shall be received for the provision of special education and related services ~~aid a~~ by school district is entitled to receive districts for the ensuing school year.

~~(b)(c)~~ Except as provided in subsection (e), each school district shall receive:

(1) Reimbursement for actual travel allowances paid to special teachers at not to exceed the rate specified under K.S.A. 75-3203, and amendments thereto, for each mile actually traveled during the school year in connection with duties in providing special education or related services for exceptional children. Such reimbursement shall be computed by the state board by ascertaining the actual travel allowances paid to special teachers by the school district for the school

year and shall be in an amount equal to 80% of such actual travel allowances;

(2) reimbursement in an amount equal to 80% of the actual travel expenses incurred for providing transportation for exceptional children to special education or related services;

(3) reimbursement in an amount equal to 80% of the actual expenses incurred for the maintenance of an exceptional child at some place other than the residence of such child for the purpose of providing special education or related services. Such reimbursement shall not exceed \$600 per exceptional child per school year; and

(4) (A) except for those school districts that receive reimbursement under subsection ~~(e)~~ (c)(4)(D) or ~~(d)~~(c)(4)(E), after subtracting the amounts of reimbursement under subsections ~~(a)(1)(c)~~ (1), ~~(a)(2)(c)~~(2) and ~~(a)(3)(c)~~(3) from the total amount appropriated for special education and related services under this act, an amount which bears the same proportion to the remaining amount appropriated as the number of full-time equivalent special teachers who are qualified to provide special education or related services to exceptional children ~~and that~~ are employed by the school district for approved special education or related services bears to the total number of such qualified full-time equivalent special teachers employed by all school districts for approved special education or related services.

(B) Each special teacher who is qualified to assist in the provision of special education or related services to exceptional children shall be counted as $\frac{2}{5}$ full-time equivalent special teacher who is qualified to provide special education or related services to exceptional children.

(C) For purposes of this ~~subsection (b)(4) paragraph~~, a special teacher, qualified to assist in the provision of special education and related services to exceptional children, who assists in providing special education and related services to exceptional children at either the state school for the blind or the state school for the deaf and whose services are paid for by a school district pursuant to K.S.A. 76-1006 or 76-1102, and amendments thereto, shall be considered a special teacher of such school district.

~~(e)(D)~~ Each school district ~~which that~~ has paid amounts for the provision of special education and related services under an interlocal agreement shall receive reimbursement under ~~subsection (b)(4) this paragraph~~. The amount of such reimbursement for the school district shall be the amount ~~which that~~ bears the same relation to the aggregate amount available for reimbursement for the provision of special education and related services under the interlocal agreement, as the amount paid by such school district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all school districts in the current school year who have entered into such interlocal agreement for provision of such special education and related services.

~~(d)(E)~~ Each contracting school district ~~which that~~ has paid amounts for the provision of special education and related services as a member of a cooperative shall receive reimbursement under ~~subsection (b)(4) this paragraph~~. The amount of such reimbursement for the school district shall be the amount ~~which that~~ bears the same relation to the aggregate amount available for reimbursement for the provision of special education and related services by the cooperative, as the amount paid by such school district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all contracting school districts in the current school year by such cooperative for provision of such special education and related services.

(d) For fiscal year 2025, and each fiscal year thereafter, the

legislature shall appropriate from the state general fund in the special education services aid account of the state department of education an amount that is equal to or greater than \$601,018,818.

(e) (1) In fiscal year 2025, and each fiscal year thereafter, the state department of education shall distribute from the special education services aid account of the state general fund an amount equal to \$528,018,516, to school districts pursuant to the statutory distribution schedule established pursuant to subsection (c).

(2) For fiscal year 2025, and each fiscal year thereafter, the state board of education shall establish a special education services aid equalization distribution schedule that prioritizes equalizing special education services aid distributions to school districts. When establishing or revising the special education services aid equalization distribution schedule, the state board of education shall give consideration to the discrepancies between each school district's excess cost as determined pursuant to section 5, and amendments thereto. The purpose of such special education services aid equalization distribution schedule shall be to provide for a more equitable distribution of special education state aid among school districts based on each school district's excess costs.

(3) Notwithstanding the provisions of subsection (c), for fiscal year 2025, and each fiscal year thereafter, the state department of education shall:

(A) Determine the total amount appropriated for such fiscal year from the state general fund in the special education services aid account of the state department of education;

(B) subtract \$528,018,516 from the amount determined pursuant to paragraph (3)(A); and

(C) distribute the amount of the difference determined under paragraph (3)(B) to school districts pursuant to the special education services aid equalization distribution schedule established by the state board of education pursuant to paragraph (2).

(e)(f) No time spent by a special teacher in connection with duties performed under a contract entered into by the Kansas juvenile correctional complex, the Larned juvenile correctional facility or the Topeka juvenile correctional facility and a school district for the provision of special education services by such state institution shall be counted in making computations under this section.

(f)(g) (1) There is hereby established in every school district a fund which shall be called the special education fund, which fund that shall consist of all moneys deposited therein or transferred thereto according to law. Notwithstanding any other provision of law, all moneys received by the school district from whatever source for special education shall be credited to the special education fund established by this section, except that:—(1) (A) Amounts of payments received by a school district under K.S.A. 72-3423, and amendments thereto, and amounts of grants, if any, received by a school district under K.S.A. 72-3425, and amendments thereto, shall be deposited in the general fund of the district and transferred to the special education fund; and (2)(B) moneys received by a school district pursuant to lawful agreements made under K.S.A. 72-3412, and amendments thereto, shall be credited to the special education fund established under the agreements.

(g)(2) The expenses of a school district directly attributable to special education shall be paid from the special education fund and from special funds established under K.S.A. 72-3412, and amendments thereto.

(h)(3) Obligations of a school district pursuant to lawful agreements made under K.S.A. 72-3412, and amendments thereto, shall be paid from the special education fund established by this section.

Sec. 15. On and after July 1, 2024, K.S.A. 2023 Supp. 72-3715 is hereby amended to read as follows: 72-3715. (a) In order to be included in the full-time equivalent enrollment of a virtual school, a student shall be in attendance at the virtual school on:

(1) A single school day on or before September 19 of the school year; and

(2) on a single school day on or after September 20; but before October 4 of the school year.

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

(1) Determine the number of hours the student was in attendance on a single school day on or before September 19 of the school year;

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

(3) add the numbers obtained under subsections (b)(1) and (b)(2);

(4) divide the sum obtained under subsection (b)(3) by 12. The quotient is the full-time equivalent enrollment of the student.

(c) The school days on which a district determines the full-time equivalent enrollment of a student under subsections (b)(1) and (2) shall be the school days on which the student has the highest number of hours of attendance at the virtual school. ~~Not~~ *Not* more than six hours of attendance may be counted in a single school day. Attendance may be shown by a student's on-line activity or entries in the student's virtual school journal or log of activities.

(d) Subject to the availability of appropriations and within the limits of any such appropriations, each school year, a school district that offers a virtual school shall receive virtual school state aid. The state board of education shall determine the amount of virtual school state aid a school district is to receive as follows:

(1) Determine the ~~number~~ *full-time equivalent enrollment* of students enrolled in virtual school ~~on a full-time basis~~, excluding those students who are over 19 years of age *who qualify for virtual school state aid pursuant to paragraph (2)* and those students who are 19 years of age or younger who qualify for virtual school state aid pursuant to paragraph ~~(4)~~ (3), and multiply the total ~~number~~ *full-time equivalent enrollment* of such students by \$5,600;

~~(2) determine the full-time equivalent enrollment of students enrolled in virtual school on a part-time basis, excluding those students who are over 19 years of age and those students who are 19 years of age or younger who qualify for virtual school state aid pursuant to paragraph (4), and multiply the total full-time equivalent enrollment of such students by \$2,800;~~

~~(3) for students enrolled in a virtual school who are over 19 years of age on or before September 20, the state board of education shall:~~

~~(A) Determine the number of one-hour credit courses reported on the Kansas collection KCAN report that such students have passed, not to exceed six credit courses per school year, and to meet the minimum graduation requirements established by the state board of education or the local school district board of education;~~

~~(B) validate such course completion using official student transcripts; and~~

~~(C) multiply the total number of such courses by \$709, not to exceed six credit courses per school year;~~

~~(4)(3) for students who are 19 years of age or younger who enroll in a virtual school as a dropout diploma completion virtual student, the state board shall:~~

~~(A) Determine the number of one-hour credit courses reported on~~

the Kansas collection KCAN report that such students have passed, not to exceed six credit courses per school year, to meet the minimum graduation requirements established by the state board of education or the local school district board of education;

(B) validate such course completion using official student transcripts; and

(C) multiply the total number of such courses by \$709, not to exceed six credit courses per school year; and

~~(S)~~*(4) add the amounts calculated under subsections (d)(1) through (d)(4) (d)(3). The resulting sum is the amount of virtual school state aid the school district shall receive.*

(e) The state board shall not deduct any virtual school state aid that is otherwise due to a school district pursuant to subsection (d)(2) or (d)(3) for any courses that were completed by students in the school year that precedes the year in which virtual school state aid is determined pursuant to this section. If the state board of education deducts any virtual school state aid that is otherwise due to a school district pursuant to subsection (d)(2) or (d)(3), such deduction shall only be made with respect to individual courses completed.

(f) (1) There is hereby established in every school district the virtual school fund. Such fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to virtual schools offered by a school district may be paid from the virtual school fund. The cost of an advance placement course provided to a student by a virtual school shall be paid by the virtual school. Moneys deposited in or otherwise transferred to the virtual school fund shall only be expended for those costs directly attributable to the provision of virtual instruction.

(2) Any balance remaining in the virtual school fund at the end of the budget year shall be carried forward into the virtual school fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.

(3) In preparing the budget of such school district, the amounts credited to ~~and~~, the amount on hand in ~~the virtual school fund~~, and the amount expended ~~therefrom~~ from the virtual school fund shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

~~(f)~~*(g) For the purposes of this section, a student enrolled in a virtual school who is not a resident of the state of Kansas shall not be counted in the full-time equivalent enrollment of the virtual school. The virtual school shall record the permanent address of any student enrolled in such virtual school.*

~~(g)~~*(h) The state board of education shall publish on the state board's website the audit methodology used to determine and verify virtual school state aid entitlements pursuant to subsection (d)(2) and (d)(3).*

(i) As used in this section;

~~(f)~~*"dropout diploma completion virtual student" means any student who is 19 years of age or younger who has:*

~~(A)~~*(1) A ratio of earned credits to expected credits for the student's cohort year of less than 75% when enrolling in a virtual school;*

~~(B)~~~~(f)~~*(2) (A) dropped out of high school such that the student has not attended any school of a school district for 60 consecutive days or more during the current school year and the student is not reasonably anticipated to recommence enrollment or attendance at any school of a school district during the current school year;*

~~(ii)(B)~~ dropped out of high school such that the student has not attended any school of a school district for 60 consecutive days or more during the preceding school year, ~~the student~~ did not finish such preceding school year and ~~the student~~ is not reasonably anticipated to recommence enrollment or attendance at any school of a school district during the current school year; or

~~(iii)(C)~~ been exempted from compulsory student attendance by written consent of the parent pursuant to K.S.A. 72-3120, and amendments thereto; and

~~(E)(3)~~ not been counted in the enrollment of a virtual school as a full-time or part-time virtual student during the school year in which such student enrolls as a dropout diploma completion virtual student.

~~(2) "Full-time" means attendance in a virtual school for no less than six hours as determined pursuant to subsection (b).~~

~~(3) "Part-time" means attendance in a virtual school for less than six hours as determined pursuant to subsection (b).~~

Sec. 16. On and after July 1, 2024, K.S.A. 72-5143 is hereby amended to read as follows: 72-5143. (a) In each school year, the board of education of a school district shall adopt, by resolution, a local option budget equal to 15% of the school district's total foundation aid.

(b) If the board of education of a school district desires local option budget authority above the amount required under subsection (a), the board may adopt, by resolution, a local option budget in an amount that does not exceed the statewide average for the preceding school year as determined by the state board pursuant to subsection (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 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 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 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 adopt a budget in an amount less than the amount authorized, provided the board adopts a local option budget in an amount equal to or greater than the amount required under subsection (a).

(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. 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. 72-6471, prior to July 1, 2017, may continue to operate under such resolution for the period of time specified in the resolution if such resolution adopted a local option budget equal to or greater than the amount required in subsection (a), 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) For school year 2019-2020 and each school year thereafter, 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. Such notice shall include the local option budget authority, expressed as a percentage of the school district's total foundation aid, to be adopted for the immediately succeeding school year. The board of a school district shall not adopt a local option budget in excess of the authority stated in a notice submitted pursuant to this subsection.

(i) (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) (A) Of the moneys deposited in or otherwise credited to the supplemental general fund of a school district pursuant to K.S.A. 72-5147, and amendments thereto, an amount that is proportional to that amount of such school district's total foundation aid attributable to the at-risk student weighting as compared to such district's total foundation aid shall be transferred to the at-risk education fund of such school district and shall be expended in accordance with K.S.A. 72-5153, and amendments thereto.

(B) Of the moneys deposited in or otherwise credited to the supplemental general fund of a school district pursuant to K.S.A. 72-5147, and amendments thereto, an amount that is proportional to that amount of such school district's total foundation aid attributable to the bilingual weighting as compared to such district's total foundation aid shall be transferred to the bilingual education fund of such school district and shall be expended in accordance with K.S.A. 72-3613, and amendments thereto.

(C) Of the moneys deposited in or otherwise credited to the supplemental general fund of a school district pursuant to K.S.A. 72-5147, and amendments thereto, an amount that is proportional to that amount of such school district's total foundation aid attributable to the special education weighting as compared to such school district's total foundation aid shall be transferred to the special education fund of such school district and expended in accordance with K.S.A. 72-3422, and amendments thereto.

(3) Subject to the limitations imposed under paragraph (4), 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%.

(4) 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. 72-1149, and amendments thereto.

(5) (A) Except as provided in subparagraph (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 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. 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. 72-5132, and amendments thereto.

Sec. 17. On and after July 1, 2024, K.S.A. 2023 Supp. 72-5153 is hereby amended to read as follows: 72-5153. (a) There is hereby established in every school district an at-risk education fund that shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to providing at-risk student assistance or programs shall be paid from the at-risk education fund.

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

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

(1) At-risk and provisional at-risk educational programs *that are provided above and beyond regular educational services to students who are identified as at-risk;*

(2) personnel providing educational services in conjunction with such programs;

(3) support for instructional classroom personnel designed to provide training for evidence-based best practices for at-risk educational programs; or

(4) services contracted for by the school district to provide *such* at-risk and provisional at-risk educational programs.

(d) (1) ~~The state board shall identify and approve evidence-based best practices for at-risk educational programs and instruction of students receiving at-risk program services, approve and provide a list of at-risk educational programs that provide best practices and evidence-based instruction to students who are identified as eligible to receive at-risk programs and services that school districts shall use to provide at-risk educational programs to students who are identified as eligible to receive at-risk programs and services above and beyond that of a regular education. Such best practices list of approved at-risk educational programs shall include, but not be limited to, programs and services provided by state-based national nonprofit organizations that:~~

(A) Focus on students who are identified as students eligible to receive at-risk program services or who face other identifiable barriers to success;

(B) provide evidence-based instruction and support services to such students inside and outside the school setting; and

(C) evaluate outcomes data for students, including, but not limited to, school attendance, academic progress, graduation rates, pursuit of postsecondary education or career advancement.

(2) The state board shall review and update ~~such best practices~~

~~online at-risk best practices list as necessary and as part of its five-year accreditation system review process.~~

~~(3) The state board shall provide a list of approved at-risk educational programs to each school district. The department shall publish the such list of approved at-risk educational programs on the department's website with a link to such list prominently displayed on the department's website homepage.~~

~~(4)(3) (A) No expenditure shall be made from a school district's at-risk education fund for any program or service that is not included on the list of approved at-risk educational programs, unless such program is a provisional at-risk educational program included on the list of approved at-risk educational programs unless the expenditure is made for a provisional at-risk educational program.~~

~~(B) Expenditures shall only be made for a provisional at-risk educational program for a period not to exceed three years after implementation of such provisional at-risk educational program by a school district. The state board shall review any such provisional at-risk educational program, and if such program satisfies the state board's requirements as an evidence-based best practice, then such program shall be included in the list of approved at-risk educational programs. The state board of education may authorize a school district to make expenditures from the school district's at-risk education fund to commence and implement a provisional at-risk educational program. The state board shall approve any provisional at-risk educational program prior to the implementation of the provisional at-risk educational program by a school district. Any provisional at-risk educational program approved by the state board and implemented by a school district shall be subject to school district review while such program is implemented in the school district to evaluate whether the program is producing or likely to produce measurable success. If any provisional at-risk educational program is determined by the state board to provide evidence-based instruction, the state board shall include such program or service on the list of approved at-risk educational programs.~~

~~(C) If the state board removes any program or service from the state board's list of approved at-risk educational programs and services, a school district that is implementing any such program or service may apply to the state board to continue to make expenditures from the school district's at-risk education fund for such program or service. When considering any such application, the state board shall require such school district to demonstrate that any of the following improvements are directly attributable to the program or service:~~

~~(i) Academic improvement in either mathematics or English language arts; or~~

~~(ii) an improvement in attendance, college and career readiness measures or the educational climate through a measurable decrease in detentions, expulsions, tardiness or other behavioral issues that hinder student learning.~~

~~(5)(4) The purpose of at-risk and provisional School districts shall provide at-risk educational programs and services is to provide students identified as eligible to receive at-risk programs and services with additional educational opportunities, interventions and evidence-based instructional services above and beyond regular educational services.~~

~~(6) Delivery of at-risk and provisional at-risk programs or services by a school district may include, but shall not be limited to, the following:~~

~~(A) Extended school year;~~

~~(B) before-school programs and services;~~

~~(C) after-school programs and services;~~

- ~~(D) — summer school;~~
- ~~(E) — extra support within a class;~~
- ~~(F) — tutorial assistance; and~~
- ~~(G) — class within a class.~~

~~(c) — Each year the board of education of each school district shall prepare and submit to the state board a report on the at-risk and provisional at-risk educational programs provided by the school district for students identified as eligible to receive at-risk program services. Such report shall include:~~

~~(1) — The number of students identified as eligible to receive at-risk or provisional at-risk educational program services who were served or provided assistance;~~

~~(2) — the type of at-risk and provisional at-risk educational programs and services provided, including the number of students provided assistance under the district's approved at-risk program;~~

~~(3) — the data and research the school district utilized in determining what programs and services were needed to implement the approved at-risk program;~~

~~(4) — the district shall track and report the longitudinal performance of students that are continuously receiving at-risk programs and services in the district's approved at-risk program and, if applicable, shall include data regarding state assessment scores, Kansas English language proficiency assessment results, four-year graduation rates, progress monitoring, norm-referenced test results, criterion-based test results, individualized education program goals, attendance and average ACT composite scores; and~~

~~(5) — any other information required by the state board.~~

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

~~(g) As used in this section:~~

~~(1) "At-risk educational program" means an at-risk program or service that is identified and approved by the state board as an evidence-based best practice pursuant to subsection (d);~~

~~(2) "evidence-based instruction" means an education delivery system based on peer-reviewed research that consistently produces better student outcomes over a five-year period than would otherwise be achieved by the same students who are receiving at-risk program services; and~~

~~(3) "provisional at-risk educational program" means an evidence-based at-risk educational program or service identified or developed by a school district as producing or likely to produce measurable success that has been submitted to the state board for review pursuant to subsection (d) "Above and beyond" means an at-risk educational program or evidence-based instruction or practice that is provided in excess of regular educational services and based on the needs of students identified as eligible to receive at-risk educational programs and services and may provide a collateral benefit to students who are not so identified without any additional cost.~~

~~(2) "At-risk educational program" means an at-risk program or service that is identified and approved by the state board as providing evidence-based instruction to students who are identified as eligible to receive at-risk educational programs and services above and beyond regular educational services.~~

~~(3) "Evidence-based instruction" means an education delivery practice based on peer reviewed research that consistently produces better student outcomes over a one-year period than would otherwise be achieved by the same students who are identified as eligible to~~

receive at-risk educational programs and services.

(4) "Provisional at-risk educational program" means an education delivery practice that is identified or developed by a school district as a program or service that is:

(A) Provided to students who are identified as eligible to receive at-risk educational programs and services above and beyond regular educational services;

(B) producing or likely to produce better student outcomes;

(C) subject to school district review to evaluate whether such program provides evidence-based instruction; and

(D) is placed on the state board of education's list of approved at-risk educational programs if the provisional at-risk educational program is shown to provide evidence-based instruction to students who are identified as eligible to receive at-risk educational programs and services.

Sec. 18. On and after July 1, 2024, K.S.A. 2023 Supp. 72-5170 is hereby amended to read as follows: 72-5170. (a) (1) In order to accomplish the mission for Kansas education, the state board shall design and adopt a school district accreditation system based upon improvement in performance that equals or exceeds the educational goal set forth in K.S.A. 72-3218(c), and amendments thereto, and is measurable. The state board shall hold all school districts accountable through the Kansas education systems accreditation rules and regulations, or any successor accreditation system and accountability plan adopted by the state board. The state board also shall ensure that all school districts and the public schools operated by such districts have programs and initiatives in place for providing those educational capacities set forth in K.S.A. 72-3218(c), and amendments thereto. On or before January 15 of each year, the state board shall prepare and submit a report on the school district accreditation system to the governor and the legislature.

(2) The accountability measures established pursuant to paragraph (1) shall be applied both at the district level and at the school level. Such accountability measures shall be reported by the state board for each school district and each school. All reports prepared pursuant to this section shall be published in accordance with K.S.A. 2023 Supp. 72-1181, and amendments thereto.

(3) If a school district is not fully accredited and a corrective action plan is required by the state board, such corrective action plan, and any subsequent reports prepared by the state board regarding the progress of such school district in implementing and executing such corrective action plan, shall be published on the state department of education's internet website and such school district's internet website in accordance with K.S.A. 2023 Supp. 72-1181, and amendments thereto.

(4) If a school district is not accredited, the superintendent, or the superintendent's designee, shall appear before the committee on education of the house of representatives and the committee on education of the senate during the regular legislative session that occurs during the same school year ~~in which~~ when such school district is not accredited. Such school district shall provide a report to such committees on the challenges and obstacles that are preventing such school district from becoming accredited.

(b) The state board shall establish curriculum standards that reflect high academic standards for the core academic areas of mathematics, science, reading, writing and social studies. The curriculum standards ~~shall~~ may be reviewed at least every seven years. *The state board shall not substantially revise or update the English language arts or mathematics curriculum standards that are in effect on July 1, 2024, in*

a manner that would necessitate the development of new statewide assessments in English language arts or mathematics until the state board's long-term goal for all students submitted to the United States department of education in the consolidated state plan is achieved such that 75% of all students score in performance levels 3 and 4 combined on the statewide assessments in English language arts and mathematics by 2030. Nothing in this subsection shall be construed in any manner so as to impinge upon any school district's authority to determine its own curriculum.

(c) The state board shall provide for statewide assessments in the core academic areas of mathematics, science, reading, writing and social studies. The board shall ensure compatibility between the statewide assessments and the curriculum standards established pursuant to subsection (b). Such assessments shall be administered at three grade levels, as determined by the state board. The state board shall determine performance levels on the statewide assessments, the achievement of which represents high academic standards in the academic area at the grade level to which the assessment applies. The state board should specify high academic standards both for individual performance and school performance on the assessments.

(d) Each school year, on such date as specified by the state board, each school district shall submit the Kansas education system accreditation report to the state board in such form and manner as prescribed by the state board.

(e) Whenever the state board determines that a school district has failed either to meet the accreditation requirements established by rules and regulations or standards adopted by the state board or provide curriculum based on state standards and courses required by state law, the state board shall so notify the school district. Such notice shall specify the accreditation requirements that the school district has failed to meet and the curriculum that it has failed to provide. Upon receipt of such notice, the board of education of such school district is encouraged to reallocate the resources of the school district to remedy all deficiencies identified by the state board.

(f) Each school in every school district shall establish a school site council composed of the principal and representatives of teachers and other school personnel, parents of students attending the school, the business community and other community groups. School site councils shall be responsible for providing advice and counsel in evaluating state, school district, and school site performance goals and objectives and in determining the methods that should be employed at the school site to meet these goals and objectives. Site councils may make recommendations and proposals to the school board regarding budgetary items and school district matters, including, but not limited to, identifying and implementing the best practices for developing efficient and effective administrative and management functions. Site councils also may help school boards analyze the unique environment of schools, enhance the efficiency and maximize limited resources, including outsourcing arrangements and cooperative opportunities as a means to address limited budgets.

Sec. 19. On and after July 1, 2024, K.S.A. 2023 Supp. 72-5193 is hereby amended to read as follows: 72-5193. Article 6 of the constitution of the state of Kansas states that the legislature shall provide for intellectual, educational, vocational and scientific improvement by establishing and maintaining public schools; provide for a state board of education having general supervision of public schools, educational institutions and the educational interests of the state, except those delegated by law to the state board of regents; and make suitable provision for finance of the educational interests of the

state. It is the purpose and intention of the legislature to provide a financing system for the education of kindergarten and grades one through 12 that provides students with the capacities set forth in K.S.A. 72-3218, and amendments thereto. Such financing system shall be sufficiently flexible for the legislature to consider and utilize financing methods from all available resources in order to satisfy the constitutional requirements under Article 6. Such financing methods shall include, but are not limited to, the following:

(a) Federal funding to unified school districts or public schools, including any grants or federal assistance;

(b) subject to appropriations by the legislature, appropriations of state moneys for the improvement of public education, including, but not limited to, the following:

(1) Financing to unified school districts through the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto;

(2) financing to unified school districts through any provisions that provide state aid, such as capital improvements state aid, capital outlay state aid and any other state aid paid, distributed or allocated to school districts on the basis of the assessed valuation of school districts;

(3) employer contributions to the Kansas public employees retirement system for public schools;

(4) appropriations to the Kansas children's cabinet for programs serving students enrolled in unified school districts in meeting the goal specified in K.S.A. 72-3218, and amendments thereto;

(5) appropriations to any programs that provide early learning to four-year-old children with the purpose of preparing them for success in public schools;

(6) appropriations to any programs, such as jobs for America's graduates, boys and girls club and ~~communities in schools~~ *sparkwheel*, that provide individualized support to students enrolled in unified school districts and assist with achievement of the goal specified in K.S.A. 72-3218, and amendments thereto;

(7) transportation financing, including any transfers from the state general fund and state highway fund to the state department of education to provide technical education transportation, special education transportation or school bus safety;

(8) financing to other facilities providing public education to students, such as the Kansas state school for the blind, the Kansas state school for the deaf, school district juvenile detention facilities and the Flint Hills job corps center;

(9) appropriations relating to the Kansas academy of mathematics and science;

(10) appropriations relating to teaching excellence, such as scholarships, awards, training or in-service workshops;

(11) appropriations to the state board of regents to provide technical education incentives to unified school districts and tuition costs to postsecondary institutions that provide career technical education to secondary students; and

(12) appropriations to any postsecondary educational institution that provides postsecondary education to a secondary student without charging tuition to such student;

(c) any provision that authorizes the levying of local taxes for the purpose of financing public schools; and

(d) any transfer of funds or appropriations from one object or fund to another approved by the legislature for the purpose of financing public schools.

Sec. 20. On and after July 1, 2024, K.S.A. 2023 Supp. 72-7121 is

hereby amended to read as follows: 72-7121. (a) Any student who meets the requirements of this section shall be permitted to participate in any activities offered by a school district that are regulated, supervised, promoted and developed by the activities association referred to in K.S.A. 72-7114, and amendments thereto. A student shall be permitted to participate in any such activities if such student:

- (1) Is a resident of the school district;
- (2) is enrolled and attending a *virtual school as defined in K.S.A. 72-3712, and amendments thereto, or a nonpublic elementary or secondary school*;
- (3) complies with the requirements of K.S.A. 72-6262, and amendments thereto, prior to participation in any such activity;
- (4) meets any applicable age and eligibility requirements set forth by the activities association referred to in K.S.A. 72-7114, and amendments thereto, that are not otherwise in conflict with this section;
- (5) pays any fees required by the school district for participation in such activity if such fees are generally imposed upon all other students who participate in such activity; and
- (6) seeks participation at the appropriate school of the school district that corresponds to where such student resides within the school district's respective school attendance boundaries established by the board of education of the school district.

(b) (1) Any student attending a home school who seeks to participate in an activity in the student's resident school district shall be deemed to meet any academic eligibility requirements established by the activities association for participation in an activity if:

- (A) The student is maintaining satisfactory progress towards achievement or promotion to the next grade level; and
- (B) the parent, teacher or organization that provides instruction to the student submits an affidavit or transcript to the activities association indicating the student meets the academic eligibility requirements of subparagraph (A).

(2) Upon submission of an affidavit, the student attending a home school shall be deemed to meet any academic eligibility requirements established by the activities association and shall retain such academic eligibility during the activity season for which such affidavit is submitted.

(c) *Except as provided in subsection (d), a student attending a virtual school as defined in K.S.A. 72-3712, and amendments thereto, who seeks to participate in an activity in the student's resident school district shall not be required to enroll in or attend a minimum number of courses at such school district.*

(d) The board of education of a school district may require a student who participates in an activity pursuant to this section to enroll in a particular course or complete a particular course as a condition of participation, if such requirement is imposed upon all other students who participate in such activity.

~~(d)(e)~~ Except as provided in subsection (b), any student who seeks to participate in an activity pursuant to this section shall be subject to any tryout or other participation requirements that are otherwise applicable to all other students for participation in the activity.

~~(e) This section shall take effect on and after July 1, 2023.~~

Sec. 21. K.S.A. 2023 Supp. 72-3123, 72-3124, 72-3126, 72-3127 and 72-3442 are hereby repealed.

Sec. 22. On and after July 1, 2024, K.S.A. 72-3422 and 72-5143 and K.S.A. 2023 Supp. 72-1439, 72-3216, 72-3715, 72-5153, 72-5170, 72-5193 and 72-7121 are hereby repealed.

Sec. 23. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body

SENATE adopted

Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE

as amended _____

HOUSE adopted

Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.