

HOUSE BILL No. 2108

By Committee on K-12 Education Budget

1-30

1 AN ACT concerning education; relating to the Kansas school equity and
2 enhancement act; authorizing expenditures from the at-risk education
3 fund; amending K.S.A. 72-5153 and 72-5193 and repealing the existing
4 sections.

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

7 Section 1. K.S.A. 72-5153 is hereby amended to read as follows: 72-
8 5153. (a) There is hereby established in every school district an at-risk
9 education fund, which shall consist of all moneys deposited therein or
10 transferred thereto according to law. The expenses of a school district
11 directly attributable to providing at-risk student assistance or programs
12 shall be paid from the at-risk education fund.

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

22 (c) Commencing in school year 2018-2019, expenditures from the at-
23 risk education fund of a school district shall only be made for the
24 following purposes:

25 (1) At-risk educational programs based on best practices identified
26 pursuant to subsection (d);

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

29 (3) services contracted for by the school district to provide at-risk
30 educational programs based on best practices identified pursuant to
31 subsection (d).

32 (d) ~~(1) On or before July 1, 2018,~~ The state board shall identify and
33 approve evidence-based best practices for at-risk programs and instruction
34 of students receiving at-risk program services. *On and after July 1, 2019,*
35 *such best practices shall include, but not be limited to, programs and*
36 *services provided by state-based national nonprofit organizations that:*

1 (A) *Focus on students who are identified as at-risk or who face other*
2 *identifiable barriers to success;*

3 (B) *provide peer-reviewed, evidence-based instruction and support*
4 *services to such students inside and outside the school setting; and*

5 (C) *show proven and consistent effectiveness through outcomes data,*
6 *including, but not limited to, school attendance, academic progress,*
7 *graduation rates, pursuit of postsecondary education or career*
8 *advancement.*

9 (2) The state board shall review and update such best practices as
10 *necessary and as part of its five-year accreditation system review process.*

11 (e) Each year the board of education of each school district shall
12 prepare and submit to the state board a report on the assistance or
13 programs provided by the school district for students identified as at-risk.
14 Such report shall include the number of students identified as at-risk who
15 were served or provided assistance, the type of service provided, the
16 research upon which the school district relied in determining that a need
17 for service or assistance existed, the results of providing such service or
18 assistance and any other information required by the state board.

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

23 Sec. 2. K.S.A. 72-5193 is hereby amended to read as follows: 72-
24 5193. Article 6 of the constitution of the state of Kansas states that the
25 legislature shall provide for intellectual, educational, vocational and
26 scientific improvement by establishing and maintaining public schools;
27 provide for a state board of education having general supervision of public
28 schools, educational institutions and the educational interests of the state,
29 except those delegated by law to the state board of regents; and make
30 suitable provision for finance of the educational interests of the state. It is
31 the purpose and intention of the legislature to provide a financing system
32 for the education of kindergarten and grades one through 12 ~~which that~~
33 provides students with the capacities set forth in K.S.A. 72-3218, and
34 amendments thereto. Such financing system shall be sufficiently flexible
35 for the legislature to consider and utilize financing methods from all
36 available resources in order to satisfy the constitutional requirements under
37 article 6. Such financing methods shall include, but are not limited to, the
38 following:

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

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

- 1 (1) Financing to unified school districts through the Kansas school
2 equity and enhancement act, K.S.A. 72-5131 et seq., and amendments
3 thereto;
- 4 (2) financing to unified school districts through any provisions ~~which~~
5 *that* provide state aid, such as capital improvements state aid, capital
6 outlay state aid and any other state aid paid, distributed or allocated to
7 school districts on the basis of the assessed valuation of school districts;
- 8 (3) employer contributions to the Kansas public employees retirement
9 system for public schools;
- 10 (4) appropriations to the Kansas children's cabinet for programs
11 serving students enrolled in unified school districts in meeting the goal
12 specified in K.S.A. 72-3218, and amendments thereto;
- 13 (5) appropriations to any programs ~~which~~ *that* provide early learning
14 to four-year-old children with the purpose of preparing them for success in
15 public schools;
- 16 (6) appropriations to any programs, such as *jobs for America's*
17 *graduates and* communities in schools, ~~which~~ *that* provide individualized
18 support to students enrolled in unified school districts ~~in meeting and~~
19 *assist with achievement of* the goal specified in K.S.A. 72-3218, and
20 amendments thereto;
- 21 (7) transportation financing, including any transfers from the state
22 general fund and state highway fund to the state department of education
23 to provide technical education transportation, special education
24 transportation or school bus safety;
- 25 (8) financing to other facilities providing public education to students,
26 such as the Kansas state school for the blind, the Kansas state school for
27 the deaf, school district juvenile detention facilities and the Flint Hills job
28 corps center;
- 29 (9) appropriations relating to the Kansas academy of mathematics and
30 science;
- 31 (10) appropriations relating to teaching excellence, such as
32 scholarships, awards, training or in-service workshops;
- 33 (11) appropriations to the state board of regents to provide technical
34 education incentives to unified school districts and tuition costs to
35 postsecondary institutions ~~which~~ *that* provide career technical education to
36 secondary students; and
- 37 (12) appropriations to any postsecondary educational institution
38 ~~which~~ *that* provides postsecondary education to a secondary student
39 without charging tuition to such student;
- 40 (c) any provision ~~which~~ *that* authorizes the levying of local taxes for
41 the purpose of financing public schools; and
- 42 (d) any transfer of funds or appropriations from one object or fund to
43 another approved by the legislature for the purpose of financing public

1 schools.

2 Sec. 3. K.S.A. 72-5153 and 72-5193 are hereby repealed.

3 Sec. 4. This act shall take effect and be in force from and after its

4 publication in the statute book.