

**House Substitute for SENATE BILL No. 16**

By Committee on K-12 Education Budget

3-22

1 AN ACT concerning education; relating to the instruction and financing  
2 thereof; amending K.S.A. 72-1167, 72-3422, 72-4352, 72-4354, 72-  
3 5131, 72-5132, 72-5150, 72-5170, 72-5171, 72-5173, 72-5193, 72-  
4 5461, 72-5462, 72-6147, 72-6487 and 72-8193 and repealing the  
5 existing sections.  
6

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

8 New Section 1. (a) On or before January 15 of each year, the state  
9 department of education shall prepare and submit a performance  
10 accountability report and a longitudinal achievement report for all students  
11 enrolled in public school in the state, each school district and each school  
12 operated by a school district to the governor and to the legislature.

13 (b) Each performance accountability report shall be prepared in a  
14 single-page format containing the information that is required to be  
15 reported under the federal elementary and secondary education act, as  
16 amended by the federal every student succeeds act, public law 114-95, or  
17 any successor federal acts, and the college and career readiness metrics  
18 developed and implemented by the state board. The report shall use the  
19 categories for achievement identified under the federal every student  
20 succeeds act, public law 114-95, or any successor achievement categories.  
21 All categories and metrics included in the report shall be clearly defined.

22 (c) Each longitudinal achievement report shall provide the  
23 achievement rates on the state assessments for English language arts, math  
24 and science for all students and each student subgroup and the change in  
25 achievement rate year-over-year starting with the school year in which the  
26 state board first implemented new achievement standards on such state  
27 assessments.

28 (d) All reports prepared pursuant to this section shall be published in  
29 accordance with section 6, and amendments thereto.

30 New Sec. 2. (a) Each school year, the board of education of each  
31 school district shall reasonably calculate and allocate a sufficient amount  
32 of moneys to have students enrolled in such school district who are not  
33 meeting the goal set forth in K.S.A. 72-3218(c), and amendments thereto,  
34 achieve that goal. The superintendent of each school district shall certify to  
35 the state board of education that:

36 (1) The school district budget reasonably calculates and allocates a

1 sufficient amount of moneys for instructional costs, including, but not  
2 limited to, licensed teachers, curriculum materials and supplies and any  
3 other costs categorized in function 1000, instruction, by the state board, as  
4 published in the state department of education's Kansas accounting  
5 handbook for unified school districts, as published in March 2018, or later  
6 versions adopted by the state board, to ensure that each student meets the  
7 goal set forth in K.S.A. 72-3218(c), and amendments thereto; and

8 (2) the school district has sufficient qualified personnel adequately  
9 trained to provide the curriculum established by the board of education and  
10 the school district's at-risk programs.

11 (b) In any action challenging the state's provision for finance of the  
12 educational interests of the state under section 6 of article 6 of the  
13 constitution of the state of Kansas, all state moneys appropriated,  
14 distributed or otherwise provided by the state to school districts shall be  
15 deemed by the court to have been utilized first by school districts to ensure  
16 that all students meet the goal set forth in K.S.A. 72-3218(c), and  
17 amendments thereto.

18 New Sec. 3. The state board of education shall provide the ACT  
19 college entrance exam and the three ACT workkeys assessments that are  
20 required to earn a national career readiness certificate to each student  
21 enrolled in grades 11 and 12, and the pre-ACT college entrance exam to  
22 each student enrolled in grade nine. No student shall be required to pay  
23 any fees or costs to take any such exam or assessments. The state board  
24 shall not be required to provide more than one exam and three assessments  
25 for each student. The state board of education may enter into any contracts  
26 that are necessary to promote statewide cost savings to administer such  
27 exams and assessments.

28 New Sec. 4. (a) The state department of education shall conduct a  
29 study of graduation requirements established by school districts, including,  
30 but not limited to, the following:

31 (1) The minimum requirements for graduating from high school in  
32 this state;

33 (2) the necessary high school courses for admission into a  
34 postsecondary educational institution in this state;

35 (3) the inclusion of computer science curriculum as a math or science  
36 graduation credit for purposes of satisfying graduation requirements and  
37 postsecondary educational institution admissions requirements; and

38 (4) the inclusion of personal financial literacy as a math graduation  
39 credit for purposes of satisfying graduation requirements and  
40 postsecondary educational institution admissions requirements.

41 (b) The state board of regents shall provide assistance to the  
42 department as necessary for the department to complete that portion of the  
43 study relating to postsecondary educational institution admissions

1 requirements.

2 (c) On or before January 15, 2020, the state department of education  
3 shall prepare and submit a report on its findings, including any  
4 recommendations regarding graduation requirements, to the governor and  
5 to the legislature.

6 (d) The provisions of this section shall expire on June 30, 2020.

7 New Sec. 5. (a) There is hereby established the IT education  
8 standards advisory commission. The purpose of the commission is to  
9 advise the state board of education and the state board of regents on  
10 information technology standards and industry needs. The commission  
11 shall consist of 11 members as follows:

12 (1) Two members appointed by the speaker of the house of  
13 representatives;

14 (2) one member appointed by the minority leader of the house of  
15 representatives;

16 (3) two members appointed by the president of the senate;

17 (4) one member appointed by the minority leader of the senate;

18 (5) three members appointed by the governor;

19 (6) one member appointed by the state board of education; and

20 (7) one member appointed by the state board of regents.

21 (b) Any vacancy in a position shall be filled in the same manner as  
22 the original appointment. The members shall elect a chairperson and vice-  
23 chairperson.

24 (c) The commission shall meet at least three times each calendar year.  
25 Meetings shall be at such time and place within the state as set by the  
26 chairperson. A quorum of the commission shall be six members. All  
27 actions of the commission shall be by motion adopted by a majority of  
28 those members present when there is a quorum.

29 (d) Members of the commission attending meetings authorized by the  
30 commission shall be paid amounts for expenses, mileage and subsistence  
31 as provided in K.S.A. 75-3223(e), and amendments thereto.

32 (e) On or before January 15, 2020, and each January 15 thereafter, the  
33 commission shall submit a report to the governor, the legislature, the state  
34 board of education and the state board of regents. Such report shall include  
35 any recommendations of the commission.

36 (f) The provisions of this section shall expire on June 30, 2021.

37 New Sec. 6. All reports prepared pursuant to K.S.A. 72-1167, 72-  
38 5170 and 72-5171, and amendments thereto, and section 1, and  
39 amendments thereto, shall be published on the state department of  
40 education's website with a link to such reports prominently displayed on  
41 the website homepage titled, "Accountability Reports." Reports prepared  
42 for each school district and each school operated by such school district  
43 shall be published on such school district's website with a link to such

1 reports prominently displayed on the website homepage titled,  
2 "Accountability Reports."

3 New Sec. 7. (a) The state department of education shall establish and  
4 maintain a statewide bullying prevention telephone hotline. The  
5 department shall take reasonable steps to ascertain the school district and  
6 attendance center where the bullying victim regularly attends class and the  
7 names of the bullying victim, the alleged offender, any witnesses and any  
8 school district employees to whom the bullying incidents have been  
9 reported. The department shall report all information recorded from each  
10 bullying report made through the hotline to the respective school district  
11 where the reported bullying behavior occurred.

12 (b) On or before January 15, 2020, and each January 15 thereafter, the  
13 department shall prepare and submit a report to the governor and to the  
14 legislature on the number of bullying reports made through the hotline.  
15 Such reports shall include the number of reports made from each school  
16 district and each attendance center.

17 Sec. 8. K.S.A. 72-1167 is hereby amended to read as follows: 72-  
18 1167. (a) This section shall be known and may be cited as the Kansas  
19 uniform financial accounting and reporting act.

20 (b) As used in this section:

21 (1) "Budget summary" means a one-page summary of the official  
22 budget adopted by the board of education of the school district, and shall  
23 include, but is not limited to, graphs depicting the total expenditures in the  
24 budget by category, supplemental and general fund expenditures,  
25 instruction expenditures, enrollment figures, mill rates by fund and  
26 average salaries. For purposes of this section, a one-page budget at a  
27 glance format developed by the state board, and any successor format shall  
28 be deemed a budget summary, provided it complies with the requirements  
29 of this section.

30 (2) "Reporting system" means the uniform reporting system,  
31 including a uniform chart of accounts, developed by the state board as  
32 required by this section.

33 (3) "School district" means a unified school district organized and  
34 operated under the laws of this state.

35 (4) "State board" means the state board of education.

36 (c) The state board shall develop and maintain a uniform reporting  
37 system for the receipts and expenditures of school districts. The  
38 accounting records maintained by each school district shall be coordinated  
39 with the uniform reporting system. Each school district shall record the  
40 receipts and expenditures of the district in accordance with a uniform  
41 classification of accounts or chart of accounts and reports as shall be  
42 prescribed by the state board. Each school district shall submit such  
43 reports and statements as may be required by the state board. The state

1 board shall design, revise and direct the use of accounting records and  
2 fiscal procedures and prescribe uniform classifications for receipts and  
3 expenditures for all school districts. The reporting system shall include all  
4 funds held by a school district regardless of the source of the moneys held  
5 in such funds, including, but not limited to, all funds funded by fees or  
6 other sources of revenue not derived from tax levies. The state board shall  
7 prescribe the necessary forms to be used by school districts in connection  
8 with such uniform reporting system.

9 (d) The reporting system developed by the state board shall be  
10 developed in such a manner that allows school districts to record and  
11 report any information required by state or federal law.

12 (e) The reporting system shall provide records showing by funds,  
13 accounts and other pertinent classifications, the amounts appropriated, the  
14 estimated revenues, actual revenues or receipts, the amounts available for  
15 expenditure, the total and itemized expenditures, the unencumbered cash  
16 balances, excluding state aid receivable, actual balances on hand and the  
17 unencumbered balances of allotments or appropriations for each school  
18 district.

19 (f) The reporting system shall allow a person to search the data and  
20 allow for the comparison of data by school district.

21 (g) Each school district shall annually submit a report to the state  
22 board on all construction activity undertaken by the school district which  
23 was financed by the issuance of bonds and which such bonds have not  
24 matured. Such report shall include all revenue receipts, all expenditures of  
25 bond proceeds authorized by law, the dates for commencement and  
26 completion of such construction activity, the estimated cost and the actual  
27 cost of such construction activity. The information provided in the report  
28 shall be in a form so as to readily identify such information with a specific  
29 construction project. Such report shall be submitted in a form and manner  
30 prescribed by the state board in accordance with the provisions of this  
31 section.

32 (h) From and after July 1, 2012, the board of education of each school  
33 district shall record and report the receipts and expenditures of the district  
34 in the manner prescribed by the state board in accordance with this section.

35 (i) (1) Each school district shall annually publish on such district's  
36 internet website:

37 (A) A copy of form 150, estimated legal maximum general fund  
38 budget, or any successor document containing the same or similar  
39 information, that was submitted by such district to the state board of  
40 education for the immediately preceding school year; and

41 (B) the budget summary for the current school year and actual  
42 expenditures for the immediately preceding two school years showing total  
43 dollars net of transfers and dollars per pupil for each of the following:

- 1 (i) Function 1000, instruction;  
2 (ii) function 2100, student support;  
3 (iii) function 2200, instructional staff support;  
4 (iv) functions 2300 through 2500, administration;  
5 (v) function 2600, operation and maintenance;  
6 (vi) function 2700, transportation;  
7 (vii) function 3100, food service;  
8 (viii) functions 2900, 3200 and 3300, other current spending;  
9 (ix) function 4000, capital outlay;  
10 (x) function 5100, debt service;  
11 (xi) the total expenditures which is the sum of the amounts in clauses  
12 (i) through (x);  
13 (xii) the spending allocated to function 1000, instruction, excluding  
14 capital outlay and debt service expenditures, as a percentage of total  
15 expenditures;  
16 (xiii) the spending allocated to function 1000, instruction, excluding  
17 capital outlay and debt service expenditures, as a percentage of current  
18 spending, which is the sum of expenditures for functions 1000 through  
19 3300 less capital outlay and debt service expenditures included in any of  
20 those functions; and  
21 (xiv) the revenue in total dollars net of transfers both in total and  
22 disaggregated to show the amount of revenue received from local, state  
23 and federal revenue sources.
- 24 (2) For purposes of subsection (i)(1)(B), all per pupil amounts shall  
25 be calculated using the full-time equivalent enrollment of the school  
26 district. All function categories and other accounting categories shall refer  
27 to those same categories as established and required for financial  
28 accounting purposes by the state board as published in the Kansas state  
29 department of education's Kansas accounting handbook for unified school  
30 districts, as published in August 2012, or later versions as established in  
31 rules and regulations adopted by the state board.
- 32 ~~(3) Publications required by this subsection shall be published with an~~  
33 ~~easily identifiable link located on such district's website homepage.~~
- 34 ~~(4)~~—Publications required by this subsection shall be made available to  
35 the public at every meeting held by the board of education of each school  
36 district when the board is discussing the district's budget or any other  
37 school finance matter.
- 38 ~~(j)~~~~(1)~~ The department of education shall annually publish on its  
39 internet website:
- 40 ~~(A)~~~~(1)~~ All of the publications required under subsection (i); and  
41 ~~(B)~~~~(2)~~ the following expenditures for each school district on a per  
42 pupil basis:  
43 ~~(1)~~~~(A)~~ Total expenditures;

- 1       ~~(ii)(B)~~ capital outlay expenditures;
- 2       ~~(iii)(C)~~ bond and interest expenditures; and
- 3       ~~(iv)(D)~~ all other expenditures not included in ~~(ii) or (iii)~~
- 4 *subparagraph (B) or (C).*

5       ~~(2) Publications required by this subsection shall be published with an~~  
6 ~~easily identifiable link located on the department's website homepage.~~

7       *(k) All reports prepared pursuant to this section shall be published in*  
8 *accordance with section 6, and amendments thereto.*

9       Sec. 9. K.S.A. 72-3422 is hereby amended to read as follows: 72-  
10 3422. (a) Each year, the state board of education shall determine the  
11 amount of state aid for the provision of special education and related  
12 services each school district shall receive for the ensuing school year. The  
13 amount of such state aid shall be computed by the state board as provided  
14 in this section. The state board shall:

15       (1) Determine the total amount of general fund and local option  
16 budgets of all school districts;

17       (2) subtract from the amount determined in subsection (a)(1) the total  
18 amount attributable to assignment of transportation weighting, bilingual  
19 weighting, career technical education weighting, special education  
20 weighting and at-risk student weighting to the enrollment of all school  
21 districts;

22       (3) divide the remainder obtained in subsection (a)(2) by the total  
23 number of full-time equivalent pupils enrolled in all school districts on  
24 September 20;

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

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

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

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

35       (8) add the amounts determined under subsections (a)(6) and (a)(7) to  
36 the amount of the product obtained under subsection (a)(5);

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

39       (10) subtract the amount of the sum obtained under subsection (a)(8)  
40 from the amount determined under subsection (a)(9); and

41       (11) multiply the remainder obtained under subsection (a)(10) by  
42 *92% the excess cost percentage established by the state board under*  
43 *subsection (i).*

1 The computed amount is the amount of state aid for the provision of  
2 special education and related services aid a school district is entitled to  
3 receive for the ensuing school year.

4 (b) (1) Each school district shall receive:

5 ~~(+)~~(A) Reimbursement for actual travel allowances paid to special  
6 teachers at not to exceed the rate specified under K.S.A. 75-3203, and  
7 amendments thereto, for each mile actually traveled during the school year  
8 in connection with duties in providing special education or related services  
9 for exceptional children. Such reimbursement shall be computed by the  
10 state board by ascertaining the actual travel allowances paid to special  
11 teachers by the school district for the school year and shall be in an  
12 amount equal to 80% of such actual travel allowances;

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

16 ~~(3)~~(C) reimbursement in an amount equal to 80% of the actual  
17 expenses incurred for the maintenance of an exceptional child at some  
18 place other than the residence of such child for the purpose of providing  
19 special education or related services. Such reimbursement shall not exceed  
20 \$600 per exceptional child per school year; and

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

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

36 ~~(C)~~(3) For purposes of this subsection~~(b)~~(4), a special teacher,  
37 qualified to assist in the provision of special education and related services  
38 to exceptional children, who assists in providing special education and  
39 related services to exceptional children at either the state school for the  
40 blind or the state school for the deaf and whose services are paid for by a  
41 school district pursuant to K.S.A. 76-1006 or 76-1102, and amendments  
42 thereto, shall be considered a special teacher of such school district.

43 (c) Each school district which has paid amounts for the provision of



1 special education and related services under an interlocal agreement shall  
2 receive reimbursement under subsection (b)(4)(I)(D). The amount of such  
3 reimbursement for the school district shall be the amount which bears the  
4 same relation to the aggregate amount available for reimbursement for the  
5 provision of special education and related services under the interlocal  
6 agreement, as the amount paid by such school district in the current school  
7 year for provision of such special education and related services bears to  
8 the aggregate of all amounts paid by all school districts in the current  
9 school year who have entered into such interlocal agreement for provision  
10 of such special education and related services.

11 (d) Each contracting school district which has paid amounts for the  
12 provision of special education and related services as a member of a  
13 cooperative shall receive reimbursement under subsection (b)(4)(I)(D).  
14 The amount of such reimbursement for the school district shall be the  
15 amount which bears the same relation to the aggregate amount available  
16 for reimbursement for the provision of special education and related  
17 services by the cooperative, as the amount paid by such school district in  
18 the current school year for provision of such special education and related  
19 services bears to the aggregate of all amounts paid by all contracting  
20 school districts in the current school year by such cooperative for  
21 provision of such special education and related services.

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

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

42 (g) The expenses of a school district directly attributable to special  
43 education shall be paid from the special education fund and from special

1 funds established under K.S.A. 72-3412, and amendments thereto.

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

5 (i) *Each school year, the state board shall establish the excess cost*  
6 *percentage based on the amount of funds appropriated for the current*  
7 *school year for special education and related services.*

8 Sec. 10. K.S.A. 72-4352 is hereby amended to read as follows: 72-  
9 4352. As used in the tax credit for low income students scholarship  
10 program act:

11 (a) "Contributions" means monetary gifts or donations and in-kind  
12 contributions, gifts or donations that have an established market value.

13 (b) "Department" means the Kansas department of revenue.

14 (c) "Educational scholarship" means an amount not to exceed \$8,000  
15 per school year provided to an eligible student, or to a qualified school  
16 with respect to an eligible student, to cover all or a portion of the costs of  
17 education including tuition, fees and expenses of a qualified school and, if  
18 applicable, the costs of transportation to a qualified school if provided by  
19 such qualified school.

20 (d) "Eligible student" means a child who:

21 (1) (A) Is an at-risk student, as defined in K.S.A. 72-5132, and  
22 amendments thereto, and who is attending a public school; or (B) has been  
23 eligible to receive an educational scholarship under this program and has  
24 not graduated from high school or reached 21 years of age;

25 (2) resides in Kansas while eligible for an educational scholarship;  
26 and

27 (3) (A) was enrolled in any public school in the previous school year  
28 in which an educational scholarship is first sought for the child; or (B) is  
29 eligible to be enrolled in any public school in the school year in which an  
30 educational scholarship is first sought for the child and the child is under  
31 the age of six years.

32 (e) "Parent" includes a guardian, custodian or other person with  
33 authority to act on behalf of the child.

34 (f) "Program" means the tax credit for low income students  
35 scholarship program established in K.S.A. ~~72-99a01 through 72-99a07~~ 72-  
36 4351 through 72-4357, and amendments thereto.

37 (g) "Public school" means ~~a~~ *an elementary* school that is operated by  
38 a school district, and identified by the state board as one of the lowest 100  
39 performing *elementary* schools with respect to student achievement among  
40 all *elementary* schools operated by school districts for the current school  
41 year.

42 (h) "Qualified school" means any nonpublic school that provides  
43 education to elementary or secondary students, has notified the state board

1 of its intention to participate in the program and complies with the  
2 requirements of the program. On and after July 1, 2020, a qualified school  
3 shall be accredited by the state board or a national or regional accrediting  
4 agency that is recognized by the state board for the purpose of satisfying  
5 the teaching performance assessment for professional licensure.

6 (i) "Scholarship granting organization" means an organization that  
7 complies with the requirements of this program and provides educational  
8 scholarships to eligible students or to qualified schools in which parents  
9 have enrolled eligible students.

10 (j) "School district" or "district" means any unified school district  
11 organized and operating under the laws of this state.

12 (k) "School year" shall have the meaning ascribed thereto in section  
13 4, and amendments thereto.

14 (l) "Secretary" means the secretary of revenue.

15 (m) "State board" means the state board of education.

16 Sec. 11. K.S.A. 72-4354 is hereby amended to read as follows: 72-  
17 4354. (a) To be eligible to participate in the program, a scholarship  
18 granting organization shall comply with the following:

19 (1) The scholarship granting organization shall notify the secretary  
20 and the state board of the scholarship granting organization's intent to  
21 provide educational scholarships;

22 (2) upon granting an educational scholarship, the scholarship granting  
23 organization shall report such information to the state board;

24 (3) the scholarship granting organization shall provide verification to  
25 the secretary that the scholarship granting organization is exempt from  
26 federal income taxation pursuant to section 501(c)(3) of the federal  
27 internal revenue code of 1986;

28 (4) upon receipt of contributions in an aggregate amount or value in  
29 excess of \$50,000 during a school year, a scholarship granting  
30 organization shall file with the state board either:

31 (A) A surety bond payable to the state in an amount equal to the  
32 aggregate amount of contributions expected to be received during the  
33 school year; or

34 (B) financial information demonstrating the scholarship granting  
35 organization's ability to pay an aggregate amount equal to the amount of  
36 the contributions expected to be received during the school year, which  
37 must be reviewed and approved of in writing by the state board;

38 (5) scholarship granting organizations that provide other nonprofit  
39 services in addition to providing educational scholarships shall not  
40 commingle contributions made under the program with other contributions  
41 made to such organization. A scholarship granting organization under this  
42 subsection shall also file with the state board, prior to the commencement  
43 of each school year, either:

1 (A) A surety bond payable to the state in an amount equal to the  
2 aggregate amount of contributions expected to be received during the  
3 school year; or

4 (B) financial information demonstrating the nonprofit organization's  
5 ability to pay an aggregate amount equal to the amount of the  
6 contributions expected to be received during the school year, which must  
7 be reviewed and approved of in writing by the state board;

8 (6) each qualified school receiving educational scholarships from the  
9 scholarship granting organization shall annually certify to the scholarship  
10 granting organization its compliance with the requirements of the program;

11 (7) at the end of the calendar year, the scholarship granting  
12 organization shall have its accounts examined and audited by a certified  
13 public accountant. Such audit shall include, but not be limited to,  
14 information verifying that the educational scholarships awarded by the  
15 scholarship granting organization were distributed to qualified schools  
16 with respect to eligible students determined by the state board under  
17 K.S.A. 72-4353(c), and amendments thereto, and information specified in  
18 this section. Prior to filing a copy of the audit with the state board, such  
19 audit shall be duly verified and certified by a certified public accountant;  
20 and

21 (8) if a scholarship granting organization decides to limit the number  
22 or type of qualified schools who will receive educational scholarships, the  
23 scholarship granting organization shall provide, in writing, the name or  
24 names of those qualified schools to any contributor and the state board.

25 (b) No scholarship granting organization shall provide an educational  
26 scholarship with respect to any eligible student to attend any qualified  
27 school with paid staff or paid board members, or relatives thereof, in  
28 common with the scholarship granting organization.

29 (c) The scholarship granting organization shall disburse not less than  
30 90% of contributions received pursuant to the program in the form of  
31 educational scholarships within 36 months of receipt of such contributions.  
32 If such contributions have not been disbursed within the applicable 36-  
33 month time period, then the scholarship granting organization shall not  
34 accept new contributions until 90% of the received contributions have  
35 been disbursed in the form of educational scholarships. Any income earned  
36 from contributions must be disbursed in the form of educational  
37 scholarships.

38 (d) A scholarship granting organization may continue to provide an  
39 educational scholarship with respect to a student who was an eligible  
40 student in the year immediately preceding the current school year.

41 (e) (I) A scholarship granting organization shall direct payments of  
42 educational scholarships to the qualified school attended by the eligible  
43 student or in which the eligible student is enrolled. Payment may be made

1 by check made payable to both the parent and the qualified school or to  
2 only the qualified school. If an eligible student transfers to a new qualified  
3 school during a school year, the scholarship granting organization shall  
4 direct payment in a prorated amount to the original qualified school and  
5 the new qualified school based on the eligible student's attendance. If the  
6 eligible student transfers to a public school and enrolls in such public  
7 school after September 20 of the current school year, the scholarship  
8 granting organization shall direct payment in a prorated amount to the  
9 original qualified school and the public school based on the eligible  
10 student's attendance. The prorated amount to the public school shall be  
11 considered a donation and shall be paid to the school district of such public  
12 school in accordance with K.S.A. 72-1142, and amendments thereto.

13 (2) *As used in this subsection, the term "public school" means any*  
14 *school operated by a school district.*

15 (f) By June 1 of each year, a scholarship granting organization shall  
16 submit a report to the state board for the educational scholarships provided  
17 in the immediately preceding 12 months. Such report shall be in a form  
18 and manner as prescribed by the state board, approved and signed by a  
19 certified public accountant, and shall contain the following information:

20 (1) The name and address of the scholarship granting organization;

21 (2) the name and address of each eligible student with respect to  
22 whom an educational scholarship was awarded by the scholarship granting  
23 organization;

24 (3) the total number and total dollar amount of contributions received  
25 during the 12-month reporting period; and

26 (4) the total number and total dollar amount of educational  
27 scholarships awarded during the 12-month reporting period and the total  
28 number and total dollar amount of educational scholarships awarded  
29 during the 12-month reporting period with respect to eligible students who  
30 qualified under K.S.A. 72-4352(d), and amendments thereto.

31 (g) No scholarship granting organization shall:

32 (1) Provide an educational scholarship with respect to an eligible  
33 student that is established by funding from any contributions made by any  
34 relative of such eligible student; or

35 (2) accept a contribution from any source with the express or implied  
36 condition that such contribution be directed toward an educational  
37 scholarship for a particular eligible student.

38 Sec. 12. K.S.A. 72-5131 is hereby amended to read as follows: 72-  
39 5131. K.S.A. 72-5131 through 72-5176, and amendments thereto, *and*  
40 *sections 1 through 3, and amendments thereto*, shall be known and may be  
41 cited as the Kansas school equity and enhancement act.

42 Sec. 13. K.S.A. 72-5132 is hereby amended to read as follows: 72-  
43 5132. As used in the Kansas school equity and enhancement act, K.S.A.

1 72-5131 et seq., and amendments thereto:

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

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

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

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

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

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

30 (1) For school year 2018-2019, \$4,165;

31 (2) for school year 2019-2020, \$4,302;

32 (3) for school year 2020-2021, \$4,439;

33 (4) for school year 2021-2022, \$4,576;

34 (5) for school year 2022-2023, \$4,713; and

35 (6) for school year 2023-2024, and each school year thereafter, the  
36 BASE aid shall be the BASE aid amount for the immediately preceding  
37 school year plus an amount equal to the average percentage increase in the  
38 consumer price index for all urban consumers in the midwest region as  
39 published by the bureau of labor statistics of the United States department  
40 of labor during the three immediately preceding school years rounded to  
41 the nearest whole dollar amount.

42 (f) "Bilingual weighting" means an addend component assigned to  
43 the enrollment of school districts pursuant to K.S.A. 72-5150, and

1 amendments thereto, on the basis of costs attributable to the maintenance  
2 of bilingual educational programs by such school districts.

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

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

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

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

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

21 (l) "Enrollment" means:

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

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

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

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

1 participating in the tax credit for low income students scholarship program  
2 pursuant to K.S.A. 72-4351 et seq., and amendments thereto, in the current  
3 school year, if any.

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

11 (A) The enrollment determined under paragraph (2); or

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

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

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

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

23 (4) The enrollment determined under paragraph (1), (2) or (3), except  
24 if the school district begins to offer kindergarten on a full-time basis in  
25 such school year, students regularly enrolled in kindergarten in the school  
26 district in the preceding school year shall be counted as one student  
27 regardless of actual attendance during such preceding school year.

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

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

40 (o) "General fund" means the fund of a school district from which  
41 operating expenses are paid and in which is deposited all amounts of state  
42 foundation aid provided under this act, payments under K.S.A. 72-528,  
43 and amendments thereto, payments of federal funds made available under



1 the provisions of title I of public law 874, except amounts received for  
2 assistance in cases of major disaster and amounts received under the low-  
3 rent housing program and such other moneys as are provided by law.

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

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

11 (r) "High enrollment weighting" means an addend component  
12 assigned to the enrollment of school districts pursuant to K.S.A. 72-  
13 5149(b), and amendments thereto, on the basis of costs attributable to  
14 maintenance of educational programs by such school districts.

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

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

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

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

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

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

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

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

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

1 thereto; and

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

4 (u) "Low enrollment weighting" means an addend component  
5 assigned to the enrollment of school districts pursuant to K.S.A. 72-  
6 5149(a), and amendments thereto, on the basis of costs attributable to  
7 maintenance of educational programs by such school districts.

8 (v) "Operating expenses" means the total expenditures and lawful  
9 transfers from the general fund of a school district during a school year for  
10 all purposes, except expenditures for the purposes specified in K.S.A. 72-  
11 5168, and amendments thereto.

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

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

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

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

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

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

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

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

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

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

1 (gg) "State foundation aid" means the amount of aid distributed to a  
2 school district as determined by the state board pursuant to K.S.A. 72-  
3 5134, and amendments thereto.

4 (hh) (1) "Student" means any person who is regularly enrolled in a  
5 school district and attending kindergarten or any of the grades one through  
6 12 maintained by the school district or who is regularly enrolled in a  
7 school district and attending kindergarten or any of the grades one through  
8 12 in another school district in accordance with an agreement entered into  
9 under authority of K.S.A. 72-13,101, and amendments thereto, or who is  
10 regularly enrolled in a school district and attending special education  
11 services provided for preschool-aged exceptional children by the school  
12 district.

13 (2) (A) Except as otherwise provided in this subsection, the following  
14 shall be counted as one student:

15 (i) A student in attendance full-time; and

16 (ii) a student enrolled in a school district and attending special  
17 education and related services, provided for by the school district.

18 (B) The following shall be counted as  $\frac{1}{2}$  student:

19 (i) A student enrolled in a school district and attending special  
20 education and related services for preschool-aged exceptional children  
21 provided for by the school district; and

22 (ii) a preschool-aged at-risk student enrolled in a school district and  
23 receiving services under an approved at-risk student assistance plan  
24 maintained by the school district.

25 (C) A student in attendance part-time shall be counted as that  
26 proportion of one student (to the nearest  $\frac{1}{10}$ ) that the student's attendance  
27 bears to full-time attendance.

28 (D) A student enrolled in and attending an institution of  
29 postsecondary education that is authorized under the laws of this state to  
30 award academic degrees shall be counted as one student if the student's  
31 postsecondary education enrollment and attendance together with the  
32 student's attendance in either of the grades 11 or 12 is at least  $\frac{5}{6}$  time,  
33 otherwise the student shall be counted as that proportion of one student (to  
34 the nearest  $\frac{1}{10}$ ) that the total time of the student's postsecondary education  
35 attendance and attendance in grades 11 or 12, as applicable, bears to full-  
36 time attendance.

37 (E) A student enrolled in and attending a technical college, a career  
38 technical education program of a community college or other approved  
39 career technical education program shall be counted as one student, if the  
40 student's career technical education attendance together with the student's  
41 attendance in any of grades nine through 12 is at least  $\frac{5}{6}$  time, otherwise  
42 the student shall be counted as that proportion of one student (to the  
43 nearest  $\frac{1}{10}$ ) that the total time of the student's career technical education

1 attendance and attendance in any of grades nine through 12 bears to full-  
2 time attendance.

3 (F) A student enrolled in a school district and attending a non-virtual  
4 school and also attending a virtual school shall be counted as that  
5 proportion of one student (to the nearest  $\frac{1}{10}$ ) that the student's attendance  
6 at the non-virtual school bears to full-time attendance.

7 (G) A student enrolled in a school district and attending special  
8 education and related services provided for by the school district and also  
9 attending a virtual school shall be counted as that proportion of one  
10 student (to the nearest  $\frac{1}{10}$ ) that the student's attendance at the non-virtual  
11 school bears to full-time attendance.

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

14 ~~(a) For school year 2018-2019, one student;~~

15 ~~(b) for school years 2019-2020 and 2020-2021,  $\frac{3}{4}$  of a student; and~~

16 ~~(c) for school year 2021-2022 and each school year thereafter,  $\frac{1}{2}$  of a  
17 student.~~

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

19 ~~(a) A student whose parent or legal guardian is an employee of the  
20 school district where such student is enrolled; or~~

21 ~~(b) a student who attended public school in Kansas during school  
22 year 2016-2017 and who attended public school in Kansas during the  
23 immediately preceding school year.~~

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

25 (A) An individual residing at the Flint Hills job corps center;

26 (B) except as provided in paragraph (2), an individual confined in and  
27 receiving educational services provided for by a school district at a  
28 juvenile detention facility; and

29 (C) an individual enrolled in a school district but housed, maintained  
30 and receiving educational services at a state institution or a psychiatric  
31 residential treatment facility.

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

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

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

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

1 Sec. 14. K.S.A. 72-5150 is hereby amended to read as follows: 72-  
2 5150. (a) The bilingual weighting of each school district shall be  
3 determined by the state board as follows:

4 (a)(1) Determine the full-time equivalent enrollment in approved  
5 programs of bilingual education and multiply such enrollment by 0.395;

6 (b)(2) determine the number of students enrolled in approved  
7 programs of bilingual education and multiply such enrollment by 0.185;  
8 and

9 (c)(3) the bilingual weighting shall be either the amount determined  
10 under ~~subsection (a) or (b) paragraph (1) or (2)~~, whichever is greater.

11 (b) *A student shall be counted as enrolled in a bilingual education*  
12 *program for not more than five school years.*

13 Sec. 15. K.S.A. 72-5170 is hereby amended to read as follows: 72-  
14 5170. (a) (1) In order to accomplish the mission for Kansas education, the  
15 state board shall design and adopt a school district accreditation system  
16 based upon improvement in performance that equals or exceeds the  
17 educational goal set forth in K.S.A. 72-3218(c), and amendments thereto,  
18 and is measurable. The state board shall hold all school districts  
19 ~~accountable to the Kansas can outcomes, or any successor outcomes~~  
20 ~~established by the state board~~, through the Kansas education systems  
21 accreditation rules and regulations, or any successor accreditation system  
22 ~~and accountability plan~~ adopted by the state board. ~~The state board shall~~  
23 ~~establish rigorous accountability measures in the areas of social emotional~~  
24 ~~learning, kindergarten readiness, individual plans of study, graduation and~~  
25 ~~postsecondary success~~. The state board also shall ensure that all school  
26 districts and the public schools operated by such districts have programs  
27 and initiatives in place for providing those educational capacities set forth  
28 in K.S.A. 72-3218(c), and amendments thereto. On or before ~~January 15,~~  
29 ~~2018, and each January 15 thereafter~~ *of each year*, the state board shall  
30 prepare and submit a report on the school district accreditation system to  
31 the governor and the legislature.

32 (2) The accountability measures established pursuant to paragraph (1)  
33 shall be applied both at the district level and at the school level. Such  
34 accountability measures shall be reported by the state board for each  
35 school district and each school ~~by publication on the internet website of~~  
36 ~~the state department of education~~. Each school district also shall report  
37 ~~such accountability measures for such school district and each school~~  
38 ~~operated by such district by publication on such school district's internet~~  
39 ~~website~~. *All reports prepared pursuant to this section shall be published in*  
40 *accordance with section 6, and amendments thereto.*

41 (3) If a school district is not fully accredited and a corrective action  
42 plan is required by the state board, such corrective action plan, and any  
43 subsequent reports prepared by the state board regarding the progress of

1 such school district in implementing and executing such corrective action  
2 plan, shall be published on the state department of education's internet  
3 website and such school district's internet website *in accordance with*  
4 *section 6, and amendments thereto.*

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

13 (b) The state board shall establish curriculum standards that reflect  
14 high academic standards for the core academic areas of mathematics,  
15 science, reading, writing and social studies. The curriculum standards shall  
16 be reviewed at least every seven years. Nothing in this subsection shall be  
17 construed in any manner so as to impinge upon any school district's  
18 authority to determine its own curriculum.

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

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

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

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

16 Sec. 16. K.S.A. 72-5171 is hereby amended to read as follows: 72-  
17 5171. (a) On or before January 15 of each year, the state department of  
18 education shall prepare and submit ~~reports~~ *a financial accountability*  
19 *report* on school district funding for each school district to the governor  
20 and the legislature.

21 (b) Each report shall contain the information described in subsection  
22 (c) for the school district in terms of actual dollar amounts for the second  
23 and immediately preceding school years and budgeted dollar amounts for  
24 the current school year.

25 (c) Each report shall contain the following information for the school  
26 district:

27 (1) Full-time equivalent enrollment *and the virtual student full-time*  
28 *equivalent enrollment*;

29 (2) demographic information, including, but not limited to, gender,  
30 race, ethnicity, students who are economically disadvantaged, migrants,  
31 English language learners and students with disabilities;

32 (3) total general and supplemental general funds, including a showing  
33 of funding provided by federal sources, state sources and local sources,  
34 and total funds per student;

35 (4) total capital outlay funds, including a showing of such funding  
36 provided by federal sources, state sources and local sources, and capital  
37 outlay funds per student;

38 (5) total bond and interest funds, including a showing of such funding  
39 provided by federal sources, state sources and local sources, and bond and  
40 interest funds per student;

41 (6) total of all other funds not described in paragraphs (3), (4) and (5),  
42 excluding fund transfers, including a showing of such funding provided by  
43 federal sources, state sources and local sources, and total funds per

- 1 student;
- 2 (7) total funds per student of all funds described in paragraphs (3)
- 3 through (6);
- 4 (8) general fund moneys attributable to the following:
- 5 (A) BASE aid;
- 6 (B) high enrollment weighting;
- 7 (C) low enrollment weighting;
- 8 (D) school facilities weighting;
- 9 (E) transportation weighting;
- 10 (F) at-risk student weighting;
- 11 (G) preschool-aged at-risk student weighting;
- 12 (H) high-density at-risk student weighting;
- 13 (I) career technical education weighting;
- 14 (J) special education and related services weighting;
- 15 (K) bilingual weighting;
- 16 (L) ancillary school facilities weighting;
- 17 (M) cost-of-living weighting;
- 18 (N) declining enrollment weighting; and
- 19 (O) virtual school state aid;
- 20 (9) total expenditures on the following:
- 21 (A) At-risk education programs and services;
- 22 (B) preschool-aged at-risk education programs and services;
- 23 (C) bilingual education programs and services;
- 24 (D) career and technical education programs and services;
- 25 (E) special education and related services; and
- 26 (F) virtual school programs and services;
- 27 (10) total expenditures from the special retirement contributions fund;
- 28 (11) expenditures and fund transfers from the supplemental general
- 29 fund for those programs and services set forth in paragraph (9) and any
- 30 other accounting category for which there is an expenditure or transfer
- 31 from such fund;
- 32 *(12) total expenditures from any fund for expenses incurred as a*
- 33 *result of the school district's participation in any legal proceeding*
- 34 *challenging the constitutional adequacy of any school finance laws under*
- 35 *section 6 of article 6 of the constitution of the state of Kansas, regardless*
- 36 *of whether such school district was a named party in such legal*
- 37 *proceedings, and including any dues, fees or other expenses incurred by*
- 38 *such school district as a result of its membership in any organization that*
- 39 *participates in any legal proceeding challenging the constitutional*
- 40 *adequacy of any school finance laws under section 6 of article 6 of the*
- 41 *constitution of the state of Kansas, and the aggregate amount of such*
- 42 *expenditures made on and after July 1, 2010; and*
- 43 ~~(12)~~(13) general obligation bond indebtedness.



1 (d) *All reports that include local sources of funding shall show such*  
2 *funding provided by each local source, including, but not limited to,*  
3 *property tax revenue, student fees, gifts, grants, donations and any other*  
4 *local source of revenue.*

5 (e) *All reports prepared pursuant to this section shall be published in*  
6 *accordance with section 6, and amendments thereto.*

7 (f) The state board shall provide uniform guidelines for what  
8 constitutes total expenditures for the programs and services listed under  
9 subsection (c)(9).

10 Sec. 17. K.S.A. 72-5173 is hereby amended to read as follows: 72-  
11 5173. The legislative post audit committee shall direct the legislative  
12 division of post audit to conduct the following performance audits in the  
13 fiscal year specified:

14 (a) A performance audit of transportation services funding. The audit  
15 should include a comparison of the amount of transportation services  
16 funding school districts receive to the cost of providing transportation  
17 services. This performance audit shall be conducted during fiscal year  
18 2018, and the final audit report shall be submitted to the legislature on or  
19 before January 15, 2018.

20 (b) A performance audit of at-risk education funding. The audit  
21 should evaluate the method of counting students for at-risk education  
22 funding, the level of the at-risk student weighting and high-density at-risk  
23 student weighting under the act and how school districts are expending  
24 moneys provided for at-risk education. This performance audit shall be  
25 conducted during fiscal year 2020, and the final audit report shall be  
26 submitted to the legislature on or before January 15, 2020.

27 (c) A performance audit of bilingual education funding. The audit  
28 should evaluate the method of counting students for bilingual education  
29 funding, the level of the bilingual weighting under the act and how school  
30 districts are expending moneys provided for bilingual education. This  
31 performance audit shall be conducted during fiscal year 2022, and the final  
32 audit report shall be submitted to the legislature on or before January 15,  
33 2022.

34 (d) A study of statewide virtual school programs administered in  
35 other states. The study shall include, but not be limited to, the following:

36 (1) The aggregate cost incurred by each state administering a virtual  
37 school program, and the cost incurred by individual school districts or  
38 schools within each state;

39 (2) the resources necessary for the implementation of each virtual  
40 school program, including, but not limited to, personnel, equipment,  
41 software and facility usage;

42 (3) the scope of each virtual school program; and

43 (4) the effectiveness of each virtual school program with respect to

1 student performance and outcomes.

2 The ~~audit~~ *study* shall be conducted during fiscal year 2023, and the  
3 final-~~audit~~ *study* report shall be submitted to the legislature on or before  
4 January 15, 2023.

5 *(e) A performance audit of the unencumbered cash balances held in*  
6 *all funds by each school district. The audit should evaluate the annual*  
7 *accumulations of unencumbered cash balances for the preceding 10 years,*  
8 *the annual expenditures of such moneys and how school districts are*  
9 *expending such moneys. This performance audit shall be conducted no*  
10 *later than fiscal year 2021, and the final audit report shall be submitted to*  
11 *the legislature on or before January 15, 2021.*

12 ~~(e)(f)~~ (1) A performance audit to provide a reasonable estimate of the  
13 cost of providing educational opportunities for every public school student  
14 in Kansas to achieve the performance outcome standards adopted by the  
15 state board of education. This performance audit shall be conducted ~~two~~  
16 ~~times as follows:~~

17 ~~(A) During fiscal year 2021, and the final report submitted to the~~  
18 ~~legislature on or before January 15, 2021; and~~

19 ~~(B) during fiscal year 2024, and the final report submitted to the~~  
20 ~~legislature on or before January 15, 2024.~~

21 (2) ~~Each~~ The performance audit required under this subsection shall:

22 (A) Include reasonable estimates of the costs of providing specialized  
23 education services as required by law, including, but not limited to,  
24 bilingual education and at-risk programs; and

25 (B) account for other factors which may contribute to variations in  
26 costs incurred by school districts, including, but not limited to, total  
27 district enrollment and geographic location within the state.

28 (3) In conducting ~~each~~ the performance audit required under this  
29 subsection:

30 (A) Any examination of historical data and expenditures shall correct  
31 any recognized inadequacy of such data or expenditure through a  
32 statistically valid method of extrapolation; and

33 (B) subject to the limitations of the division of legislative post audit  
34 budget and appropriations therefor, the legislative post auditor may enter  
35 into contracts with consultants as the post auditor deems necessary.

36 ~~(f)(g)~~ A performance audit to provide a reasonable estimate of the  
37 costs of providing special education and related services, including, but  
38 not limited to, other factors which may contribute to variations in costs  
39 incurred by school districts. This performance audit shall be conducted  
40 during fiscal year 2019, and the final audit report shall be submitted to the  
41 legislature on or before January 15, 2019.

42 Sec. 18. K.S.A. 72-5193 is hereby amended to read as follows: 72-  
43 5193. Article 6 of the constitution of the state of Kansas states that the

1 legislature shall provide for intellectual, educational, vocational and  
2 scientific improvement by establishing and maintaining public schools;  
3 provide for a state board of education having general supervision of public  
4 schools, educational institutions and the educational interests of the state,  
5 except those delegated by law to the state board of regents; and make  
6 suitable provision for finance of the educational interests of the state. It is  
7 the purpose and intention of the legislature to provide a financing system  
8 for the education of kindergarten and grades one through 12—~~which that~~  
9 provides students with the capacities set forth in K.S.A. 72-3218, and  
10 amendments thereto. Such financing system shall be sufficiently flexible  
11 for the legislature to consider and utilize financing methods from all  
12 available resources in order to satisfy the constitutional requirements under  
13 article 6. Such financing methods shall include, but are not limited to, the  
14 following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 Sec. 19. K.S.A. 72-5461 is hereby amended to read as follows: 72-  
22 5461. (a) Upon receiving an application under K.S.A. 72-5460, and  
23 amendments thereto, the state board of education shall review the  
24 application and examine the evidence furnished in support of the  
25 application.

26 (b) (1) Commencing in school year 2017-2018, the state board of  
27 education shall not approve any application submitted during the current  
28 school year if such approval would result in the aggregate amount of all  
29 general obligation bonds approved by the state board for such school year  
30 exceeding the aggregate principal amount of all general obligation bonds  
31 retired in the immediately preceding school year adjusted for inflation  
32 pursuant to paragraph (4). For any application submitted during the current  
33 school year in excess of \$175,000,000, the state board shall apply only an  
34 amount of \$175,000,000 of such application when determining whether  
35 the aggregate principal amount of all general obligation bonds retired in  
36 the immediately preceding school year has been exceeded. In determining  
37 whether to approve an application, the state board shall prioritize  
38 applications in accordance with the priorities set forth as follows in order  
39 of highest priority to lowest priority:

40 (A) Safety of the current facility and disability access to such facility  
41 as demonstrated by a state fire marshal report, an inspection under the  
42 Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar  
43 evaluation;

1 (B) enrollment growth and imminent overcrowding as demonstrated  
2 by successive increases in enrollment of the school district in the  
3 immediately preceding three school years;

4 (C) impact on the delivery of educational services as demonstrated by  
5 restrictive inflexible design or limitations on installation of technology;  
6 and

7 (D) energy usage and other operational inefficiencies as demonstrated  
8 by a district-wide energy usage analysis, district-wide architectural  
9 analysis or other similar evaluation.

10 (2) The state board shall not consider a school district's eligibility for  
11 capital improvement state aid, or the amount of capital improvement state  
12 aid a school district would be eligible to receive, in determining whether to  
13 approve such district's application.

14 (3) The provisions of subsection (b)(1) shall not apply to:

15 (A) School districts that have not issued any general obligation bonds  
16 in the 25 years prior to the current school year; *or*

17 (B) *the maintenance or repair of any facility, including, but not*  
18 *limited to, roofs, heating and air conditioning systems, school safety*  
19 *equipment and measures, technology updates or to comply with the*  
20 *Americans with disabilities act, 42 U.S.C. § 12101 et seq., or an order*  
21 *issued by the state fire marshal.*

22 (4) The state board shall adjust the aggregate principal amount of all  
23 general obligation bonds retired in the immediately preceding school year  
24 by adding an amount equal to the five-year compounded percentage  
25 increase in the producer price index industry data for new school building  
26 construction as published by the bureau of labor statistics of the United  
27 States department of labor for the five immediately preceding school  
28 years.

29 (c) After reviewing the application and examining the supportive  
30 evidence, the state board of education shall issue an order either granting  
31 or denying the application. If the application is approved, the applicant  
32 board of education shall request the county election officer to hold an  
33 election to vote upon the question of issuing the increased amount of  
34 bonds in the manner provided by law.

35 (d) Any application that is denied pursuant to subsection (b) may be  
36 tentatively approved by the state board of education for the immediately  
37 succeeding school year. The amount of general obligation bonds approved  
38 in any such application shall be counted first towards the aggregate  
39 amount of all general obligation bonds approved by the state board for  
40 such school year.

41 (e) Commencing in school year 2017-2018, the state board of  
42 education shall determine the aggregate principal amount of general  
43 obligation bonds retired in the immediately preceding school year.

1 (f) The provisions of subsections (b), (d) and (e) shall expire on June  
2 30, 2022.

3 Sec. 20. K.S.A. 72-5462 is hereby amended to read as follows: 72-  
4 5462. (a) There is hereby established in the state treasury the school  
5 district capital improvements fund. The fund shall consist of all amounts  
6 transferred thereto under the provisions of subsection (c).

7 (b) In each school year, each school district which is obligated to  
8 make payments from its capital improvements fund shall be entitled to  
9 receive payment from the school district capital improvements fund in an  
10 amount determined by the state board of education as provided in this  
11 subsection.

12 (1) For general obligation bonds approved for issuance at an election  
13 held prior to July 1, 2015, the state board of education shall:

14 (A) Determine the amount of the assessed valuation per pupil (AVPP)  
15 of each school district in the state for the preceding school year and round  
16 such amount to the nearest \$1,000. The rounded amount is the AVPP of a  
17 school district for the purposes of this subsection (b)(1);

18 (B) determine the median AVPP of all school districts;

19 (C) prepare a schedule of dollar amounts using the amount of the  
20 median AVPP of all school districts as the point of beginning. The  
21 schedule of dollar amounts shall range upward in equal \$1,000 intervals  
22 from the point of beginning to and including an amount that is equal to the  
23 amount of the AVPP of the school district with the highest AVPP of all  
24 school districts and shall range downward in equal \$1,000 intervals from  
25 the point of beginning to and including an amount that is equal to the  
26 amount of the AVPP of the school district with the lowest AVPP of all  
27 school districts;

28 (D) determine a state aid percentage factor for each school district by  
29 assigning a state aid computation percentage to the amount of the median  
30 AVPP shown on the schedule, decreasing the state aid computation  
31 percentage assigned to the amount of the median AVPP by one percentage  
32 point for each \$1,000 interval above the amount of the median AVPP, and  
33 increasing the state aid computation percentage assigned to the amount of  
34 the median AVPP by one percentage point for each \$1,000 interval below  
35 the amount of the median AVPP. Except as provided by K.S.A. 72-5463,  
36 and amendments thereto, the state aid percentage factor of a school district  
37 is the percentage assigned to the schedule amount that is equal to the  
38 amount of the AVPP of the school district. The state aid percentage factor  
39 of a school district shall not exceed 100%. The state aid computation  
40 percentage is 25%;

41 (E) determine the amount of payments that a school district is  
42 obligated to make from its bond and interest fund attributable to general  
43 obligation bonds approved for issuance at an election held prior to July 1,

1 2015; and

2 (F) multiply the amount determined under subsection (b)(1)(E) by the  
3 applicable state aid percentage factor.

4 (2) For general obligation bonds approved for issuance at an election  
5 held on or after July 1, 2015, the state board of education shall:

6 (A) Determine the amount of the AVPP of each school district in the  
7 state for the preceding school year and round such amount to the nearest  
8 \$1,000. The rounded amount is the AVPP of a school district for the  
9 purposes of this subsection (b)(2);

10 (B) prepare a schedule of dollar amounts using the amount of the  
11 AVPP of the school district with the lowest AVPP of all school districts as  
12 the point of beginning. The schedule of dollar amounts shall range upward  
13 in equal \$1,000 intervals from the point of beginning to and including an  
14 amount that is equal to the amount of the AVPP of the school district with  
15 the highest AVPP of all school districts;

16 (C) determine a state aid percentage factor for each school district by  
17 assigning a state aid computation percentage to the amount of the lowest  
18 AVPP shown on the schedule and decreasing the state aid computation  
19 percentage assigned to the amount of the lowest AVPP by one percentage  
20 point for each \$1,000 interval above the amount of the lowest AVPP.  
21 Except as provided by K.S.A. 72-5463, and amendments thereto, the state  
22 aid percentage factor of a school district is the percentage assigned to the  
23 schedule amount that is equal to the amount of the AVPP of the school  
24 district. The state aid computation percentage is 75%;

25 (D) determine the amount of payments that a school district is  
26 obligated to make from its bond and interest fund attributable to general  
27 obligation bonds approved for issuance at an election held on or after July  
28 1, 2015; and

29 (E) multiply the amount determined under subsection (b)(2)(D) by  
30 the applicable state aid percentage factor.

31 (3) For general obligation bonds approved for issuance at an election  
32 held on or before June 30, 2016, the sum of the amount determined under  
33 subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E)  
34 is the amount of payment the school district is entitled to receive from the  
35 school district capital improvements fund in the school year.

36 (4) For general obligation bonds approved for issuance at an election  
37 held on or after July 1, 2016, the amount determined under subsection (b)  
38 (2)(E) is the amount of payment the school district shall receive from the  
39 school district capital improvements fund in the school year, except the  
40 total amount of payments school districts receive from the school district  
41 capital improvements fund in the school year for such bonds shall not  
42 exceed the six-year average amount of capital improvement state aid as  
43 determined by the state board of education.

1 (A) The state board of education shall determine the six-year average  
2 amount of capital improvement state aid by calculating the average of the  
3 total amount of moneys expended per year from the school district capital  
4 improvements fund in the immediately preceding six fiscal years, not to  
5 include the current fiscal year.

6 (B) (i) Subject to clause (ii), the state board of education shall  
7 prioritize the allocations to school districts from the school district capital  
8 improvements fund in accordance with the priorities set forth as follows in  
9 order of highest priority to lowest priority:

10 (a) Safety of the current facility and disability access to such facility  
11 as demonstrated by a state fire marshal report, an inspection under the  
12 Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar  
13 evaluation;

14 (b) enrollment growth and imminent overcrowding as demonstrated  
15 by successive increases in enrollment of the school district in the  
16 immediately preceding three school years;

17 (c) impact on the delivery of educational services as demonstrated by  
18 restrictive inflexible design or limitations on installation of technology;  
19 and

20 (d) energy usage and other operational inefficiencies as demonstrated  
21 by a district-wide energy usage analysis, district-wide architectural  
22 analysis or other similar evaluation.

23 (ii) In allocating capital improvement state aid, the state board shall  
24 give higher priority to those school districts with a lower AVPP compared  
25 to the other school districts that are to receive capital improvement state  
26 aid under this section.

27 (C) On and after July 1, 2016, the state board of education shall  
28 approve the amount of state aid payments a school district shall receive  
29 from the school district capital improvements fund pursuant to subsection  
30 (b)(5) prior to an election to approve the issuance of general obligation  
31 bonds.

32 (5) Except as provided in subsections (b)(6) and (b)(7), the sum of the  
33 amounts determined under subsection (b)(3) and the amount determined or  
34 allocated to the district by the state board of education pursuant to  
35 subsection (b)(4), is the amount of payment the school district is entitled to  
36 receive from the school district capital improvements fund in the school  
37 year.

38 (6) A school district that had an enrollment of less than 260 students  
39 in the school year immediately preceding the school year in which an  
40 election is held to approve the issuance of general obligation bonds shall  
41 not be entitled to receive payments from the school district capital  
42 improvements fund unless such school district applied for and received  
43 approval from the state board of education to issue such bonds prior to



1 holding an election to approve such bond issuance. The provisions of this  
2 paragraph shall apply to general obligation bonds approved for issuance at  
3 an election held on or after July 1, 2017, that are issued for the purpose of  
4 financing the construction of new school facilities.

5 (7) For general obligation bonds approved for issuance at an election  
6 held on or after July 1, 2017, in determining the amount under subsection  
7 (b)(2)(D), the state board shall exclude payments for any capital  
8 improvement project, or portion thereof, that proposes to construct,  
9 reconstruct or remodel a facility that would be used primarily for  
10 extracurricular activities, unless the construction, reconstruction or  
11 remodeling of such facility is necessary due to concerns relating to the  
12 safety of the current facility or disability access to such facility as  
13 demonstrated by a state fire marshal report, an inspection under the  
14 Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar  
15 evaluation.

16 (c) The state board of education shall certify to the director of  
17 accounts and reports the entitlements of school districts determined under  
18 the provisions of subsection (b), and an amount equal thereto shall be  
19 transferred by the director from the state general fund to the school district  
20 capital improvements fund for distribution to school districts. All transfers  
21 made in accordance with the provisions of this subsection shall be  
22 considered to be demand transfers from the state general fund, except that  
23 all such transfers during the fiscal years ending June 30, ~~2017~~ 2020, June  
24 30, ~~2018~~ 2021, and June 30, ~~2019~~ 2022, shall be considered to be revenue  
25 transfers from the state general fund.

26 (d) Payments from the school district capital improvements fund shall  
27 be distributed to school districts at times determined by the state board of  
28 education to be necessary to assist school districts in making scheduled  
29 payments pursuant to contractual bond obligations. The state board of  
30 education shall certify to the director of accounts and reports the amount  
31 due each school district entitled to payment from the fund, and the director  
32 of accounts and reports shall draw a warrant on the state treasurer payable  
33 to the treasurer of the school district. Upon receipt of the warrant, the  
34 treasurer of the school district shall credit the amount thereof to the bond  
35 and interest fund of the school district to be used for the purposes of such  
36 fund.

37 (e) The provisions of this section apply only to contractual  
38 obligations incurred by school districts pursuant to general obligation  
39 bonds issued upon approval of a majority of the qualified electors of the  
40 school district voting at an election upon the question of the issuance of  
41 such bonds.

42 (f) On or before the first day of the legislative session in 2017, and  
43 each year thereafter, the state board of education shall prepare and submit

1 a report to the legislature that includes information on school district  
2 elections held on or after July 1, 2016, to approve the issuance of general  
3 obligation bonds and the amount of payments school districts were  
4 approved to receive from the school district capital improvements fund  
5 pursuant to subsection (b)(4)(C).

6 Sec. 21. K.S.A. 72-6147 is hereby amended to read as follows: 72-  
7 6147. (a) As used in this section:

8 (1) "Bullying" means: (A) Any intentional gesture or any intentional  
9 written, verbal, electronic or physical act or threat ~~either~~ by any student,  
10 staff member or parent towards a student or ~~by any student, staff member~~  
11 ~~or parent towards~~ a staff member that is sufficiently severe, persistent or  
12 pervasive that such gesture, act or threat creates an intimidating,  
13 threatening or abusive educational environment that a reasonable person,  
14 under the circumstances, knows or should know will have the effect of:

15 (i) Harming a student or staff member, whether physically or  
16 mentally;

17 (ii) damaging a student's or staff member's property;

18 (iii) placing a student or staff member in reasonable fear of harm to  
19 the student or staff member; or

20 (iv) placing a student or staff member in reasonable fear of damage to  
21 the student's or staff member's property;

22 (B) cyberbullying; or

23 (C) any other form of intimidation or harassment prohibited by the  
24 board of education of the school district in policies concerning bullying  
25 adopted pursuant to this section or ~~subsection (e)~~ of K.S.A. 72-1138(e),  
26 and amendments thereto.

27 (2) "Cyberbullying" means bullying by use of any electronic  
28 communication device through means including, but not limited to, e-mail,  
29 instant messaging, text messages, blogs, mobile phones, pagers, online  
30 games and websites.

31 (3) "Parent" includes a guardian, custodian or other person with  
32 authority to act on behalf of the child.

33 (4) "School district" or "district" means any unified school district  
34 organized and operating under the laws of this state.

35 (5) "School vehicle" means any school bus, school van, other school  
36 vehicle and private vehicle used to transport students or staff members to  
37 and from school or any school-sponsored activity or event.

38 (6) "Staff member" means any person employed by a school district.

39 (b) The board of education of each school district shall adopt a policy  
40 to prohibit bullying either by any student, staff member or parent towards  
41 a student or by a student, staff member or parent towards a staff member  
42 on or while utilizing school property, in a school vehicle or at a school-  
43 sponsored activity or event.

1 (c) The board of education of each school district shall adopt and  
 2 implement a plan to address bullying ~~either by any student, staff member~~  
 3 ~~or parent towards a student or by a student, staff member or parent towards~~  
 4 a staff member on school property, in a school vehicle or at a school-  
 5 sponsored activity or event. Such plan shall include: Provisions for the  
 6 training and education for staff members and students; *consequences and*  
 7 *appropriate remedial action for a person who commits an act of bullying,*  
 8 *harassment or cyberbullying; a procedure for reporting an act of bullying,*  
 9 *harassment or cyberbullying, including reporting through the statewide*  
 10 *bullying prevention hotline; a procedure for prompt investigation of*  
 11 *reports of bullying, harassment and cyberbullying; and a list of*  
 12 *appropriate responses to an incident of bullying, harassment or*  
 13 *cyberbullying.*

14 (d) *On or before July 30, 2019, such plan and the number for the*  
 15 *statewide bullying prevention hotline shall be published on the school*  
 16 *district's website, with a link prominently displayed on the home page of*  
 17 *such website titled, "Bullying Prevention Plan." Such plan shall be*  
 18 *distributed annually to parents and guardians who have children enrolled*  
 19 *in a school in the school district. The plan also shall be submitted to the*  
 20 *department of education and shall be kept on file with the department.*

21 ~~(d)~~(e) The board of education of each school district may adopt  
 22 additional policies relating to bullying pursuant to ~~subsection (e)~~ of K.S.A.  
 23 72-1138(e), and amendments thereto.

24 ~~(e)~~(f) Nothing in this section shall be construed to limit or supersede  
 25 or in any manner affect or diminish the requirements of compliance by a  
 26 staff member with the provisions of K.S.A. 2018 Supp. 38-2223 or 38-  
 27 2226, and amendments thereto.

28 Sec. 22. K.S.A. 72-6487 is hereby amended to read as follows: 72-  
 29 6487. (a) The board of education of a school district may provide or  
 30 furnish transportation for students who are enrolled in the school district to  
 31 or from any school of the school district or to or from any school of  
 32 another school district attended by such students in accordance with the  
 33 provisions of an agreement entered into under authority of K.S.A. 72-  
 34 13,101, and amendments thereto.

35 (b) (1) ~~When any or all of the conditions specified in this provision~~  
 36 ~~exist,~~The board of education of a school district shall provide or furnish  
 37 transportation for students who reside in the school district and who attend  
 38 any school of the school district or who attend any school of another  
 39 school district in accordance with the provisions of an agreement entered  
 40 into under authority of K.S.A. 72-13,101, and amendments thereto. ~~The~~  
 41 ~~conditions which apply to the requirements of this provision are as~~  
 42 ~~follows, if:~~

43 (A) The residence of the student is inside or outside the corporate

1 limits of a city, the school building attended is outside the corporate limits  
 2 of a city and the school building attended is more than 2<sup>1</sup>/<sub>2</sub> miles by the  
 3 usually traveled road from the residence of the student; ~~or~~

4 (B) the residence of the student is outside the corporate limits of a  
 5 city, the school building attended is inside the corporate limits of a city and  
 6 the school building attended is more than 2<sup>1</sup>/<sub>2</sub> miles by the usually traveled  
 7 road from the residence of the student; or

8 (C) the residence of the student is inside the corporate limits of one  
 9 city, the school building attended is inside the corporate limits of a  
 10 different city and the school building attended is more than 2<sup>1</sup>/<sub>2</sub> miles by  
 11 the usually traveled road from the residence of the student.

12 (2) The provisions of this subsection are subject to the provisions of  
 13 subsections (c) ~~and~~, (d) and (e).

14 (c) The board of education of every school district is authorized to  
 15 adopt rules and regulations to govern the conduct, control and discipline of  
 16 all students while being transported in school buses. The board may  
 17 suspend or revoke the transportation privilege or entitlement of any  
 18 student who violates any rules and regulations adopted by the board under  
 19 authority of this subsection.

20 (d) The board of education of every school district may suspend or  
 21 revoke the transportation privilege or entitlement of any student who is  
 22 detained at school at the conclusion of the school day for violation of any  
 23 rules and regulations governing student conduct or for disobedience of an  
 24 order of a teacher or other school authority. Suspension or revocation of  
 25 the transportation privilege or entitlement of any student specified in this  
 26 subsection shall be limited to the school day or days on which the student  
 27 is detained at school. The provisions of this subsection do not apply to any  
 28 student who has been determined to be an exceptional child, except gifted  
 29 children, under the provisions of the special education for exceptional  
 30 children act.

31 (e) *Notwithstanding the provisions of subsection (b), the board of*  
 32 *education of a school district shall provide or furnish transportation for*  
 33 *students who reside in the school district and who attend any school of the*  
 34 *school district or who attend any school of another school district in*  
 35 *accordance with the provisions of an agreement entered into under*  
 36 *authority of K.S.A. 72-13,101, and amendments thereto, if:*

37 (1) *The school building attended is 2<sup>1</sup>/<sub>2</sub> miles or less by the usually*  
 38 *traveled road from the residence of the student;*

39 (2) *there is no safe pedestrian route from the residence of the student*  
 40 *to the school building attended by such student; and*

41 (3) *the provision of such transportation does not increase the cost of*  
 42 *providing transportation to students by the school district.*

43 ~~(e)~~(f) (1) Subject to the limitations specified in this subsection, the

1 board of education of any school district may prescribe and collect fees to  
2 offset, totally or in part, the costs incurred for the provision or furnishing  
3 of transportation for students. The limitations which apply to the  
4 authorization granted by this subsection are as follows:

5 (A) Fees for the provision or furnishing of transportation for students  
6 shall be prescribed and collected only to recover the costs incurred as a  
7 result of and directly attributable to the provision or furnishing of  
8 transportation for students and only to the extent that such costs are not  
9 reimbursed from any other source provided by law;

10 (B) fees for the provision or furnishing of transportation may not be  
11 assessed against or collected from any student who is counted in  
12 determining the transportation weighting of the school district under the  
13 Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and  
14 amendments thereto, or any student who is determined to be a child with  
15 disabilities under the provisions of the special education for exceptional  
16 children act or any student who is eligible for free or reduced price meals  
17 under the national school lunch act or any student who is entitled to  
18 transportation under the provisions of K.S.A. 72-6491(a), and amendments  
19 thereto, and who resides 2½ miles or more by the regular route of a school  
20 bus from the school attended; *and*

21 (C) fees for the provision or furnishing of transportation for students  
22 in accordance with the provisions of an agreement entered into under  
23 authority of K.S.A. 72-13,101 or 72-6492, and amendments thereto, shall  
24 be controlled by the provisions of the agreement.

25 (2) All moneys received by a school district from fees collected under  
26 this subsection shall be deposited in the general fund of the district.

27 (g) *For the purposes of this section, the term "safe pedestrian route"*  
28 *means a route that may be traveled on foot and: (1) Each portion of such*  
29 *route has either accessible sidewalks or speed limits for motor vehicles*  
30 *that do not exceed 25 miles per hour; (2) no portion of such route crosses*  
31 *any street with a speed limit for motor vehicles in excess of 25 miles per*  
32 *hour, unless a crossing guard is present at such intersection during the*  
33 *times when students would typically be traveling on such route; and (3) no*  
34 *portion of such route crosses any railroad tracks.*

35 Sec. 23. K.S.A. 72-8193 is hereby amended to read as follows: 72-  
36 8193. (a) There is hereby established the legislative task force on dyslexia.  
37 The task force shall advise and make recommendations to the governor,  
38 the legislature and the state board of education regarding matters  
39 concerning the use of evidence-based practices for students with dyslexia.  
40 ~~The work of the task force should be completed by January 2, 2019, and a~~  
41 ~~report prepared and submitted~~ *The task force shall prepare and submit a*  
42 *report to the governor, the legislature and the state board of education by*  
43 *January 30, 2019, and each January 30 thereafter.*

1 (b) The recommendations and resource materials shall:

2 (1) Research and recommend evidence-based reading practices to  
3 address dyslexia or characteristics of dyslexia for use by schools;

4 (2) research and recommend high quality pre-service and in-service  
5 professional development activities to address reading difficulties like  
6 dyslexia, including identification of dyslexia and effective reading  
7 interventions to be used in schools and within degree programs, such as  
8 education, reading, special education, speech-language pathology and  
9 psychology;

10 (3) study and examine current state and federal laws and rules and  
11 regulations, and the implementation of such laws and rules and regulations  
12 that affect students with dyslexia; and

13 (4) identify valid and reliable screening and evaluation assessments  
14 and protocols that can be used and the appropriate personnel to administer  
15 such assessments in order to identify children with reading difficulties,  
16 such as dyslexia or the characteristics of dyslexia as part of an ongoing  
17 reading progress monitoring system, multi-tiered system of supports and  
18 child find special education eligibility for students.

19 (c) The task force shall consist of 16 voting members as follows:

20 (1) One member of the senate and one elementary school classroom  
21 teacher shall be appointed jointly by the chairperson and the ranking  
22 minority member of the senate committee on education;

23 (2) one member of the house of representatives and one elementary  
24 school classroom teacher shall be appointed jointly by the chairperson and  
25 the ranking minority member of the house committee on education;

26 (3) one member appointed by and from the state board of education,  
27 to serve as the chairperson of the task force;

28 (4) one member shall be a professor employed by a state educational  
29 institution with specialized expertise in effective evidence-based reading  
30 practices for dyslexia appointed by the president of the state board of  
31 regents;

32 (5) one member shall be a principal of a public school appointed by  
33 the united school administrators of Kansas;

34 (6) four members shall be the parents of children with a diagnosis of  
35 dyslexia with one appointed by keys for networking, inc., one appointed  
36 by families together, inc., one appointed by decoding dyslexia Johnson  
37 county and one appointed by the international dyslexia association Kansas  
38 Missouri branch, and such appointments shall be made with an effort to  
39 provide statewide representation, if possible;

40 (7) one member shall be appointed by the Kansas association of  
41 special education administrators;

42 (8) one member shall be an elementary school building-level reading  
43 specialist appointed by the state board of education;

1 (9) one member shall be an elementary school special education  
2 teacher appointed by the state board of education;

3 (10) one member shall be a licensed psychologist or speech-language  
4 pathologist who diagnoses dyslexia as a part of such person's practice  
5 appointed by the chairperson of the task force;

6 (11) one member, identified as a nonprofit service provider for  
7 children diagnosed with dyslexia, shall be appointed by the chairperson of  
8 the task force; and

9 (12) the following ~~ex-officio members, who shall be non-voting~~  
10 ~~members of the task force:~~

11 (A) One member shall be a licensed attorney from the Kansas state  
12 department of education appointed by the Kansas state department of  
13 education;

14 (B) one member shall be a licensed attorney who is familiar with  
15 dyslexia issues appointed jointly by the chairperson of the senate  
16 committee on education and the chairperson of the house committee on  
17 education; and

18 (C) one member shall be appointed by the disability rights center of  
19 Kansas.

20 (d) *Any vacancy in a position shall be filled in the same manner as*  
21 *the original appointment.*

22 (e) The chairperson shall call an organizational meeting of the task  
23 force on or before July 15, 2018. At such organizational meeting, the  
24 members shall elect a vice-chairperson from the membership of the task  
25 force. The task force also shall consider dates for future meetings, the  
26 agenda for such meetings and the need for electing a facilitator to assist in  
27 discussions among the members of the task force. The task force shall  
28 meet no more than six times in 2018, *and no more than once in 2019,*  
29 *2020 and 2021,* and may hold meetings by telephone or video conference,  
30 if necessary.

31 ~~(e)~~(f) *Subject to subsection (e),* the task force may meet at any time  
32 and at any place within the state on the call of the chairperson. A quorum  
33 of the task force shall be nine members. All actions of the task force shall  
34 be by motion adopted by a majority of those members present when there  
35 is a quorum.

36 ~~(f)~~(g) If approved by the legislative coordinating council, members of  
37 the task force attending meetings authorized by the task force shall be paid  
38 amounts for expenses, mileage and subsistence as provided in K.S.A. 75-  
39 3223(e), and amendments thereto.

40 ~~(g)~~(h) The staff of the office of revisor of statutes, the legislative  
41 research department and the division of legislative administrative services  
42 shall provide assistance as may be requested by the legislative task force  
43 on dyslexia.

- 1        *(i) The provisions of this section shall expire on June 30, 2022.*
- 2        Sec. 24. K.S.A. 72-1167, 72-3422, 72-4352, 72-4354, 72-5131, 72-
- 3        5132, 72-5150, 72-5170, 72-5171, 72-5173, 72-5193, 72-5461, 72-5462,
- 4        72-6147, 72-6487 and 72-8193 are hereby repealed.
- 5        Sec. 25. This act shall take effect and be in force from and after its
- 6        publication in the statute book.