AN ACT concerning schools; creating the excellence in education act; relating to career technical education; relating to teacher certification; relating to school employee performance and evaluation; amending K.S.A. 12-1677, 72-1412, 72-1413, 72-1414, 72-1415, 72-4417, 72-4419, 72-4463, 72-5333b, 72-6622, 72-6757, 72-8189, 72-8230, 72-8233, 72-8236, 72-8309, 72-8908, 72-9004 and 72-9005 and K.S.A. 2011 Supp. 10-1116a, 71-201, 71-609, 72-978, 72-1046b, 72-1398, 72-3607, 72-3712, 72-3715, 72-3715, as amended by section 50 of this act, 72-5413, 72-6414a, 72-6414b, 72-6420, 72-6421, 72-6423, 72-6426, 72-6460, 72-64b01, 72-64c03, 72-6624, 72-6625, 72-67,115, 72-8187, 72-8237, 72-8250, 72-8251, 72-8302, 72-8316, 72-8319, 72-8415b, 72-8814, 72-9002, 72-9003, 72-9509, 72-9608, 72-9609, 74-32,141, 74-4939a, 75-2319 and 79-201x and repealing the existing sections; also repealing K.S.A. 72-6406, 72-6408, 72-6411, 72-6415, 72-6416, 72-6418, 72-6419, 72-6422, 72-6424, 72-6427, 72-6429, 72-6432, 72-6436, 72-6437, 72-6444, 72-6446 and 72-6447 and K.S.A. 2011 Supp. 46-3401, 46-3402, 72-6405, 72-6407, 72-6409, 72-6410, 72-6412, 72-6413, 72-6414, 72-6414a, 72-6414b, 72-6415b, 72-6417, 72-6420, 72-6421, 72-6423, 72-6425, 72-6426, 72-6428, 72-6430, 72-6431, 72-6433, 72-6433d, 72-6434, 72-6434b, 72-6435, 72-6438, 72-6439, 72-6439a, 72-6441, 72-6442b, 72-6443, 72-6445a, 72-6448, 72-6449, 72-6450, 72-6451, 72-6452, 72-6453, 72-6454, 72-6455, 72-6456, 72-6457, 72-6458, 72-6459 and 72-6460.

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

New Section 1.  (a) The provisions of sections 1 through 29, and amendments thereto, shall be known and may be cited as the excellence in education act.

(b) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 2.  As used in section 1 through 29, and amendments thereto:

(a) "Additional local effort" means an amount equal to the tax proceeds collected from all levies imposed by a district pursuant to section 8, and amendments thereto, less the local effort of such district.

(b) "At-risk pupils" means pupils who are eligible for free meals
under the national school lunch act and who are enrolled in a district which
maintains an approved at-risk pupil assistance plan.
(c) "Base state aid" means the amount of state funds paid to a district
pursuant to section 5, and amendments thereto.
(d) "Base state aid per pupil" means an amount of state funds paid to
a district on a per pupil basis as determined pursuant to section 5, and
amendments thereto.
(e) "Baseline amount requirement" or "BAR" means a minimum
amount of state funds a district is entitled to receive each school year as
determined pursuant to sections 9 through 12, and amendments thereto.
(f) "Board" means the board of education of a school district.
(g) "Career technical education" shall have the same meaning as such
term is defined in K.S.A. 72-4412, and amendments thereto.
(h) "Current school year" means the school year during which base
state aid is determined by the state board under section 5, and amendments
thereto.
(i) "Curve of best fit" means the curve on a density-cost graph drawn
so the sum of the distances squared from such line to each of the points
plotted on the graph is the least possible.
(j) "Density-cost graph" means a drawing having: (1) A horizontal or
base line divided into equal intervals of density, beginning with zero on the
left; and (2) a scale for per-pupil cost of transportation to be shown on a
line perpendicular to the base line at the left end thereof, such scale to
begin with zero dollars at the base line ascending by equal per-pupil cost
intervals.
(k) "District" means a school district organized under the laws of this
state which is maintaining public school for a school term in accordance
with the provisions of K.S.A. 72-1106, and amendments thereto.
(l) "February 20" has its usual meaning, except that in any year in
which February 20 is not a day on which school is maintained, it shall
mean the first day after February 20 on which school is maintained.
(m) "Index of density" means the number of pupils who are included
in the enrollment of a district in the current school year, are residing 2 1/2
miles or more by the usually traveled road from the school building they
attend, and for whom transportation is being made available on regular
school routes by the district, divided by the number of square miles of
territory in the district.
(n) "Juvenile detention facility" has the meaning ascribed thereto by
K.S.A. 72-8187, and amendments thereto.
o "Local effort" means an amount equal to the tax proceeds
collected from all levies imposed by a district pursuant to K.S.A. 72-6433,
and amendments thereto, prior to its repeal, in school year 2012-2013.
p "Military pupil" means a person who is a dependent of a full-time
active duty member of the military service or a dependent of a member of
any of the United States military reserve forces who has been ordered to
active duty under section 12301, 12302 or 12304 of Title 10 of the United
States Code, or ordered to full-time active duty for a period of more than
30 consecutive days under section 502(f) or 512 of Title 32 of the United
States Code for the purposes of mobilizing for war, international
peacekeeping missions, national emergency or homeland defense
activities.
(q) "Postsecondary educational institution" means a community
college, institute of technology or technical college, as those terms are
defined in K.S.A. 72-4412, and amendments thereto.
(r) "Preschool-aged at-risk pupil" means an at-risk pupil who has
attained the age of four years, is under the age of eligibility for attendance
at kindergarten, and has been selected by the state board in accordance
with guidelines consonant with guidelines governing the selection of
pupils for participation in head start programs.
(s) "Preschool-aged exceptional children" means exceptional
children, except gifted children, who have attained the age of three years
but are under the age of eligibility for attendance at kindergarten.
(t) "Property value equalization state aid" means the amount of state
funds paid to a district pursuant to section 7, and amendments thereto.
(u) "Psychiatric residential treatment facility" has the meaning
ascribed thereto by K.S.A. 72-8187, and amendments thereto.
(v) "Pupil" means any person who is regularly enrolled in a district
and attending kindergarten or any of the grades one through 12 maintained
by the district, or who is regularly enrolled in a district and attending
kindergarten or any of the grades one through 12 in another district in
accordance with an agreement entered into under authority of K.S.A. 72-
8233, and amendments thereto, or who is regularly enrolled in a district
and attending special education services provided for preschool-aged
exceptional children by the district.
(w) "September 20" has its usual meaning, except that in any year in
which September 20 is not a day on which school is maintained, it shall
mean the first day after September 20 on which school is maintained.
(x) "School year" means the 12-month period ending June 30.
(y) "State board" means the state board of education.
(z) "Supplemental equalization state aid" means the amount of state
funds paid to a district pursuant to section 13, and amendments thereto.
(aa) "Total state aid" means the amount of funding a district receives
either in the form of a state aid payment or by the imposition of tax levies
as determined pursuant to section 13, and amendments thereto.
(bb) "Valuation per pupil" means the amount of tax proceeds to be
collected from the tax levy imposed by a district in accordance with
section 6, and amendments thereto, divided by total enrollment of such
district as determined pursuant to section 4, and amendments thereto.

(cc) "Virtual school" means any school or educational program that:
(1) Is offered for credit; (2) uses distance-learning technologies which
predominately use internet-based methods to deliver instruction; (3)
involves instruction that occurs asynchronously with the teacher and pupil
in separate locations; (4) requires the pupil to make academic progress
toward the next grade level and matriculation from kindergarten through
high school graduation; (5) requires the pupil to demonstrate competence
in subject matter for each class or subject in which the pupil is enrolled as
part of the virtual school; and (6) requires age-appropriate pupils to
complete state assessment tests.

(dd) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 3. (a) On or before August 25 of each school year, the
clerk or superintendent of each district shall certify to the state board a
copy of the budget adopted by the board of education for such district for
such school year.

(b) On or before October 10 of each school year, the clerk or
superintendent of each district shall certify under oath to the state board a
report showing the total enrollment of pupils in the district, as determined
pursuant to section 4, and amendments thereto, by grades maintained in
the schools of such district, and such other reports as the state board may
require. Each such report shall show total pupil enrollment, career
technical education enrollment and special education enrollment in such
detail and form as is specified by the state board. Upon receipt of such
reports, the state board shall examine the reports and if the state board
finds any errors in any such report, the state board shall consult with the
district officer furnishing the report and make such corrections in the
report as are necessary.

(c) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 4. (a) (1) Except as otherwise provided in paragraphs (2)
and (3), the total enrollment of pupils in a district shall be the number of
full-time equivalent pupils enrolled in the district on September 20. The
determination of pupil enrollment in career technical education and
exceptional children receiving special education and related services shall
also be the number of full-time equivalent pupils identified as such by the
district on September 20.

(2) For districts scheduling the school days or school hours of the
school term on a trimestral or quarterly basis, the number of pupils
regularly enrolled in the district on September 20 plus the number of
pupils regularly enrolled in the district on February 20 less the number of
pupils regularly enrolled on February 20 who were counted in the enrollment of the district on September 20.

(3) If total enrollment in a district in any school year has decreased from total enrollment in the preceding school year, total enrollment of pupils in the district in the current school year shall be the greater of: (A) Enrollment in the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled, plus enrollment in the current school year of preschool-aged at-risk pupils, if any such pupils are enrolled; or (B) the sum of enrollment in the current school year of preschool-aged at-risk pupils, if any such pupils are enrolled and the mean of the sum of: (i) Enrollment of the district in the current school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils are enrolled; (ii) enrollment in the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled; and (iii) enrollment in the school year next preceding the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled.

(b) (1) Each district shall determine the number of military pupils enrolled in such district on February 20, who were not enrolled on the preceding September 20, and report this second military pupil enrollment to the state board.

(2) If the number of military pupils determined under paragraph (1) is 25 or more, an amount equal to such number shall be added to the total enrollment determined under subsection (a). The sum shall be the total enrollment of pupils in the district.

(3) If the number of military pupils determined under paragraph (1) is at least 1% of the total enrollment determined under subsection (a), an amount equal to such number shall be added to the total enrollment determined under subsection (a). The sum shall be the total enrollment of pupils in the district.

(4) The state board shall recompute the total enrollment of the district and the general fund budget of the school district based on the total enrollment as determined under this subsection.

(5) The provisions of this subsection shall only apply to those school districts that elect to have the total enrollment of pupils in the district adjusted in accordance with the provisions of this subsection. Such election shall be by resolution adopted by the board of education of such school district. Districts electing to adjust the total enrollment under this subsection shall submit any documentation or information required by the state board.

(c) (1) The following shall be counted as one pupil:

(A) A pupil in attendance full time;
(B) a pupil attending kindergarten; and

(C) except as provided in paragraphs (2) and (7), a pupil enrolled in a district and attending special education and related services.

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

(A) A pupil enrolled in a district and attending special education and related services for preschool-aged exceptional children provided for by the district; and

(B) a preschool-aged at-risk pupil enrolled in a district and receiving services under an approved at-risk pupil assistance plan maintained by the district.

(3) A pupil in attendance part time shall be counted as that proportion of one pupil, to the nearest $\frac{1}{10}$, that the pupil's attendance bears to full-time attendance.

(4) A pupil enrolled in and attending a postsecondary educational institution, which is authorized under the laws of this state to award academic degrees, shall be counted as one pupil if the pupil's postsecondary education enrollment and attendance together with the pupil's attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted as that proportion of one pupil, to the nearest $\frac{1}{10}$, that the total time of the pupil's postsecondary education attendance and attendance in grade 11 or 12, as applicable, bears to full-time attendance.

(5) A pupil enrolled in and attending an area vocational school, area vocational-technical school or approved vocational education program shall be counted as one pupil if the pupil's vocational education enrollment and attendance together with the pupil's attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted as that proportion of one pupil, to the nearest $\frac{1}{10}$, that the total time of the pupil's vocational education attendance and attendance in any of grades nine through 12 bears to full-time attendance.

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

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

(8) (A) A pupil in attendance at a virtual school on a single school day on or before September 19 of each school year and on a single school day on or after September 20, but before October 4 of each school year shall be included in the enrollment of virtual pupils of the district, and
such virtual pupils shall be counted as follows:

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

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

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

(iv) divide the sum obtained under paragraph (3) by 12; and

(v) multiply the quotient obtained under paragraph (4) by .75. The resulting product is the full-time equivalent enrollment of the pupil.

(B) The school days on which a district determines the full-time equivalent enrollment of a pupil under subparagraph (A) shall be the school days on which the pupil has the highest number of hours of attendance at the virtual school. No more than six hours of attendance may be counted in a single school day. Attendance may be shown by a pupil's on-line activity or entries in the pupil's virtual school journal or log of activities.

(C) For the purposes of this subsection, a pupil enrolled in a virtual school who is not a resident of the state of Kansas shall not be counted in the enrollment of the district.

(9) The following shall not be counted:

(A) A pupil residing at the flint hills job corps center;

(B) a pupil confined in and receiving educational services provided for by a district at a juvenile detention facility; and

(C) a pupil enrolled in a district but housed, maintained and receiving educational services at a state institution or a psychiatric residential treatment facility.

(10) A pupil who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the district for at least one semester or two quarters, or the equivalent thereof.

(d) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 5. (a) Each school year the state board shall determine the amount of base state aid each district is entitled to receive by multiplying the total enrollment of pupils in the district as certified pursuant to section 3, and amendments thereto, by the base state aid per pupil. For school year 2013-2014 and each school year thereafter, the amount of base state aid per pupil shall be an amount that is not less than $4,492.

(b) The base state aid fund is hereby established in the state treasury. All moneys credited to the base state aid fund shall be used for paying a
portion of the costs of operating and maintaining public schools in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state.

(c) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 6. (a) The board of education of each district shall levy an ad valorem tax upon the taxable tangible property of the district at a rate of 20 mills in school year 2013-2014 and school year 2014-2015 for the purpose of:

(1) Paying a portion of the costs of operating and maintaining public schools in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state; and

(2) with respect to any redevelopment district established prior to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district.

(b) Except for that portion of the proceeds used for the purpose set forth in subsection (a)(2), the county treasurer of each county shall make the proceeds of the tax levy provided for in this section available to the state treasurer immediately upon collection. When available the state treasurer shall withdraw from each county the proceeds of the taxes raised by such tax levy. Upon such withdrawal the state treasurer shall deposit the same in the state treasury and shall credit the same to the property value equalization fund.

(c) All moneys received by the state treasurer under subsection (b), shall be credited to the property value equalization fund, which is hereby created in the state treasury, to be used for paying a portion of the costs of operating and maintaining public schools in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state.

(d) Each school year the state board shall distribute funds credited to the property value equalization fund to each district in accordance with section 7, and amendments thereto.

(e) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments thereto.

(f) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 7. (a) Each school year the state board shall determine the amount of property value equalization state aid each district is entitled to receive as follows:

(1) Determine the valuation per pupil of each district;

(2) rank the districts on the basis of the valuation per pupil
determined under paragraph (1), and identify the highest valuation per pupil; 
(3) subtract the valuation per pupil of the district from the valuation per pupil identified in paragraph (2); 
(4) divide the mean valuation per pupil for all districts by the valuation per pupil of the district; 
(5) multiply the difference obtained under paragraph (3) by the quotient obtained under paragraph (4) to obtain the payment ratio of the district; 
(6) determine the multiplier by dividing aggregate tax proceeds from the levy imposed pursuant to section 6, and amendments thereto, for all districts by the sum of the payment ratios for all districts as determined pursuant to paragraph (5); and 
(7) multiply the payment ratio of the district obtained under paragraph (5) by the multiplier determined under paragraph (6). Subject to the provisions of subsection (b), the resulting product is the amount of property value equalization state aid the district is entitled to receive for the school year. 
(b) The amount of property value equalization state aid a district is entitled to receive pursuant to subsection (a) shall be reduced by an amount determined pursuant to subsection (d) of section 13, and amendments thereto. The state board shall certify to the director of accounts and reports the aggregate amount of such reductions for all districts. Upon such certification the director of accounts and reports shall transfer such certified amount from the property value equalization fund to the supplemental equalization fund, established pursuant to section 13, and amendments thereto. 
(c) The provisions of this section shall take effect and be in force from and after July 1, 2013. 

New Sec. 8. (a) In each school year, the board of every district, by adoption of a resolution, may levy an ad valorem tax on the taxable tangible property of the district for the purpose of: 
(1) Paying a portion of the costs of operating and maintaining public schools; 
(2) with respect to any redevelopment district established prior to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district; and 
(3) funding transfers to the capital outlay fund of the district. 
The adoption of a resolution pursuant to this section shall require a majority vote of the members of the board. The resolution shall be published at least once in a newspaper having general circulation in the
district.

(b) Upon adoption and publication of a resolution pursuant to this section, the levy shall be imposed unless a petition in opposition to the resolution, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after publication of the resolution. If a petition is filed, the county election officer shall submit the question of whether imposition of the levy shall be authorized to the electors of the school district at an election called for such purpose, or at the next general election, as is specified by the board of education of the school district. If a sufficient petition is filed, the board may notify the county election officer of the date of an election to be held to submit the question of whether imposition of the levy shall be authorized. Any such election shall be noticed, called and held in the manner prescribed by K.S.A. 10-120, and amendments thereto. If the board fails to notify the county election officer within 30 days after a sufficient petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board within the nine months following publication of such abandoned resolution.

(c) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purpose of paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district, shall be deposited in the general fund of the district.

(d) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments thereto.

(e) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 9. (a) Except as otherwise provided in sections 10 through 12, and amendments thereto, each school year the state board shall determine the baseline amount requirement for each district in accordance with the provisions of this section.

(b) For school year 2013-2014, the BAR shall be the sum of the following amounts, which were received by the district during either school year 2011-2012 or 2012-2013, whichever sum is greater:

1. General state aid, as determined pursuant to K.S.A. 72-6416, and amendments thereto, prior to its repeal, as calculated excluding the transportation weighting, as determined pursuant to K.S.A. 72-6411, and amendments thereto, prior to its repeal, and the vocational education program weighting, as determined pursuant to K.S.A. 72-6413, and amendments thereto, prior to its repeal;

2. local effort of the district, as defined in K.S.A. 72-6410, and
amendments thereto, prior to its repeal;
(3) local option budget adopted by the board of education, as
determined pursuant to K.S.A. 72-6433d, and amendments thereto, prior to
its repeal; and
(4) supplemental general state aid, as determined pursuant to K.S.A.
72-6434, and amendments thereto, prior to its repeal.
(c) For school year 2014-2015 and each school year thereafter, the
BAR shall be determined as follows:
(1) Determine the BAR applicable in the immediately preceding
school year;
(2) (A) if the total enrollment of the district for the current school
year, as certified pursuant to section 3, and amendments thereto, is greater
than the total enrollment of such district in the immediately preceding
school year, as certified pursuant to section 3, and amendments thereto,
multiply the difference between the total enrollments by the BSAPP in
effect during the immediately preceding school year, and add the product
obtained to the BAR determined under paragraph (1);
(B) if the total enrollment of the district for the current school year, as
certified pursuant to section 3, and amendments thereto, is less than the
total enrollment of such district in the immediately preceding school year,
as certified pursuant to section 3, and amendments thereto, multiply the
difference between the total enrollments by the BSAPP in effect during the
immediately preceding school year, and subtract the resulting product from
the BAR determined under paragraph (1);
(3) if the district adopts a resolution pursuant to section 8, and
amendments thereto, that imposes a smaller rate on the taxable tangible
property of the district than what was imposed during the immediately
preceding school year, or the district fails to adopt a resolution that would
maintain the same rate that was imposed during the immediately preceding
school year resulting in a decrease in the amount of the rate, or the
resolution adopted by the district is voted against by a majority of the
electors of the district in accordance with section 8, and amendments
thereto, multiply the difference between the rate imposed during the
current school year and the rate imposed during the immediately preceding
school year by the assessed valuation of the taxable tangible property in
the district in the current school year, and subtract the resulting product
from the BAR determined under paragraph (1); and
(4) if the district imposed a levy pursuant to K.S.A. 72-6441, 72-6449
or 72-6451, and amendments thereto, prior to the repeal of those sections,
and such levy was in effect on July 1, 2013, then for the school year in
which any such levy terminates and each school year thereafter an amount
equal to the value of such levies in the final school year in which such
levies were imposed shall be added to the BAR determined under
paragraph (1).

(d) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 10. (a) The provisions of this subsection shall apply to any district formed by consolidation in accordance with the statutory provisions contained in article 87 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, and which consolidation was completed prior to July 1, 2012.

(1) For any district in which all of the former school districts had an enrollment of at least 150 pupils, but any had less than 200 pupils on September 20 of the school year immediately preceding the school year in which the consolidation was completed, the BAR for the three school years following the school year in which the consolidation was completed shall be the sum of the BARs for each of the former districts which comprise the consolidated district, as determined pursuant to section 9, and amendments thereto. In the fourth school year following the school year in which the consolidation was completed and each school year thereafter, the BAR shall be the BAR for such consolidated district, as determined pursuant to section 9, and amendments thereto.

(2) For any district in which all of the former school districts had an enrollment of 200 or more pupils on September 20 of the school year immediately preceding the school year in which the consolidation was completed, the BAR of the consolidated district for the four school years following the school year in which the consolidation was completed shall be the sum of the BARs for each of the former districts which comprise the consolidated district, as determined pursuant to section 9, and amendments thereto. In the fifth school year following the school year in which the consolidation was completed and each school year thereafter, the BAR shall be the BAR for such consolidated district, as determined pursuant to section 9, and amendments thereto.

(3) For any district in which the consolidation involved the consolidation of three or more school districts, regardless of the number of pupils enrolled in the districts, the BAR of the consolidated district for the four school years following the school year in which the consolidation was completed shall be the sum of the BARs for each of the former districts which comprise the consolidated district, as determined pursuant to section 9, and amendments thereto. In the fifth school year following the school year in which the consolidation was completed and each school year thereafter, the BAR shall be the BAR for such consolidated district, as determined pursuant to section 9, and amendments thereto.

(b) The provisions of this subsection shall apply to any district formed by consolidation in accordance with the statutory provisions contained in article 87 of chapter 72 of the Kansas Statutes Annotated, and
amendments thereto, and which consolidation was completed during school year 2012-2013 or any school year thereafter.

(1) For any district which is comprised of any former district that had an enrollment of less than 150 pupils on September 20 of the school year immediately preceding the school year in which the consolidation was completed, the BAR for the school year following the school year in which the consolidation was completed shall be the sum of the BARs for each of the former districts which comprise the consolidated district, as determined pursuant to section 9, and amendments thereto. In the second school year following the school year in which the consolidation was completed and each school year thereafter, the BAR shall be 67% of the BAR determined pursuant to this subsection.

(2) For any district in which all of the former school districts had an enrollment of at least 150 pupils, but any had less than 200 pupils on September 20 of the school year immediately preceding the school year in which the consolidation was completed, the BAR for the three school years following the school year in which the consolidation was completed shall be the sum of the BARs for each of the former districts which comprise the consolidated district, as determined pursuant to section 9, and amendments thereto. In the fourth school year following the school year in which the consolidation was completed and each school year thereafter, the BAR shall be 67% of the BAR determined pursuant to this subsection.

(3) For any district in which all of the former school districts had an enrollment of 200 or more pupils on September 20 of the school year immediately preceding the school year in which the consolidation was completed, the BAR of the consolidated district for the four school years following the school year in which the consolidation was completed shall be the sum of the BARs for each of the former districts which comprise the consolidated district, as determined pursuant to section 9, and amendments thereto. In the fifth school year following the school year in which the consolidation was completed and each school year thereafter, the BAR shall be 67% of the BAR determined pursuant to this subsection.

(4) For any district in which the consolidation involved the consolidation of three or more school districts, regardless of the number of pupils enrolled in the districts, the BAR of the consolidated district for the four school years following the school year in which the consolidation was completed shall be the sum of the BARs for each of the former districts which comprise the consolidated district, as determined pursuant to section 9, and amendments thereto. In the fifth school year following the school year in which the consolidation was completed and each school year thereafter, the BAR shall be 67% of the BAR determined pursuant to this subsection.

(c) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 11. (a) The provisions of this subsection shall apply to school districts which have been enlarged by the attachment of territory pursuant to the procedure established in article 73 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, and which attachment of territory was completed prior to July 1, 2012.

(1) For any district in which all of the former school districts had an enrollment of at least 150 pupils, but any had less than 200 pupils on September 20 of the school year immediately preceding the school year in which the attachment of territory was completed, the BAR of the enlarged district for the three school years following the school year in which the attachment of territory was completed shall be the sum of the BARs for each of the former districts which comprise the enlarged district, as determined pursuant to section 9, and amendments thereto. In the fourth school year following the school year in which the attachment of territory was completed and each school year thereafter, the BAR shall be the BAR for such enlarged district, as determined pursuant to section 9, and amendments thereto.

(2) For any district in which all of the former school districts had an enrollment of 200 or more pupils on September 20 of the school year immediately preceding the school year in which the attachment of territory was completed, the BAR of the enlarged district for the four school years following the school year in which the attachment of territory was completed shall be the sum of the BARs for each of the former districts which comprise the enlarged district, as determined pursuant to section 9, and amendments thereto. In the fifth school year following the school year in which the attachment of territory was completed and each school year thereafter, the BAR shall be the BAR for such enlarged district, as determined pursuant to section 9, and amendments thereto.

(3) For any district in which the consolidation involved the consolidation of three or more school districts, regardless of the number of pupils enrolled in the districts, the BAR of the enlarged district for the four school years following the school year in which the attachment of territory was completed shall be the sum of the BARs for each of the former districts which comprise the enlarged district, as determined pursuant to section 9, and amendments thereto. In the fifth school year following the school year in which the attachment of territory was completed and each school year thereafter, the BAR shall be the BAR for such enlarged district, as determined pursuant to section 9, and amendments thereto.

(b) The provisions of this section shall apply to school districts which have been enlarged by the attachment of territory pursuant to the procedure established in article 73 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, and which attachment of territory
was completed during school year 2012-2013 or any school year thereafter.

(1) For any district which is comprised of any former district that had an enrollment of less than 150 pupils on September 20 of the school year immediately preceding the school year in which the attachment of territory was completed, the BAR for the school year following the school year in which the attachment of territory was completed shall be the sum of the BARs for each of the former districts which comprise the enlarged district, as determined pursuant to section 9, and amendments thereto. In the second school year following the school year in which the attachment of territory was completed and each school year thereafter, the BAR shall be 67% of the BAR determined pursuant to this subsection.

(2) For any district in which all of the former school districts had an enrollment of at least 150 pupils, but any had less than 200 pupils on September 20 of the school year immediately preceding the school year in which the attachment of territory was completed, the BAR for the three school years following the school year in which the attachment of territory was completed shall be the sum of the BARs for each of the former districts which comprise the enlarged district, as determined pursuant to section 9, and amendments thereto. In the fourth school year following the school year in which the attachment of territory was completed and each school year thereafter, the BAR shall be 67% of the BAR determined pursuant to this subsection.

(3) For any district in which all of the former school districts had an enrollment of 200 or more pupils on September 20 of the school year immediately preceding the school year in which the attachment of territory was completed, the BAR for the four school years following the school year in which the attachment of territory was completed shall be the sum of the BARs for each of the former districts which comprise the enlarged district, as determined pursuant to section 9, and amendments thereto. In the fifth school year following the school year in which the attachment of territory was completed and each school year thereafter, the BAR shall be 67% of the BAR determined pursuant to this subsection.

(4) For any district in which three or more school districts, regardless of the number of pupils enrolled in the districts, are disorganized and attached to a single district, the BAR for the four school years following the school year in which the attachment of territory was completed shall be the sum of the BARs for each of the former districts which comprise the enlarged district, as determined pursuant to section 9, and amendments thereto. In the fifth school year following the school year in which the attachment of territory was completed and each school year thereafter, the BAR shall be 67% of the BAR determined pursuant to this subsection.

(c) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 12. (a) The provisions of this section shall apply to school
districts which are disorganized in accordance with article 73 of chapter 72
of the Kansas Statutes Annotated, and amendments thereto. Except as
specifically provided by this paragraph for the allocation of the BAR
among districts, the provisions of subsections (b) through (e) of section 11,
and amendments thereto, shall be applicable to school districts to which
this section applies.

(b) If a school district is disorganized, and the territory of such
district is attached to more than one district, the BAR for each school
district to which any territory from the disorganized district is attached,
shall be computed by the state board of education as follows:

(1) Determine the BAR of the former district in the school year
preceding the date that the disorganization and attachment was completed;
(2) determine the BAR of the enlarged district in the school year
preceding the date that the disorganization and attachment was completed;
(3) determine the assessed valuation of the former district in the
school year preceding the date that the disorganization and attachment was
completed;
(4) determine the assessed valuation of the territory attached to each
enlarged district;
(5) allocate the BAR of the former district in the school year
preceding the date that the disorganization and attachment was completed
to each of the enlarged school districts in the same proportion that the
assessed valuation of the territory attached to each district bears to the
assessed valuation of the former school district; and
(6) add the amounts determined under paragraphs (2) and (5). The
sum is the BAR of the enlarged district for the school year in which the
attachment is completed.

(c) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 13. (a) Each school year the state board shall determine
the total state aid for each district as follows:

(1) Determine the base state aid the district is entitled to receive
pursuant to section 5, and amendments thereto;
(2) add the amount of the property value equalization state aid the
district is entitled to receive pursuant to subsection (a) of section 7, and
amendments thereto; and
(3) add the amount of the district's local effort, as defined in section
2, and amendments thereto.

(b) If the district's total state aid amount, as determined pursuant to
subsection (a), is less than such district's BAR, as determined pursuant to
sections 9 through 12, and amendments thereto, then such district shall be
entitled to receive a supplemental equalization fund payment in an amount
equal to the difference between the district's total state aid amount, as
determined pursuant to subsection (a), is less than such district's BAR, as
determined pursuant to sections 9 through 12, and amendments thereto.

(c) Except as otherwise provided in section 14, and amendments
thereto, if the district's total state aid amount, as determined pursuant to
subsection (a), is at least equal to such district's BAR, as determined
pursuant to sections 9 through 12, and amendments thereto, then such
district shall not be entitled to receive a supplemental equalization fund
payment.

(d) If the district's total state aid amount, as determined pursuant to
subsection (a), exceeds an amount equal to 106% of such district's BAR,
as determined pursuant to sections 9 through 12, and amendments thereto,
then such district shall not be entitled to receive a supplemental
equalization fund payment. In such event the state board shall determine
an amount equal to the difference between such district's total state aid and
an amount equal to 106% of such district's BAR. Such amount shall be
subtracted from such district's property value equalization state aid in
accordance with section 7, and amendments thereto.

(e) The supplemental equalization fund is hereby established in the
state treasury. All moneys credited to the supplemental equalization fund
shall be used for paying a portion of the costs of operating and maintaining
public schools in partial fulfillment of the constitutional obligation of the
legislature to finance the educational interests of the state.

(f) If a district, which has a property valuation per pupil, as
determined pursuant to subsection (a)(1) of section 7, and amendments
thereto, that is in excess of the mean property valuation per pupil for all
districts, and which has a total property valuation that is in excess of 5% of
the total property valuation of all taxable tangible property in the state of
Kansas, adopts a resolution pursuant to section 8, and amendments thereto,
increasing such district's levy from the amount levied in the immediately
preceding school year such that the sum of such district's total state aid
plus additional local effort is in excess of 106% of such district's BAR, as
determined pursuant to sections 9 through 12, and amendments thereto,
then the percentage amount set forth in subsection (d) shall be that
percentage by which the sum of such district's total state aid plus
additional local effort exceeds such district's BAR.

(g) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 14. (a) To the extent the appropriation for the
supplemental equalization fund, established by section 13, and
amendments thereto, is in excess of the amount certified by the state board
as necessary to fully fund the supplemental equalization fund payments
determined pursuant to section 13, and amendments thereto, such excess
shall be distributed to certain school districts in accordance with this
section. Such distributions shall be made at the same time and in the same
manner as all other supplemental equalization fund payments are made
pursuant to section 13, and amendments thereto.

(b) Any funds in the supplemental equalization fund determined to be
excess funds pursuant to subsection (a) shall be distributed on a per pupil
basis as follows:

(1) First, to those districts whose total state aid does not exceed 101% of
such district's BAR, as determined pursuant to sections 9 through 12,
and amendments thereto, in an amount that when added to such district's
total state aid raises the resulting sum to an amount that is equal to 101%
of such district's BAR;

(2) then to the extent there are still excess funds to be distributed, to
those districts whose total state aid does not exceed 102% of such district's
BAR, as determined pursuant to sections 9 through 12, and amendments
thereto, including those districts described in paragraph (1), in an amount
that when added to such district's total state aid raises the resulting sum to
an amount that is equal to 102% of such district's BAR;

(3) then to the extent there are still excess funds to be distributed, to
those districts whose total state aid does not exceed 103% of such district's
BAR, as determined pursuant to sections 9 through 12, and amendments
thereto, including those districts described in paragraphs (1) and (2), in an
amount that when added to such district's total state aid raises the resulting
sum to an amount that is equal to 103% of such district's BAR;

(4) then to the extent there are still excess funds to be distributed, to
those districts whose total state aid does not exceed 104% of such district's
BAR, as determined pursuant to sections 9 through 12, and amendments
thereto, including those districts described in paragraphs (1), (2) and (3), in
an amount that when added to such district's total state aid raises the
resulting sum to an amount that is equal to 104% of such district's BAR;

(5) then to the extent there are still excess funds to be distributed, to
those districts whose total state aid does not exceed 105% of such district's
BAR, as determined pursuant to sections 9 through 12, and amendments
thereto, including those districts described in paragraphs (1) through (4), in
an amount that when added to such district's total state aid raises the
resulting sum to an amount that is equal to 105% of such district's BAR;

(6) then to the extent there are still excess funds to be distributed, to
those districts whose total state aid does not exceed 106% of such district's
BAR, as determined pursuant to sections 9 through 12, and amendments
thereto, including those districts described in paragraphs (1) through (5), in
an amount that when added to such district's total state aid raises the
resulting sum to an amount that is equal to 106% of such district's BAR;
and

(7) then to the extent there are still excess funds to be distributed and
the percentage amount set forth in subsection (d) of section 13, and
amendments thereto, is increased such that it exceeds 106%, to those
districts whose total state aid does not exceed such percentage amount of
such district's BAR in the same manner as provided in paragraphs (1)
through (6).

(c) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 15. (a) Each year the state board shall determine the
amount of transportation state aid each district is entitled to receive as
follows:

(1) Determine the total expenditures of the district during the
preceding school year from all funds for transporting pupils of public and
nonpublic schools on regular school routes;

(2) divide the amount determined under paragraph (1) by the total
number of pupils who were included in the enrollment of the district in the
preceding school year and for whom transportation was made available by
the district;

(3) multiply the quotient obtained under paragraph (2) by the total
number of pupils who were included in the enrollment of the district in the
preceding school year, were residing less than 2\(\frac{1}{2}\) miles by the usually
traveled road from the school building they attended and for whom
transportation was made available by the district;

(4) multiply the product obtained under paragraph (3) by 50%;

(5) subtract the product obtained under paragraph (4) from the
amount determined under paragraph (1);

(6) divide the difference obtained under paragraph (5) by the total
number of pupils who were included in the enrollment of the district in the
preceding school year, were residing 2\(\frac{1}{2}\) miles or more by the usually
traveled road from the school building they attended and for whom
transportation was made available by the district. The quotient is the per-
pupil cost of transportation;

(7) on a density-cost graph plot the per-pupil cost of transportation
for each district;

(8) construct a curve of best fit for the points so plotted;

(9) locate the index of density for the district on the base line of the
density-cost graph and from the point on the curve of best fit directly
above this point of index of density follow a line parallel to the base line to
the point of intersection with the vertical line, which point is the formula
per-pupil cost of transportation of the district;

(10) divide the formula per-pupil cost of transportation of the district
by base state aid per pupil;
(11) multiply the quotient obtained under paragraph (10) by the number of pupils who are included in the enrollment of the district, are residing 2½ miles or more by the usually traveled road to the school building they attend, and for whom transportation is being made available by, and at the expense of, the district; and

(12) multiply the product obtained under paragraph (11) by the base state aid per pupil. The resulting product shall be the amount of transportation state aid the district is entitled to receive.

(b) The transportation state aid fund is hereby established in the state treasury. All moneys credited to the transportation state aid fund shall be used for paying that portion of the costs of operating and maintaining public schools related to the transportation of public and nonpublic pupils in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state.

(c) For the purpose of providing accurate and reliable data on pupil transportation, the state board is authorized to adopt rules and regulations prescribing procedures which districts shall follow in reporting pertinent information relative thereto, including uniform reporting of expenditures for transportation.

(d) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 16. (a) Each school year the state board shall determine the amount of career technical education state aid each district is entitled to receive pursuant to a formula paid on a per pupil basis that is based on the career technical education enrollment reported by the district pursuant to section 3, and amendments thereto, and which takes into consideration:

(1) The number of career technical education programs offered that provide industry certification upon completion; (2) the number of agriculture education programs offered, and the number of such programs that provide industry certification upon completion; and (3) the need to transport pupils to and from a postsecondary educational institution for purposes of attending a career technical education program offered by such postsecondary educational institution.

(b) The career technical education state aid fund is hereby established in the state treasury. All moneys credited to the career technical education state aid fund shall be used for paying that portion of the costs of operating and maintaining public schools related to the provision of career technical education programs and services in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state.

(c) A district shall not be entitled to any career technical education state aid for any career technical education program offered by such district that is also offered by a postsecondary educational institution at a location that is less than 30 miles from the school where such career
technical education program is offered, and which has sufficient capacity
to accommodate such district's pupils. The state board shall determine
whether such duplicative program is being offered within 30 miles of such
school. In making its determination the state board shall consider whether
the program offered by the postsecondary educational institution is, in fact,
duplicative and whether there is sufficient capacity in such program to
accommodate such district's pupils.

(d) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 17. (a) There is established in each district a fund which
shall be called the career technical education fund. All moneys received
by a district for any course or program authorized and approved under the
provisions of article 44 of chapter 72 of Kansas Statutes Annotated, and
amendments thereto, shall be credited to the career technical education
fund. All moneys received by the district from tuition, fees or charges or
from any other source for career technical education courses or programs
shall be credited to the career technical education fund. The expenses of a
district directly attributable to career technical education shall be paid
from the career technical education fund.

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

(c) Subject to the provisions of section 26, and amendments thereto,
on July 1, 2013, any balance remaining in the vocational education fund,
established by K.S.A. 72-6421, and amendments thereto, prior to its
repeal, or the area vocational school fund, established by K.S.A. 72-6422,
and amendments thereto, prior to its repeal, shall be transferred by the
board to the career technical education fund of such district established by
this section.

(d) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 18. (a) The state board shall conduct a study of, or
contract for the study of, the implementation of requiring each district to
maintain an individual career plan of study for each pupil enrolled in the
district in grades eight through 12. On or before January 15, 2014, the
state board shall prepare and submit a report to the legislature on the
findings of such study and whether the state board intends to initiate
implementing such requirements.

(b) The provisions of this section shall take effect and be in force
from and after July 1, 2013.
New Sec. 19.  (a) Each school year the state board shall determine
the amount of school facility state aid each district is entitled to receive.
The amount of school facility state aid shall be determined by:
(1) Multiplying the total enrollment of the district, as certified
pursuant to section 3, and amendments thereto, by .25; and
(2) multiplying the product obtained under paragraph (1) by the base
state aid per pupil.
(b) For a district to be eligible to receive school facility state aid:
(1) The general obligation bond issuance approved by the board to
finance school facilities must be approved by a majority of the qualified
electors of the district voting at an election upon the question of the
issuance of such bonds on or before July 1, 2012; and
(2) the operation of the school facilities for which such bonds were
issued must be commenced in either the current school year or the
immediately preceding school year.
(c) The school facility state aid fund is hereby established in the state
treasury. All moneys credited to the school facility state aid fund shall be
used for paying that portion of the costs of operating and maintaining
public schools related to the expenses of operating new school facilities in
partial fulfillment of the constitutional obligation of the legislature to
finance the educational interests of the state.
(d) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 20.  (a) (1) In the months of July through May of each
school year, of the amount of base state aid, as determined pursuant to
section 5, and amendments thereto, property value equalization state aid,
as determined pursuant to section 7, and amendments thereto,
supplemental equalization state aid, as determined pursuant to sections 13
and 14, and amendments thereto, transportation state aid, as determined
pursuant to section 15, and amendments thereto, career technical education
state aid, as determined pursuant to section 16, and amendments thereto,
school facility state aid, as determined pursuant to section 19, and
amendments thereto, a district is entitled to receive, the state board shall
determine the amount of base state aid, property value equalization state
aid, supplemental equalization state aid, transportation state aid, career
technical education state aid and school facility state aid which will be
required by such district to maintain operations in each such month. In
making such determination, the state board shall take into consideration
the district's access to local effort sources and the obligations of the
general fund which must be satisfied during the month. The amounts
determined by the state board under this provision are the amounts of such
state aid which will be distributed to the district in the months of July
through May.
(2) Subject to the provisions of subsection (c), in the month of June of each school year payment shall be made of the full amount of the base state aid, as determined pursuant to section 5, and amendments thereto, property value equalization state aid, as determined pursuant to section 7, and amendments thereto, supplemental equalization state aid, as determined pursuant to sections 13 and 14, and amendments thereto, transportation state aid, as determined pursuant to section 15, and amendments thereto, career technical education state aid, as determined pursuant to section 16, and amendments thereto, and school facility state aid, as determined pursuant to section 19, and amendments thereto, such district is entitled to receive less the sum of the monthly payments made in the months of July through May.

(b) Payments of base state aid, as determined pursuant to section 5, and amendments thereto, property value equalization state aid, as determined pursuant to section 7, and amendments thereto, supplemental equalization state aid, as determined pursuant to sections 13 and 14, and amendments thereto, transportation state aid, as determined pursuant to section 15, and amendments thereto, career technical education state aid, as determined pursuant to section 16, and amendments thereto, and school facility state aid, as determined pursuant to section 19, and amendments thereto, shall be distributed to districts once each month on the dates prescribed by the state board. The state board shall certify to the director of accounts and reports the amounts due to each district in each of the months of July through June. Such certification, and the amounts payable from the base state aid fund, established by section 5, and amendments thereto, the property value equalization fund, established by section 7, and amendments thereto, the supplemental equalization fund, established by sections 13 and 14, and amendments thereto, the transportation state aid fund, established by section 15, and amendments thereto, the career technical education state aid fund, established by section 16, and amendments thereto, and the school facility state aid fund, established by section 19, and amendments thereto, shall be approved by the director of the budget. The director of accounts and reports shall draw warrants on the state treasurer payable to the district treasurer of each district entitled to payments of such state aid, pursuant to vouchers approved by the state board. Upon receipt of such warrant, each district treasurer shall deposit the amounts of such state aid in the general fund.

(c) If any amount of base state aid, as determined pursuant to section 5, and amendments thereto, property value equalization state aid, as determined pursuant to section 7, and amendments thereto, supplemental equalization state aid, as determined pursuant to sections 13 and 14, and amendments thereto, transportation state aid, as determined pursuant to section 15, and amendments thereto, career technical education state aid,
as determined pursuant to section 16, and amendments thereto, and school
facility state aid, as determined pursuant to section 19, and amendments
thereto, that is due to be paid during the month of June of a school year
pursuant to the other provisions of this section is not paid on or before
June 30 of such school year, then such payment shall be paid on or after
the ensuing July 1, as soon as moneys are available therefor. Any payment
that is due to be paid during the month of June of a school year and that is
paid to school districts on or after the ensuing July 1 shall be recorded and
accounted for by school districts as a receipt for the school year ending on
the preceding June 30.

(d) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 21. (a) In the event any district is paid more than it is
entitled to receive under any of the provisions of sections 1 through 29,
and amendments thereto, or under any statute repealed by this act, the state
board shall notify the district of the amount of such overpayment, and such
district shall remit the same to the state board. The state board shall remit
any moneys so received to the state treasurer in accordance with the
provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
each such remittance, the state treasurer shall deposit the entire amount in
the state treasury to the credit of the supplement equalization fund,
established by section 13, and amendments thereto. If any district fails so
to remit, the state board shall deduct the excess amounts so paid from
future payments becoming due to the district. In the event any district is
paid less than the amount to which it is entitled under any of the provisions
of sections 1 through 29, and amendments thereto, the state board shall
pay the additional amount due at any time within the school year in which
the underpayment was made or within 60 days after the end of such school
year.

(b) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 22. (a) Except as otherwise provided in this section, any
revenues of a district, not required by law to be deposited in or credited to
a specific fund, shall be deposited in or credited to the general fund of the
district.

(b) At the discretion of the board of any district, revenues earned
from the investment of an activity fund of the district in accordance with
the provisions of K.S.A. 12-1675, and amendments thereto, may be
deposited in or credited to such activity fund.

(c) At the discretion of the board of any district, revenues received by
the district from the federal government as the district's share of the
proceeds derived from sale by the federal government of its rights to oil,
gas and other minerals located beneath the surface of lands within the
district's boundaries may be deposited in the bond and interest fund of the
district and used for the purposes of such fund. If at any time all
indebtedness and obligations of such fund have been fully paid and
canceled, the revenues authorized by this subsection to be deposited in
such fund shall be disposed of as provided in subsection (a).

(d) To the extent that K.S.A. 72-1623, 72-8804 and 79-2958, and
amendments thereto, conflict with this section, this section shall control.

(e) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 23. (a) Any fund established in a district pursuant to
K.S.A. 72-6409, 72-6420 through 72-6424 or K.S.A. 2011 Supp. 72-6414a
or 72-6414b, and amendments thereto, prior to their repeal, shall continue
in existence in such district, subject to the provisions of sections 1 through
29, and amendments thereto.

(b) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 24. (a) Except for the bond and interest fund, the board of
any district may transfer moneys from the general fund to any other fund
of the district in any school year. Except for the bond and interest fund,
capital outlay fund, special education fund and special retirement
contributions fund, the board of any district may transfer moneys from any
fund of the district to the general fund of the district.

(b) The board of any district may transfer moneys from any other
fund to the capital outlay fund, special education fund or special retirement
contributions fund of the district, but no transfers shall be authorized from
the bond and interest fund, capital outlay fund, special education fund or
special retirement contributions fund. Moneys in the bond and interest
fund, capital outlay fund, special education fund and special retirement
contributions fund shall only be expended for such purposes as permitted
by law.

(c) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

New Sec. 25. (a) On June 30 of each school year, each board shall
determine the amount of any remaining unencumbered balances in any of
the funds held by such school district, excluding any remaining
unencumbered balances in the bond and interest fund, capital outlay fund
or the special education fund. If the aggregate amount of such remaining
unencumbered balances is in excess of 7.5% of the BAR of such district,
as determined pursuant to sections 9 through 12, and amendments thereto,
then the amount of such excess funds shall be transferred to the special
retirement contributions fund of the school district, established pursuant to
K.S.A. 74-4939a, and amendments thereto. Upon such transfer, such
funds shall be expended only as part of the remittance to the Kansas public
employees retirement system in satisfaction of such school district's obligation as a participating employer to the Kansas public employees retirement system in accordance with the provisions of K.S.A. 74-4939a, and amendments thereto. If the amount transferred is in excess of such school district's obligation, then such excess amount shall be carried forward by such school district in the special retirement contributions fund, and shall be expended only as part of the remittance to the Kansas public employees retirement system in satisfaction of such school district's obligation in the immediately succeeding fiscal year and each fiscal year thereafter until the total amount of such excess has been expended.

(b) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 26. (a) Whenever a new district has been established or the boundaries of a district have been changed, the state board shall make appropriate revisions concerning the affected districts as may be necessary for the purposes of sections 1 through 29, and amendments thereto, to reflect such establishment of a district or changes in boundaries. Such revisions shall be based on the most reliable data obtainable from the superintendent of the district and the county clerk.

(b) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 27. (a) The state board may adopt rules and regulations for the administration of sections 1 through 29, and amendments thereto, including the classification of expenditures of districts in accordance with the uniform financial accounting and reporting act, K.S.A. 72-8254, and amendments thereto.

(b) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 28. (a) The provisions of sections 1 through 29, and amendments thereto, shall not be severable. If any provisions of sections 1 through 29, and amendments thereto, is held to be invalid or unconstitutional by court order, the entire act shall be null and void.

(b) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 29. (a) The provisions of sections 1 through 29, and amendments thereto, shall expire on June 30, 2017.

(b) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 30. (a) The board of regents shall establish a career technical education incentive program. Each school year, to the extent there are sufficient moneys appropriated to the program, the board of regents shall make an award in the amount of $1,000 for each pupil who graduates from high school having obtained an industry-recognized
credential in an occupation identified by the secretary of labor as an occupation in highest need of additional skilled employees. Such awards shall be paid at such times as established by the board of regents and may be expended for any expenses occurred in operating the school from which the pupils graduated as determined by the board.

(b) Each school year, at such time as agreed to by the secretary of labor and the commissioner of education, the secretary shall provide the state board with a list of those occupations in highest need of additional skilled employees.

(c) The state board shall certify to the board of regents and the director of accounts and reports the amounts due to each district pursuant to this section. Such certification, and the amount payable, shall be approved by the director of the budget. The director of accounts and reports shall draw warrants on the state treasurer payable to the district treasurer of each district entitled to payment of such award amount, pursuant to vouchers approved by the board of regents. Upon receipt of such warrant, each district treasurer shall deposit the amount of such award in the general fund of the district.

(d) The board of regents may adopt such rules and regulations necessary to implement and carry out the provisions of this section.

New Sec. 31. (a) Provided a particular career technical education program, which is open to enrollment of secondary students, is not offered in a particular service area, the governing board of a community college, technical college or institute of technology located outside such service area, in coordination with one or more school districts located within such service area, may apply to the board of regents for permission to establish such career technical education program to be taught at a location in such service area. An application for such permission shall be submitted in such form and manner as prescribed by the board of regents. In reviewing any such application, the board of regents shall consider the ability and willingness of any postsecondary educational institution located in such service area to offer such career technical education program. If no such career technical education program is offered in such service area and no postsecondary educational institution located in such service area intends to offer such career technical education program, then the board of regents may approve such application to establish such career technical education program. Upon approval of its application by the board of regents, the governing board of a community college, technical college or institute of technology may purchase or otherwise acquire land or land and improvements in such service area for the purpose of providing such career technical educational program.

(b) For purposes of this section:

(1) The terms "career technical education," "community college,"
"institute of technology" and "technical college" have the same meaning as such terms are defined in K.S.A. 72-4412, and amendments thereto.
(2) "Postsecondary educational institution" has the same meaning as such term is defined in K.S.A. 74-3201b, and amendments thereto.
(3) "Secondary student" means any student who is enrolled in any of the grades nine through 12 in a school district operated pursuant to the laws of this state.
(4) "Service area" means a designated geographic area of the state established pursuant to agreement of the presidents of the community colleges and adopted in policy by the state board of regents.
(c) The provisions of this section shall take effect and be in force from and after July 1, 2013.
New Sec. 32. (a) As used in this section:
(1) “Applicant” means a person who:
(A) Is seeking certification as a teacher at the secondary level in the state of Kansas; and
(B) has provided documentation to the state board verifying that the applicant has secured a commitment from a board to be hired as a teacher in that school district subject to receiving such certification as a teacher.
(2) “Board” means the board of education of any public school district.
(3) “Career technical education” shall have the same meaning as such term is defined in K.S.A. 72-4412, and amendments thereto.
(4) “Subject matter assessment” means an assessment designated by the state board to measure the individual's teaching knowledge in the subject matter for which the individual is seeking certification.
(5) “Teach for America participant” means a person who:
(A) Is seeking certification as a teacher at the secondary level in the state of Kansas;
(B) has successfully completed the two-year teaching program conducted by teach for America, inc.; and
(C) has provided documentation to the state board verifying that the applicant has secured a commitment from a board to be hired as a teacher in that school district subject to receiving certification as a teacher.
(6) “Teacher preparation program” means professional education pedagogy coursework provided at an accredited college or university engaged in teacher preparation.
(7) “State board” means the state board of education.
(b) No applicant shall be required to complete a teacher preparation program prior to certification as a teacher in the following areas of instruction: (1) Science; (2) technology; (3) engineering; (4) math; or (5) career technical education.
(c) No teach for America participant shall be required to complete a
teacher preparation program prior to certification as a teacher.

d) The state board shall require successful completion of a subject matter assessment, as determined by the state board, for all applicants and teach for America participants prior to certification as a teacher.

e) An applicant or teach for America participant shall only be authorized to teach in the subject or subjects specified on the face of the certificate to teach.

f) The state board shall adopt rules and regulations necessary to carry out the provisions of this section.

g) This section shall be part of and supplemental to the provisions of article 13 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto.

h) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 33. (a) As used in this section:

1. “Board” means the board of education of any public school district.

2. “Program” means the teacher performance incentive program.

3. “School year” means the period from July 1 to June 30.

4. “State board” means the state board of education.

5. “Teacher” means any instructor who holds a teacher’s certificate issued by the state board, and who has received a rating designation of highly effective pursuant to K.S.A. 72-9001 et seq., and amendments thereto, in such instructor’s most recent evaluation.

6. “Teacher team” means a group of teachers who collaboratively instruct pupils or students in a classroom setting.

(b) The teacher performance incentive program is hereby established, and shall be administered by the state department of education. The program shall reward teachers who have increased student achievement for at-risk pupils, as defined in section 2, and amendments thereto.

(c) The state board shall determine the process for nominating teachers for awards under the program. Each school year, a teacher or teacher team may be nominated by the board. The application for such nomination shall be submitted in such form and manner as prescribed by the state board, and shall contain such information as the state board shall require.

(d) Each school year, within the limitations of appropriations therefor, the state board shall determine the number of awards to be made under the program. Performance incentive awards made under the program shall be in the amount of $5,000, and shall be paid to the school district in which such award winner is employed. The state board shall certify to the director of accounts and reports the award amounts due to each district pursuant to this section. Such certification, and the amount payable, shall
be approved by the director of the budget. The director of accounts and reports shall draw warrants on the state treasurer payable to the district treasurer of each district receiving an award, pursuant to vouchers approved by the state board. Upon receipt of such warrant, each district treasurer shall deposit the amount of such award in the general fund of the district. Award funds shall be expended solely for the purpose of rewarding the teacher or teacher team identified in the nomination. If a teacher team is identified in a nomination, each teacher within the teacher team shall be paid a portion of the total amount of the performance incentive award as determined by the board.

(e) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 34. Evaluations adopted under K.S.A. 72-9004, and amendments thereto, shall meet the following criteria:

(a) Objective measures of student achievement and growth to significantly inform the evaluation. Such objective measures shall include:

1. Student assessment results from statewide assessments for those employees whose responsibilities include instruction in subjects measured in statewide assessments;
2. methods for assessing student achievement and growth for those employees whose responsibilities do not include instruction in subjects measured by statewide assessments; and
3. student assessment results from locally developed assessments and other test measures for those employees whose responsibilities may or may not include instruction in subjects measured by statewide assessments.

(b) (1) An annual designation of each employee in one of the following rating categories:

(A) Highly effective;
(B) effective;
(C) progressing; or
(D) ineffective.

(2) The designation of a rating category under this subsection shall be based on the employee’s performance using the following allocations to determine the employee's overall performance:

(A) Fifty percent based on growth in student achievement as measured pursuant to subsection (a);
(B) forty percent based on input received from supervisors, peers, parents and students during the school year on such employee's performance; and
(C) ten percent based on contributions by the employee to the profession including, but not limited to, educator collaboration, leadership
and professional development.

(3) As used in this subsection the terms “highly effective,” “effective,” “progressing” and “ineffective” shall be defined by the state board so as to clearly describe the effectiveness of an employee in accordance with the standards for effective employees as established by law or rules and regulations.

c) Recommendations for areas in which the employee shall improve to achieve a higher rating category.

d) A plan of assistance including, but not limited to, a timeline for when any recommended improvement is expected to be achieved. If the employee receives a rating of "progressing" or "ineffective," such plan of assistance shall also include a process by which such employee is given the opportunity to correct the identified deficiencies in the employee's performance within 90 school days from the date the plan of assistance is implemented.

e) This section shall be part of and supplemental to the provisions of article 90 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto.

(f) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 35. (a) Any moneys received under K.S.A. 72-9608, and amendments thereto, shall be expended towards deficiencies identified through the evaluation procedure set forth in K.S.A. 72-9001 et seq., and amendments thereto, and to support activities identified by the state board that measure teacher performance, including but not limited to, growth in student achievement.

(b) The state board shall adopt any rules and regulations relating to expenditures of state aid which the state board deems necessary to administer and enforce the professional development act.

c) This section shall be part of and supplemental to the professional development act.

(d) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 36. (a) Except as provided in subsection (b), a pupil shall not be instructed for two consecutive school years by two consecutive teachers, each of whom received a rating designation of ineffective pursuant to K.S.A. 72-9001 et seq., and amendments thereto, in the school year immediately preceding the school year in which the pupil is placed in the respective teacher’s classroom.

(b) If compliance under this section is rendered unreasonable as determined by the board of education of the school district, then the parent of such pupil shall be notified in writing prior to the commencement of the second year that such pupil will be instructed by a teacher who has
received a rating designation of ineffective pursuant to K.S.A. 72-9001 et
seq., and amendments thereto.

(c) The provisions of this section shall take effect and be in force
from and after July 1, 2013.

Sec. 37. From and after July 1, 2013, K.S.A. 2011 Supp. 10-1116a is
hereby amended to read as follows: 10-1116a. The limitations on
expenditures imposed under the cash-basis law shall not apply to:

(a) Expenditures in excess of current revenues made for municipally
owned and operated utilities out of the fund of such utilities caused by, or
resulting from the meeting of, extraordinary emergencies including
drought emergencies. In such cases expenditures in excess of current
revenues may be made by declaring an extraordinary emergency by
resolution adopted by the governing body and such resolution shall be
published at least once in a newspaper of general circulation in such city.
Thereupon, such governing body may issue interest bearing no-fund
warrants on such utility fund in an amount, including outstanding
previously issued no-fund warrants, not to exceed 25% of the revenues
from sales of service of such utility for the preceding year. Such warrants
shall be redeemed within three years from date of issuance and shall bear
interest at a rate of not to exceed the maximum rate of interest prescribed
by K.S.A. 10-1009, and amendments thereto. Upon the declaration of a
drought emergency, the governing body may issue such warrants for water
system improvement purposes in an amount not to exceed 50% of the
revenue received from the sale of water for the preceding year. Such
warrants shall be redeemed within five years from the date of issuance and
shall bear interest at a rate not to exceed the maximum rate of interest
prescribed by K.S.A. 10-1009, and amendments thereto.

(b) Expenditures in any month by school districts which are in excess
of current revenues if the deficit or shortage in revenues is caused by, or a
result of, the payment of state aid after the date prescribed for the payment
of state aid during such month under K.S.A. 72-6417 or 72-6434 section
20, and amendments thereto.

Sec. 38. From and after July 1, 2013, K.S.A. 12-1677 is hereby
amended to read as follows: 12-1677. (a) Except as otherwise required by
state or federal law, all moneys earned and collected from investments by
counties, area vocational-technical schools and quasi-municipal
corporations authorized in this act shall be credited to the general fund of
such county, area vocational-technical school or quasi-municipal
corporation by the treasurer thereof, and all moneys earned and collected
from investments by school districts authorized in this act shall be credited
in accordance with the provisions of K.S.A. 72-6427 section 22, and
amendments thereto.

(b) The treasurer of each county, school district, area vocational-
technical school or quasi-municipal corporation shall maintain a complete record of all investments authorized in this act and shall make a quarterly written report of such record to the governing body of such county, school district, area vocational-technical school or quasi-municipal corporation.

Sec. 39. From and after July 1, 2013, K.S.A. 2011 Supp. 71-201 is hereby amended to read as follows: 71-201. (a) The board of trustees, in accordance with the provisions of law and the rules and regulations of the state board of regents, shall have custody of and be responsible for the property of the community college and shall be responsible for the operation, management and control of the college. The board of trustees shall hold at least one regular meeting each month at a time prescribed by the board. The board shall make an annual report in the manner prescribed by the state board of regents. Members of the board of trustees shall be paid subsistence allowances, mileage and other actual and necessary expenses incurred in the performance of their official duties.

(b) For effectuation of the purposes of this act, the board of trustees in addition to such other powers expressly granted to it by law and subject to the rules and regulations of the state board of regents is hereby granted the following powers:

(1) To select its own chairperson and such other officers as it may deem desirable, from among its own membership. The secretary may be chief administrative officer of the college.

(2) To sue and be sued.

(3) To determine the educational program of the college subject to prior approval thereof as provided in this act and to grant certificates of completion of courses or curriculum.

(4) To appoint and fix the compensation and term of office of a president or chief administrative officer of the college.

(5) To appoint upon nomination of the president or the chief administrative officer members of the administrative and teaching staffs, to fix and determine within state adopted standards their specifications, define their duties and to fix their compensation and terms of employment. No community college teacher shall be required to meet licensure requirements greater than those required in the state educational institutions.

(6) Upon recommendation of the chief administrative officer, to appoint or employ such other officers of the college, agents and employees as may be required to carry out the provisions of law and to fix and determine within state adopted standards their qualifications, duties, compensation, terms of office or employment and all other items and conditions of employment.

(7) To enter into contracts.

(8) To accept from any government or governmental agency, or from
any other public or private body, or from any other source, grants or
contributions of money or property which the board may use for or in aid
of any of its purposes.

(9) To acquire by gift, purchase, lease-purchase, condemnation or
otherwise, and to own, lease, use and operate property, whether real,
personal, or mixed, or any interest therein, which is necessary or desirable
for community college purposes. Any lease-purchase agreement entered
into under authority of this subsection shall be subject to the conditions set
forth in K.S.A. 10-1116c, and amendments thereto. The term of any lease
entered into under authority of this subsection may be for not to exceed 10
years. Such lease may provide for annual or other payment of rent or rental
fees and may obligate the community college to payment of maintenance
or other expenses. Any lease or lease-purchase agreement entered into
under authority of this subsection shall be subject to change or termination
at any time by the legislature. Any assignment of rights in any lease or
lease-purchase made under this subsection shall contain a citation of this
section and a recitation that the lease or lease-purchase agreement and
assignment thereof are subject to change or termination by the legislature.
To the extent that the provisions of the cash-basis and budget laws conflict
with this subsection in such a manner as to prevent the intention of this
subsection from being made effective, the provisions of this subsection
shall control. This provision is subject to the provisions of subsection (d).

(10) To enter into lease agreements as lessor of any property, whether
real, personal, or mixed, which is owned or controlled by the community
college. Any such agreement may specify the purposes for which the
property may be used, require that the property be maintained and
operated by the lessee, and may contain such restrictions or limitations on
the use of the property, be entered into for such period of time, and include
such other terms and conditions as the board of trustees determines to be
necessary and proper. Every such agreement shall be subject to change or
termination at any time by the legislature. Any assignment of rights under
any such agreement shall be subject to approval by the board of trustees
and shall contain a citation of this section and a recitation that the lease
agreement and assignment of rights thereunder are subject to change or
termination by the legislature.

(11) To determine that any property owned by the college is no longer
necessary for college purposes and to dispose of the same in such manner
and upon such terms and conditions as provided by law.

(12) To exercise the right of eminent domain, pursuant to chapter 26
of Kansas Statutes Annotated.

(13) To make and promulgate such rules and regulations, not
inconsistent with the provisions of law or with rules and regulations of the
state board of regents, that are necessary and proper for the administration
and operation of the community college, and for the conduct of the
business of the board of trustees.

(14) To exercise all other powers not inconsistent with the provisions
of law or with the rules and regulations of the state board of regents which
may be reasonably necessary or incidental to the establishment,
maintenance and operation of a community college.

(15) To appoint a member to fill any vacancy on the board of trustees
for the balance of the unexpired term. When a vacancy occurs, the board
shall publish a notice one time in a newspaper having general circulation
in the community college district stating that the vacancy has occurred and
that it will be filled by appointment by the board not sooner than 15 days
after such publication.

(16) To contract with one or more agencies, either public or private,
whether located within or outside the community college district or
whether located within or outside the state of Kansas for the conduct by
any such agencies of education for students of the community college, and
to provide for the payment to any such agencies for their contracted
educational services from any funds or moneys of the community college,
including funds or moneys received from student tuition and fees, funds
received from the state of Kansas or the United States for education, or
taxes collected under K.S.A. 71-204, and amendments thereto. Any
contract made under this subsection with an institution of another state
shall be subject to the provisions of K.S.A. 71-202, and amendments thereto.

(17) To authorize by resolution the establishment of a petty cash fund
in an amount not to exceed $1,000, and to designate in such resolution an
employee to maintain such petty cash fund. The employee designated in
any resolution provided for in this subsection receiving such funds shall
keep a record of all receipts and expenditures from the fund, and shall
from time to time, and at the end of the fiscal year, prepare a statement for
the board showing all receipts, expenditures, and the balance in the petty
cash fund. The board of trustees may authorize the employee designated to
maintain any petty cash fund to make a claim for replenishment of the
fund to its original amount in advance of approval by the board of trustees
if, at any time during the period between regular monthly meetings of the
board of trustees, the balance remaining in the fund is insufficient to make
needed expenditures for any purpose for which the petty cash fund is
maintained. No petty cash fund may be replenished more than one time
during each period between regular monthly meetings of the board of
trustees. If a petty cash fund is replenished prior to the end of the fiscal
year in accordance with the foregoing authorization, the employee
authorized to maintain the petty cash fund shall keep an accurate record of
all expenditures made therefrom, and the purpose therefor, and shall
submit the record to the board of trustees at the next regular monthly meeting thereof. The petty cash fund shall be replenished by payment from the appropriate funds of the community college to the petty cash fund upon proper claim. The fund shall be kept separate from all other funds and shall be used only for authorized expenditures and itemized receipts shall be taken for each expenditure. No part of such fund may be loaned or advanced against the salary of an employee. All employees entrusted with such funds under this subsection shall be bonded by the community college district.

(c) Subject to the provisions of subsection (d), the board of trustees may purchase or otherwise acquire land or land and improvements and may acquire, construct, reconstruct, repair or remodel improvements thereon or additions thereto, including furnishings, equipment, and architectural and incidental expense related thereto, and for such purposes the board of trustees is authorized to issue and sell general obligation bonds, the cumulative total not to exceed the following amounts: Where the community college district has a taxable tangible valuation of less than $90,000,000 or is located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, not to exceed 5% of the taxable tangible property of the community college district, and where the community college district has a taxable tangible valuation of more than $90,000,000 not to exceed 3% except as provided above for any community college district located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, of the taxable tangible property of the community college district. If any increase in the valuation of a community college district results in an outstanding bonded indebtedness in excess of that provided in this subsection, such increase shall not constitute a violation of this subsection. No such bonds shall be issued until the question of their issuance shall have been submitted to a vote of the electors of the community college district at a regular election or at a special election called for that purpose and the majority of the electors voting on the proposition in such community college district shall have voted in favor of the issuance of the bonds. Such election shall be called, noticed and held and the bonds issued, sold, delivered and retired in accordance with the provisions of the general bond law except as herein otherwise expressly provided.

(d) (1) Except as otherwise provided in section 31, and amendments thereto, the board of trustees of a community college may purchase or otherwise acquire land or land and improvements within: (1) (A) The community college district; or (2) (B) the service area of the community college. Nothing in this subsection shall be construed or operate in any manner to require a board of trustees to sell, convey or otherwise dispose of land or land and improvements located outside the community college
district or the service area of the community college and owned or being
acquired by the community college on the effective date of this act.

(2) For the purposes of this subsection, "service area" means a
designated geographic area of the state established pursuant to agreement
of the presidents of the community colleges and adopted in policy by the
state board of regents.

Sec. 40. From and after July 1, 2013, K.S.A. 2011 Supp. 71-609 is
hereby amended to read as follows: 71-609. (a) No amount of state
funding shall be based upon enrollment in any subject or course the
principal part of which is taught at a location outside the county of the
main campus of the community college, unless the location of such subject
or course is specifically authorized by the state board of regents.

(b) (1) No amount of state funding shall be based upon enrollment in
any subject or course which is taught in a county in which the main
campus of a state educational institution is located, unless the teaching of
such subject or course is specifically authorized by the chief executive
officer of the state educational institution or by a designee of the chief
executive officer. The chief executive officer of each state educational
institution may designate and authorize a person or committee to act on
behalf of the chief executive officer in granting the authorizations required
by this subsection.

(2) For the purposes of this subsection, the term "main campus of a
state educational institution" as applied to Kansas state university of
agriculture and applied science means and includes the campus of the
university located in Riley county and the campus of the university's
college of technology located in Saline county.

(c) The provisions of this section shall not apply to any career
technical education program established by the board of trustees of a
community college pursuant to section 31, and amendments thereto.

Sec. 41. From and after July 1, 2013, K.S.A. 2011 Supp. 72-978 is
hereby amended to read as follows: 72-978. (a) Each year, the state board
of education shall determine the amount of state aid for the provision of
special education and related services each school district shall receive for
the ensuing school year. The amount of such state aid shall be computed
by the state board as provided in this section. The state board shall:

(1) Determine the total amount of general fund and local option
budgets of total state aid, as defined in section 2, and amendments thereto,
for all school districts;

(2) subtract from the amount determined in paragraph (1) the total
amount attributable to assignment of transportation weighting, program-
weighting, special education weighting and at-risk pupil weighting to
enrollment of all school districts;

(3) (2) divide the remainder obtained amount determined in
paragraph (2) (1) by the total number of full-time equivalent pupils
enrolled in all school districts on September 20;
(4) (3) determine the total full-time equivalent enrollment of
exceptional children receiving special education and related services
provided by all school districts;
(5) (4) multiply the amount of the quotient obtained in paragraph (3)
(2) by the full-time equivalent enrollment determined in paragraph (4) (3);
(6) (5) determine the amount of federal funds received by all school
districts for the provision of special education and related services;
(7) (6) determine the amount of revenue received by all school
districts rendered under contracts with the state institutions for the
provisions of special education and related services by the state institution;
(8) (7) add the amounts determined under paragraphs (6) and (7) (5)
and (6) to the amount of the product obtained under paragraph (5) (4);
(9) (8) determine the total amount of expenditures of all school
districts for the provision of special education and related services;
(10) (9) subtract the amount of the sum obtained under paragraph (8)
(7) from the amount determined under paragraph (9) (8); and
(11) (10) multiply the remainder obtained under paragraph (10) (9) by
92%.

The computed amount is the amount of state aid for the provision of
special education and related services aid a school district is entitled to
receive for the ensuing school year.
(b) Each school district shall be entitled to receive:
(1) Reimbursement for actual travel allowances paid to special
teachers at not to exceed the rate specified under K.S.A. 75-3203, and
amendments thereto, for each mile actually traveled during the school year
in connection with duties in providing special education or related services
for exceptional children; such reimbursement shall be computed by the
state board by ascertaining the actual travel allowances paid to special
teachers by the school district for the school year and shall be in an
amount equal to 80% of such actual travel allowances;
(2) reimbursement in an amount equal to 80% of the actual travel
expenses incurred for providing transportation for exceptional children to
special education or related services; such reimbursement shall not be paid
if such child has been counted in determining the transportation weighting
of state aid the district is entitled to receive under the provisions of the
school district finance and quality performance act the excellence in
education act;
(3) reimbursement in an amount equal to 80% of the actual expenses
incurred for the maintenance of an exceptional child at some place other
than the residence of such child for the purpose of providing special
education or related services; such reimbursement shall not exceed $600
per exceptional child per school year; and

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

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

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

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

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

(f) (1) In school year 2012-2013 and in each school year thereafter,
the state board of education shall determine the minimum and maximum
amount of state aid that a school district may receive under paragraph (4)
of subsection (b) for the current school year as follows:

(A) Determine the total amount of moneys appropriated as state aid
for the provision of special education and related services to all school
districts for the current school year;
(B) subtract the amount of moneys paid to all school districts under
paragraphs (1), (2) and (3) of subsection (b) of this section, K.S.A. 72-983
and K.S.A. 2011 Supp. 72-998, and amendments thereto, for the current
school year;
(C) divide the remainder obtained under (B) by the total full-time
equivalent enrollment of all school districts in the current school year;

(2) (A) multiply the quotient obtained under (1)(C) by the full-time
equivalent enrollment of the school district in the current school year;
(B) multiply the product obtained under (2)(A) by .75. The product is
the minimum amount of state aid the district may receive under paragraph
(4) of subsection (b) for the current school year;
(C) multiply the quotient obtained under (2)(A) by 1.50. The product
is the maximum amount of state aid the district may receive under
paragraph (4) of subsection (b) for the current school year.

(3) If the amount determined under paragraph (4) of subsection (b) is
less than the product obtained under (2)(B), the district shall receive state
aid in an amount equal to the product obtained under (2)(B), plus any
amount determined under paragraph (5) of this subsection.

(4) If the amount determined under paragraph (4) of subsection (b),
plus any amount determined under paragraph (5) of this subsection, is
greater than the product obtained under (2)(C), the district shall receive
state aid in an amount equal to the product obtained under (2)(C). The
balance of state aid remaining after determining the amount of state aid
payable to districts under this paragraph shall be reallocated to districts as
provided by paragraph (5) of this subsection.

(5) The balance of state aid remaining after determining the amount
of state aid payable to districts under paragraph (4) of this subsection shall
be reallocated to districts which have not received state aid in an amount
equal to the product obtained under (2)(B). Such state aid shall be
reallocated to such districts in the same manner as the original allocation.
If the balance is insufficient to pay each such district the minimum amount
specified in this subsection, the state board shall prorate the balance
among such districts.
(6) The provisions of this subsection (f) shall expire on June 30, 2014.

Sec. 42. From and after July 1, 2013, K.S.A. 2011 Supp. 72-1046b is hereby amended to read as follows: 72-1046b. (a) As used in this section:
(1) "School district" means a school district organized and operating under the laws of this state and no part of which is located in Johnson county, Sedgwick county, Shawnee county, or Wyandotte county.
(2) "Nonresident pupil" or "pupil" means a pupil who is enrolled and in attendance at a school located in a district in which such pupil is not a resident and who (A) lives 10 or more miles from the attendance center the pupil would attend in the district in which the pupil resides or (B) is a member of the family of a pupil meeting the condition prescribed in subpart (A).
(3) "Member of the family" means a brother or sister of the whole or half blood or by adoption, a stepbrother or stepsister, and a foster brother or foster sister.
(b) The board of education of any school district may allow any pupil who is not a resident of the district to enroll in and attend school in such district. The board of education of such district may furnish or provide transportation to any nonresident pupil who is enrolled in and attending school in the district pursuant to this section. If the district agrees to furnish or provide transportation to a nonresident pupil, such transportation shall be furnished or provided until the end of the school year. Prior to providing or furnishing transportation to a nonresident pupil, the district shall notify the board of education of the district in which the pupil resides that transportation will be furnished or provided.
(c) Pupils attending school in a school district in which the pupil does not reside pursuant to this section shall be counted as regularly enrolled in and attending school in the district where the pupil is enrolled for the purpose of computations, except computation of transportation weighting state aid, under the school district finance and quality performance-excellence in education act and for the purposes of the statutory provisions contained in article 83 of chapter 72 of the Kansas Statutes Annotated. Such nonresident pupil shall not be charged for the costs of attendance at school.

Sec. 43. From and after July 1, 2013, K.S.A. 2011 Supp. 72-1398 is hereby amended to read as follows: 72-1398. (a) The national board for professional teaching standards certification incentive program is hereby established for the purpose of rewarding teachers who have attained certification from the national board. Teachers who have attained certification from the national board shall be issued a master teacher's license by the state board of education. A master teacher's license shall be valid for 10 years and renewable thereafter every 10 years through
compliance with continuing education and professional development requirements prescribed by the state board. Teachers who have attained certification from the national board and who are employed by a school district shall be paid an incentive bonus in the amount of $1,000 each school year that the teacher remains employed by a school district and retains a valid master teacher's license.

(b) The board of education of each school district employing one or more national board certified teachers shall pay the incentive bonus to each such teacher in each school year that the teacher retains eligibility for such payment. Each board of education which has made payments of incentive bonuses to national board certified teachers under this subsection may file an application with the state board of education for state aid and shall certify to the state board the amount of such payments. The application and certification shall be on a form prescribed and furnished by the state board, shall contain such information as the state board shall require and shall be filed at the time specified by the state board.

(c) In each school year, each school district employing one or more national board certified teachers is entitled to receive from appropriations for the national board for professional teaching standards certification incentive program an amount which is equal to the amount certified to the state board of education in accordance with the provisions of subsection (b). The state board shall certify to the director of accounts and reports the amount due each school district. The director of accounts and reports shall draw warrants on the state treasurer payable to the treasurer of each school district entitled to payment under this section upon vouchers approved by the state board.

(d) Moneys received by a board of education under this section shall be deposited in the general fund of the school district and shall be considered reimbursements to the district for the purpose of the school district finance and quality performance excellence in education act and may be expended whether the same have been budgeted or not.

(e) The state board of education is authorized to provide scholarships of $1,100 each to teachers who are accepted to participate in the national board for professional teaching standards program for initial certification. The state board of education is authorized to provide scholarships of $500 each to teachers who are accepted to participate in the national board for professional teaching standards program for renewal of certification. Any teacher who has been accepted to participate in such program may file an application with the state board of education for a scholarship. The application shall be on a form prescribed and furnished by the state board, shall contain such information as the state board shall require and shall be filed at the time specified by the state board.

(f) As used in this section, the term school district means any school
district organized and operating under the laws of this state.

Sec. 44. From and after July 1, 2013, K.S.A. 72-1412 is hereby amended to read as follows: 72-1412. As used in K.S.A. 72-1412 through 72-1415, and amendments thereto:

(a) "Administrative employee" means, in the case of a school district, any person who is employed by a board of education in an administrative capacity, and who is fulfilling duties for which an administrator's certificate is required under K.S.A. 72-7513, and amendments thereto.

(b) "Mentor teacher program" means a any research-based mentoring program established and maintained by the board of education of a school district approved by the state board for the purpose of providing probationary teachers and administrative employees with professional support and the continuous assistance of an on-site mentor teacher.

(b) "Mentor teacher" means a certificated teacher who has completed at least three consecutive school years of employment in the school district, has been selected by the board of education of the school district on the basis of having demonstrated exemplary teaching ability as indicated by criteria established by the state board of education, and has participated in and successfully completed a training program for mentor teachers provided for by the board of education of the school district in accordance with guidelines prescribed by the state board of education. The primary function of a mentor teacher shall be to provide probationary teachers with professional support and assistance. A mentor teacher may provide assistance and guidance to not more than two probationary teachers.

(c) "Probationary teacher" means a certificated teacher to whom the provisions of K.S.A. 72-5438 through 72-5443, and amendments thereto, do not apply.

(d) "State board" means the state board of education.

Sec. 45. From and after July 1, 2013, K.S.A. 72-1413 is hereby amended to read as follows: 72-1413. (a) The board of education of each school district may establish and maintain a mentor teacher program and, commencing with the 2001-02 school year, may apply to the state board for a grant of state moneys for the purpose of providing stipends for mentor teachers paying the costs for a probationary teacher or administrative employee to attend mentor programs. The state board shall award such grants of state moneys in accordance with the provisions of this section.

(b) To be eligible to receive a grant of state moneys for maintenance of a mentor teacher program, a board of education shall submit to the state board of education an application for a grant and a description of the program. The application and description shall be prepared in such form and manner as the state board shall require and shall be submitted at a time
to be determined and specified by the state board. Approval by the state board of the program and the application is prerequisite to the award of a grant.

(c) Each board of education which is awarded a grant for maintenance of a mentor teacher program shall make such periodic and special reports of statistical and financial and such other information to the state board of education as it as the state board may request.

Sec. 46. From and after July 1, 2013, K.S.A. 72-1414 is hereby amended to read as follows: 72-1414. (a) On or before January 1, 2001, the state board of education may adopt rules and regulations for the administration of mentor teacher programs and shall, which establish:

(1) Establish Standards and criteria for evaluating and approving mentor teacher programs and applications of school districts for grants; and

(2) evaluate and approve the evaluation and approval of mentor teacher programs;

(3) establish criteria for determination of exemplary teaching ability of certificated teachers for qualification as mentor teachers;

(4) prescribe guidelines for the selection by boards of education of mentor teachers and for the provision by boards of education of training programs for mentor teachers;

(5) be responsible for awarding grants to school districts; and

(6) request of and receive from each school district which is awarded a grant for maintenance of a mentor teacher program reports containing information with regard to the effectiveness of the program.

(b) Subject to the availability of appropriations for mentor teacher programs maintained by school districts, and within the limits of any such appropriations Within the limitations of appropriations therefor, the state board of education shall determine the amount of grants to be awarded to each school districts by multiplying an amount not to exceed $1,000 by district by considering the number of mentor probationary teachers and administrative employees participating in the a mentor program maintained by a school district. The product is the amount of the grant to be awarded to the district. Upon receipt of a grant of state moneys for maintenance of a mentor teacher program, the amount of the grant shall be deposited in the general fund of the school district. Moneys deposited in the general fund of a school district under this subsection shall be considered reimbursements for the purpose of the school district finance and quality performance excellence in education act. The full amount of the grant shall be allocated among the mentor probationary teachers and administrative employees employed by the school district so as to provide a mentor teacher with an annual stipend in an amount not to exceed $1,000. Such annual stipend shall be over and above the regular salary to
which the mentor teacher is entitled for the school year.

Sec. 47. From and after July 1, 2013, K.S.A. 72-1415 is hereby amended to read as follows: 72-1415. The state board of education shall provide any board of education of any school district, upon request, with technical advice and assistance regarding the establishment and maintenance of a mentor teacher program or an application for a grant of state moneys.

Sec. 48. K.S.A. 2011 Supp. 72-3607 is hereby amended to read as follows: 72-3607. (a) There is hereby established in every school district which has developed and is operating a parent education program for which grants are awarded under this act a fund which shall be called the parent education program fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. Notwithstanding any other provision of law, all moneys received by the school district from whatever source for a parent education program operated under this act shall be credited to the fund established by this section. Amounts deposited in the parent education program fund shall be used exclusively for the payment of expenses directly attributable to the program. (b) Any unencumbered balance of moneys remaining in the parent education program fund of a school district on June 30, 2011, 2012, may be expended in school year 2011-2012 2012-2013 by the school district for general operating expenses of the school district as approved by the board of education.

Sec. 49. From and after July 1, 2013, K.S.A. 2011 Supp. 72-3712 is hereby amended to read as follows: 72-3712. As used in the virtual school act:

(a) "Virtual school" means any school or educational program that: (1) Is offered for credit; (2) uses distance-learning technologies which predominately use internet-based methods to deliver instruction; (3) involves instruction that occurs asynchronously with the teacher and pupil in separate locations; (4) requires the pupil to make academic progress toward the next grade level and matriculation from kindergarten through high school graduation; (5) requires the pupil to demonstrate competence in subject matter for each class or subject in which the pupil is enrolled as part of the virtual school; and (6) requires age-appropriate pupils to complete state assessment tests.

(b) "School district" means any school district which offers a virtual school.

(c) Except as provided by the virtual school act, words and phrases shall have the meanings ascribed thereto in the school district finance and quality performance act section 2, and amendments thereto.

Sec. 50. K.S.A. 2011 Supp. 72-3715 is hereby amended to read as follows: 72-3715. (a) In order to be included in the full-time equivalent
enrollment of a virtual school, a pupil shall be in attendance at the virtual
school on: (1) A single school day on or before September 19 of each
school year; and (2) on a single school day on or after September 20, but
before October 4 of each school year.

(b) A school district which offers a virtual school shall determine the
full-time equivalent enrollment of each pupil enrolled in the virtual school
on September 20 of each school year as follows:
(1) Determine the number of hours the pupil was in attendance on a
single school day on or before September 19 of each school year;
(2) determine the number of hours the pupil was in attendance on a
single school day on or after September 20, but before October 4 of each
school year;
(3) add the numbers obtained under paragraphs (1) and (2);
(4) divide the sum obtained under paragraph (3) by 12. The quotient
is the full-time equivalent enrollment of the pupil.

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

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

(2) The state board of education shall determine the amount of virtual
school state aid a school district is entitled to receive as follows:
(A) Multiply the full-time equivalent enrollment of the virtual school
by an amount equal to 105% of the amount of base state aid per pupil;
(B) multiply the full-time equivalent enrollment of proficient at-risk pupils enrolled in an approved at-risk program offered by the virtual
school, if any, by an amount equal to 25% of the amount of base state aid
per pupil;
(C) add any amount determined under K.S.A. 2011 Supp. 72-3716,
and amendments thereto; and
(D) add the amounts obtained under paragraphs (A) through (C). The
sum is the amount of the virtual school state aid to which the school
district is entitled.

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

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

Any unencumbered balance of moneys remaining in the virtual school fund of a school district on June 30, 2011, may be expended in school year 2011-2012 by the school district for general operating expenses of the school district as approved by the board of education.

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

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

Sec. 51. From and after July 1, 2013, K.S.A. 2011 Supp. 72-3715, as amended by section 50 of this act, is hereby amended to read as follows:

72-3715. (a) In order to be included in the full-time equivalent enrollment of a virtual school, a pupil shall be in attendance at the virtual school on
(1) a single school day on or before September 19 of each school year and
(2) on a single school day on or after September 20, but before October 4 of each school year.

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

(1) Determine the number of hours the pupil was in attendance on a single school day on or before September 19 of each school year;
(2) determine the number of hours the pupil was in attendance on a single school day on or after September 20, but before October 4 of each school year;

(3) add the numbers obtained under paragraphs (1) and (2);
(4) divide the sum obtained under paragraph (3) by 12. The quotient is the full-time equivalent enrollment of the pupil.

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

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

school state aid:

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

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

(B) multiply the full time equivalent enrollment of nonproficient at-

risk pupils enrolled in an approved at-risk program offered by the virtual
school, if any, by an amount equal to 25% of the amount of base state aid
per pupil;

(C) add any amount determined under K.S.A. 2011 Supp. 72-3716,

and amendments thereto; and

(D) add the amounts obtained under paragraphs (A) through (C). The

sum is the amount of the virtual school state aid to which the school-
district is entitled.

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

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

(c) Any unencumbered balance of moneys remaining in the virtual
school fund of a school district on June 30, 2012, may be expended in
school year 2012-2013 by the school district for general operating
expenses of the school district as approved by the board of education.

(d) In preparing the budget of such school district, the amounts
credited to and the amount on hand in the virtual school fund, and the
amount expended therefrom shall be included in the annual budget for the
information of the residents of the school district. Interest earned on the
investment of moneys in any such fund shall be credited to that fund.
(e) For the purposes of this section, a pupil enrolled in a virtual school who is not a resident of the state of Kansas shall not be counted in the full-time equivalent enrollment of the virtual school.

Sec. 52. K.S.A. 72-4417 is hereby amended to read as follows: 72-4417. (a) Students admitted to a vocational education course or program which is conducted by the school district in which the student is enrolled may be charged fees, but shall not be charged tuition.

(b) Postsecondary students admitted to a vocational education course or program shall pay tuition and fees as provided by laws applicable thereto.

(c)(1) Except as provided in paragraph (2) of this subsection, students admitted to a vocational education course or program which is conducted by a community college shall pay tuition and fees as provided by laws applicable to community colleges and the provisions of this section shall not apply thereto, nor shall any provisions of this act which are inconsistent with laws relating to community college tuition and fees apply to community colleges, technical college or institute of technology may be charged fees, but shall not be charged tuition.

(2) Students admitted to a vocational education course or program under the provision of K.S.A. 71-1706 and which is conducted by a community college which is consolidated with an area vocational school or area vocational technical school may be charged fees but tuition shall be paid as provided in paragraph (2) of subsection (d). Nothing in this act shall be construed to amend, repeal or in any way change laws relating to community college student or out-district tuition.

(d) Students admitted to a vocational education course or program which is not conducted by the school district in which the student is enrolled shall be charged tuition and fees determined in accordance with subsection (e), subject however to the following:

(1) Tuition or fees, or tuition and fees may be paid for the student in accordance with any agreement made under K.S.A. 72-4421, and amendments thereto; or

(2) if tuition of a student is not paid under provision paragraph (1) of this subsection, the tuition of the student shall be paid by the school district in which the student is enrolled. No school district shall pay tuition for a student who is a postsecondary student, and no school district shall be required to pay tuition or fees of a student who is eligible to have tuition and fees for the course or training the student selects paid by any state or federal agency from moneys, funds or appropriations made available under any one or more federal programs. Any state agency administering any one or more such programs shall pay such tuition and fees upon proper application by a student therefor.

(e) All tuition and fees charged for vocational education by any board
shall be in such amounts as are authorized by rules and regulations
adopted by the state board which shall establish general guidelines for
tuition and fee schedules in vocational education courses and programs,
except that tuition of postsecondary students shall be fixed in accordance
with K.S.A. 72-4433, and amendments thereto. The particular tuition and
fee schedule of every vocational education program shall be subject to
annual approval of the state board. A current complete schedule of tuition
and fees for each vocational education course and program of each board
as approved by the state board shall be maintained on file in the office of
the state board, and shall be open for public inspection at any reasonable
time.

Sec. 53. K.S.A. 72-4419 is hereby amended to read as follows: 72-
4419. The school district in which a student is enrolled shall pay the tuition
of such student to attend any vocational education course or program when
such attendance is approved as provided in K.S.A. 72-4418, and
amendments thereto, from its vocational education career technical
education fund, except that any board receiving funds under an agreement
under K.S.A. 72-4421, and amendments thereto, shall pay such tuition
when the student is enrolled in a school district which is a party to the
agreement if the agreement so provides. In the case of a school district
which is not a party to an agreement under K.S.A. 72-4421, and
amendments thereto, should there be insufficient or no moneys in the
vocational career technical education fund to pay such tuition, the board
of education shall transfer from the general fund to the vocational career
technical education fund such amount as will satisfy the insufficiency.

Sec. 54. From and after July 1, 2013, K.S.A. 72-4463 is hereby
amended to read as follows: 72-4463. (a) The board of regents shall adopt
rules and regulations for administration of the provisions of this act and
shall:

(1) Publicize procedures for application for vocational education
scholarships;
(2) provide application forms;
(3) determine residence, as provided by law, of applicants for
vocational education scholarships;
(4) prescribe examinations of ability and aptitude for vocational
education and provide for administration of such examinations to
determine qualifications of applicants for vocational education
scholarships;
(5) notify each person who qualifies for designation as a vocational
education scholar and for the award of a vocational education scholarship
and each vocational education scholar who remains eligible and qualified
for the renewal of the award of a vocational education scholarship;
(6) designate vocational education scholars;
(7) approve and award or renew the award of vocational education scholarships;
(8) determine full-time enrollment in a vocational education program;
(9) provide for apportionment of vocational education scholarships if appropriations therefor are insufficient for payment in full to all vocational education scholars;
(10) evaluate the vocational education scholarship program for each school year and make a report thereon to the governor and the legislature;
(11) request any designated educational institution to furnish any information relating to and necessary for administration of this act; and
(12) initiate the development of a statewide articulation agreement on career technical education programs among the high schools, community colleges, technical colleges and the institute of technology.

(b) In order to comply with the requirements of subsection (a)(4), the board of regents shall prescribe an examination designed to measure the basic ability and aptitude for vocational education of applicants for designation as vocational education scholars and for the award of vocational education scholarships and shall provide for administration and validation of the examination. The examination shall be administered to applicants at least two times each school year, commencing with the 1986-87 school year, at various locations within the state. The board of regents may establish and provide for the charging to and collection from applicants for a vocational education scholarship of a fee to offset, in part or in total, the expense of administration of the examination. The board of regents shall remit all moneys received by or for it from fees collected under this subsection to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the vocational education scholarship examination fees fund, and shall be used only for the payment of expenses connected with the administration of such examinations. All expenditures from the vocational education scholarship examination fees fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the board of regents or by a person or persons designated by it.

Sec. 55. From and after July 1, 2013, K.S.A. 72-5333b is hereby amended to read as follows: 72-5333b. (a) The unified school district maintaining and operating a school on the Fort Leavenworth military reservation, being unified school district No. 207 of Leavenworth county, state of Kansas, shall have a governing body, which shall be known as the "Fort Leavenworth school district board of education" and which shall consist of three members who shall be appointed by, and serve at the pleasure of the commanding general of Fort Leavenworth. One member of
the board shall be the president and one member shall be the vice-

president. The commanding general, when making any appointment to the

board, shall designate which of the offices the member so appointed shall

hold. Except as otherwise expressly provided in this section, the district

board and the officers thereof shall have and may exercise all the powers,

duties, authority and jurisdiction imposed or conferred by law on unified

school districts and boards of education thereof, except such school district

shall not offer or operate any of grades 10 through 12.

(b) The board of education of the school district shall not have the

power to issue bonds.

c) Except as otherwise expressly provided in this subsection, the

provisions of the school district finance and quality performance

excellence in education act apply to the school district. As applied to the

school district, the terms local effort and term federal impact aid shall not

include any moneys received by the school district under subsection (3)(d)

(2)(b) of public law 81-874. Any such moneys received by the school

district shall be deposited in the general fund of the school district or, at

the discretion of the board of education, in the capital outlay fund of the

school district.

Sec. 56. From and after July 1, 2013, K.S.A. 2011 Supp. 72-5413 is

hereby amended to read as follows: 72-5413. As used in this act and in acts

amendatory thereof or supplemental thereto:

(a) The term "persons" includes one or more individuals,

organizations, associations, corporations, boards, committees,

commissions, agencies, or their representatives.

(b) "Board of education" means the state board of education pursuant

to its authority under K.S.A. 76-1001a and 76-1101a, and amendments

thereto, the board of education of any school district, the board of control

of any area vocational-technical school and the board of trustees of any

community college.

(c) "Professional employee" means any person employed by a board

of education in a position which requires a certificate issued by the state

board of education or employed by a board of education in a professional,
educational or instructional capacity, but shall not mean any such person

who is an administrative employee and, commencing in the 2006-2007

school year, shall not mean any person who is a retirant from school

employment of the Kansas public employees retirement system, regardless

of whether an agreement between a board of education and an exclusive

representative of professional employees that covers terms and conditions

of professional service provides to the contrary.

(d) "Administrative employee" means, in the case of a school district,

any person who is employed by a board of education in an administrative
capacity and who is fulfilling duties for which an administrator's certificate
is required under K.S.A. 72-7513, and amendments thereto; and, in the
case of an area vocational-technical school or community college, any
person who is employed by the board of control or the board of trustees in
an administrative capacity and who is acting in that capacity and who has
authority, in the interest of the board of control or the board of trustees, to
hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or
discipline other employees, or responsibly to direct them or to adjust their
grievances, or effectively to recommend a preponderance of such actions,
if in connection with the foregoing, the exercise of such authority is not of
a merely routine or clerical nature, but requires the use of independent
judgment.

(e) "Professional employees' organizations" means any one or more
organizations, agencies, committees, councils or groups of any kind in
which professional employees participate, and which exist for the purpose,
in whole or part, of engaging in professional negotiation with boards of
education with respect to the terms and conditions of professional service.

(f) "Representative" means any professional employees' organization
or any person it authorizes or designates to act in its behalf or any person a
board of education authorizes or designates to act in its behalf.

(g) "Professional negotiation" means meeting, conferring, consulting
and discussing in a good faith effort by both parties to reach agreement
with respect to the terms and conditions of professional service.

(h) "Mediation" means the effort through interpretation and advice by
an impartial third party to assist in reconciling a dispute concerning terms
and conditions of professional service which arose in the course of
professional negotiation between a board of education or its
representatives and representatives of the recognized professional
employees' organization.

(i) "Fact-finding" means the investigation by an individual or board
of a dispute concerning terms and conditions of professional service which
arose in the course of professional negotiation, and the submission of a
report by such individual or board to the parties to such dispute which
includes a determination of the issues involved, findings of fact regarding
such issues, and the recommendation of the fact-finding individual or
board for resolution of the dispute.

(j) "Strike" means an action taken for the purpose of coercing a
change in the terms and conditions of professional service or the rights,
privileges or obligations thereof, through any failure by concerted action
with others to report for duty including, but not limited to, any work
stoppage, slowdown, or refusal to work.

(k) "Lockout" means action taken by a board of education to provoke interruptions of or prevent the continuity of work normally and usually performed by the professional employees for the purpose of coercing
professional employees into relinquishing rights guaranteed by this act and the act of which this section is amendatory.

(1) "Terms and conditions of professional service" means (A) salaries and wages, including pay for duties under supplemental contracts; hours and amounts of work; vacation allowance, holiday, sick, extended, sabbatical, and other leave, and number of holidays; retirement; insurance benefits; wearing apparel; pay for overtime; jury duty; grievance procedure; including binding arbitration of grievances; disciplinary procedure; resignations; termination and nonrenewal of contracts, in accordance with state law; reemployment of professional employees; terms and form of the individual professional employee contract; probationary period; professional employee appraisal procedures; each of the foregoing being a term and condition of professional service, regardless of its impact on the employee or on the operation of the educational system; (B) matters which relate to privileges to be granted the recognized professional employees' organization including, but not limited to, voluntary payroll deductions; use of school or college facilities for meetings; dissemination of information regarding the professional negotiation process and related matters to members of the bargaining unit on school or college premises through direct contact with members of the bargaining unit, the use of bulletin boards on or about the facility, and the use of the school or college mail system to the extent permitted by law; reasonable leaves of absence for members of the bargaining unit for organizational purposes such as engaging in professional negotiation and partaking of instructional programs properly related to the representation of the bargaining unit; any of the foregoing privileges which are granted the recognized professional employees' organization through the professional negotiation process shall not be granted to any other professional employees' organization; and (C) such other matters as the parties mutually agree upon as properly related to professional service including, but not limited to, employment incentive or retention bonuses authorized under K.S.A. 72-8246, and amendments thereto.

(2) Nothing in this act, and amendments thereto, shall authorize the diminution of any right, duty or obligation of either the professional employee or the board of education which have been fixed by statute or by the constitution of this state. Except as otherwise expressly provided in this subsection (l), the fact that any matter may be the subject of a statute or the constitution of this state does not preclude negotiation thereon so long as the negotiation proposal would not prevent the fulfillment of the statutory or constitutional objective.

(3) Matters which relate to the duration of the school term, and specifically to consideration and determination by a board of education of the question of the development and adoption of a policy to provide for a
school term consisting of school hours, are not included within the
meaning of terms and conditions of professional service and are not
subject to professional negotiation.

(m) "Secretary" means the secretary of labor or a designee thereof.

(n) "Statutory declaration of impasse date" means June 1 in the
current school year.

(o) "Supplemental contracts" means contracts for employment duties
other than those services covered in the principal or primary contract of
employment of the professional employee and shall include, but not be
limited to, such services as coaching, supervising, directing and assisting
extracurricular activities, chaperoning, ticket-taking, lunchroom
supervision, and other similar and related activities.

Sec. 57. K.S.A. 2011 Supp. 72-6414a is hereby amended to read as
follows: 72-6414a. (a) There is hereby established in every district a fund
which shall be called the at-risk education fund, which fund shall consist
of all moneys deposited therein or transferred thereto according to law.
The expenses of a district directly attributable to providing at-risk
assistance or programs, including assistance or programs provided to
nonproficient pupils, shall be paid from the at-risk education fund.

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

(c) Any unencumbered balance of moneys remaining in the at-risk
education fund of a school district on June 30, 2011, 2012, may be
expended in school year 2011-2012 by the school district for
general operating expenses of the school district as approved by the board
of education.

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

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

Sec. 58. K.S.A. 2011 Supp. 72-6414b is hereby amended to read as follows: 72-6414b. (a) There is hereby established in every district a fund which shall be called the preschool-aged at-risk education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a district directly attributable to providing preschool-aged at-risk assistance or programs shall be paid from the preschool-aged at-risk education fund.

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

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

Any unencumbered balance of moneys remaining in the preschool-aged at-risk education fund of a school district on June 30, 2011, may be expended in school year 2011-2012 by the school district for general operating expenses of the school district as approved by the board of education.

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

Sec. 59. K.S.A. 2011 Supp. 72-6420 is hereby amended to read as follows: 72-6420. (a) There is hereby established in every district a fund which shall be called the special education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. Notwithstanding any other provision of law, all moneys received by the district from whatever source for special education shall be credited to the special education fund established by this section, except that: (1)
Amounts of payments received by a district under K.S.A. 72-979, and amendments thereto, and amounts of grants, if any, received by a district under K.S.A. 72-983, and amendments thereto, shall be deposited in the general fund of the district and transferred to the special education fund; and (2) moneys received by a district pursuant to lawful agreements made under K.S.A. 72-968, and amendments thereto, shall be credited to the special fund established under the agreements.

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

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

(d) Except for moneys received under K.S.A. 72-978, and amendments thereto, from cooperative agreements entered into under K.S.A. 72-968, and amendments thereto, any unencumbered balance of moneys attributable to appropriations by the legislature for special education or related services remaining in the special education fund of a school district on June 30, 2011, may be expended in school year 2011-2012 by the school district for general operating expenses of the school district as approved by the board of education in an amount not to exceed 1/3 of the unencumbered balance of the school district's special education fund.

Sec. 60. K.S.A. 2011 Supp. 72-6421 is hereby amended to read as follows: 72-6421. (a) There is hereby established in every district a fund which shall be called the vocational education fund. All moneys received by a district for any course or program authorized and approved under the provisions of article 44 of chapter 72 of Kansas Statutes Annotated, and amendments thereto, except for courses and programs conducted in an area vocational school, shall be credited to the vocational education fund. All moneys received by the district from tuition, fees or charges or from any other source for vocational education courses or programs, except for courses and programs conducted in an area vocational school, shall be credited to the vocational education fund. The expenses of a district directly attributable to vocational education shall be paid from the vocational education fund.

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

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

Any unencumbered balance of moneys attributable to appropriations by the legislature in the vocational education fund of a school district on June 30, 2011, may be expended in school year 2011-2012 by the school district for general operating expenses of the school district as approved by the board of education.

Sec. 61. K.S.A. 2011 Supp. 72-6423 is hereby amended to read as follows: 72-6423. (a) There is hereby established in every district a fund which shall be called the driver training fund which fund shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by the district from distributions made from the state safety fund and the motorcycle safety fund and from tuition, fees or charges for driver training courses shall be credited to the driver training fund. The expenses of a district directly attributable to driver training shall be paid from the driver training fund.

(b) Any unencumbered balance of moneys remaining in the driver training fund of a school district on June 30, 2011, may be expended in school year 2011-2012 by the school district for general operating expenses of the school district as approved by the board of education.

Sec. 62. K.S.A. 2011 Supp. 72-6426 is hereby amended to read as follows: 72-6426. (a) There is hereby established in every district a fund which shall be called the contingency reserve fund. Such fund shall consist of all moneys deposited therein or transferred thereto according to law. The fund shall be maintained for payment of expenses of a district attributable to financial contingencies as determined by the board.

(b) (1) Except as otherwise provided in subsection (c), at no time in school year 2008-2009 through school year 2011-2012 shall the amount maintained in the contingency reserve fund exceed an amount equal to 10% of the general fund budget of the district for the school year.

(2) Except as otherwise provided in subsection (c), at no time in school year 2012-2013 or any school year thereafter shall the amount maintained in the contingency reserve fund exceed an amount equal to 6% of the general fund budget of the district for the school year.

(c) (1) If the amount in the contingency reserve fund of a district is in excess of the amount authorized under subsection (b), and if such excess
amount is the result of a reduction in the general fund budget of the district for the school year because of a decrease in enrollment, the district may maintain the excess amount in the fund until depletion of such excess amount by expenditure from the fund for the purposes thereof.

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

(d) Notwithstanding the provisions of subsection (c), any unencumbered balance of moneys remaining in the contingency reserve fund of a school district on June 30, 2011, may be expended in school year 2011-2012 by the school district for general operating expenses of the school district as approved by the board of education.

Sec. 63. K.S.A. 2011 Supp. 72-6460 is hereby amended to read as follows: 72-6460. (a) For school year 2011-2012, subject to any limitations as provided in this act, any school district may expend the unencumbered balance of the moneys held in the at-risk education fund, as provided in K.S.A. 76-6414a, and amendments thereto, bilingual education fund, as provided in K.S.A. 72-9509, and amendments thereto, contingency reserve fund, as provided in K.S.A. 72-6426, and amendments thereto, driver training fund, as provided in K.S.A. 72-6423, and amendments thereto, parent education program fund, as provided in K.S.A. 72-3607, and amendments thereto, preschool-aged at-risk education fund, as provided in K.S.A. 72-6414b, and amendments thereto, professional development fund, as provided in K.S.A. 72-9609, and amendments thereto, summer program fund, as provided in K.S.A. 72-8237, and amendments thereto, textbook and student materials revolving fund, as provided in K.S.A. 72-8250, and amendments thereto, special education fund, as provided in K.S.A. 72-965 and 72-6420, and amendments thereto, virtual school fund, as provided in K.S.A. 72-3715, and amendments thereto, and vocational education fund, as provided in K.S.A. 72-6421, and amendments thereto, to pay for general operating expenses of the district out of the general fund as approved by the board of education of such district.

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

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

(2) textbook and student materials revolving fund; and

(3) special education fund.

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

(b) The amount of money expended by a school district in school year 2011-2012 2012-2013 from the unencumbered balance of moneys in the funds under subsection (a) of this section shall not exceed, in the aggregate, an amount determined by the state board of education. Such amount shall be determined by the state board as follows:

(1) Determine the adjusted enrollment of the district, excluding special education and related services weighting;

(2) subtract the amount of base state aid per pupil appropriated to the department of education for fiscal year 2012 2013 from $4,012; and

(3) multiply the difference obtained under paragraph (2) by the number determined under paragraph (1). The product is the aggregate amount of moneys that may be expended by a school district in school year 2011-2012 2012-2013 from the unencumbered balance of moneys in the funds under subsection (a) of this section.

(c) It is the public policy goal of the state of Kansas that at least 65% of the aggregate of all unencumbered balances authorized to be expended for general operating expenses pursuant to subsection (a) shall be expended in the classroom or for instruction, as provided in K.S.A. 2011 Supp. 72-64c01, and amendments thereto.

Sec. 64. From and after July 1, 2013, K.S.A. 2011 Supp. 72-64b01 is hereby amended to read as follows: 72-64b01. (a) No school district shall expend, use or transfer any moneys from the general fund of the district for the purpose of engaging in or supporting in any manner any litigation by the school district or any person, association, corporation or other entity against the state of Kansas, the state board of education, the state department of education, other state agency or any state officer or employee regarding the school district finance and quality performance act, prior to its repeal, the excellence in education act or any other law concerning school finance. No such moneys shall be paid, donated or otherwise provided to any person, association, corporation or other entity and used for the purpose of any such litigation.

(b) Nothing in K.S.A. 72-6433 section 8 or this section, and amendments thereto, shall be construed as prohibiting the expenditure, use or transfer of moneys from the supplemental general fund received by a district pursuant to section 8, and amendments thereto, for the purposes
specified in subsection (a).

Sec. 65. From and after July 1, 2013, K.S.A. 2011 Supp. 72-64c03 is hereby amended to read as follows: 72-64c03. (a) In determining the appropriation of moneys necessary to pay the base state aid, property value equalization state aid, supplemental equalization state aid, transportation state aid, career technical education state aid and school facility state aid in accordance with the provisions of sections 1 through 29, and amendments thereto, the legislature and the state board of education shall consider the amount of such state aid necessary for the operation of school districts for two consecutive fiscal years. Any two-year appropriation shall be subject to adjustment at any time during such two-year period.

(b) The appropriation of moneys necessary to pay general state aid and supplemental general state aid under the school district finance and quality performance act, the base state aid, property value equalization state aid, supplemental equalization state aid, transportation state aid, career technical education state aid and school facility state aid in accordance with the excellence in education act, and state aid for the provision of special education and related services under the special education for exceptional children act shall be given first priority in the legislative budgeting process and shall be paid first from existing state revenues.

Sec. 66. From and after July 1, 2013, K.S.A. 72-6622 is hereby amended to read as follows: 72-6622. In the event that all of the property acquired by any two cities under the provisions of K.S.A. 3-404 et seq., and amendments thereto, is included within the territory of a unified school district in which only one of such cities is located:

(a) One-half of the assessed valuation of such property shall be assigned to each of the two school districts in which such cities are located for the purposes of:

(1) Determining the assessed valuation of each district for (1) entitlement to supplemental general state aid under the school district finance and quality performance act, and (2) entitlement to payment from the school district capital improvements fund; and

(2) determining the valuation per pupil, as defined in section 2, and amendments thereto, for entitlement to property value equalization state aid;

(b) the revenue to be received by each district under subsection (c) shall be used as a receipt by such district in computing its ad valorem tax requirement for each tax levy fund; and

(c) such property shall be subject to taxation for school purposes at a rate equal to the aggregate of all rates imposed for school purposes upon property located within the school district in which such property is
located, but one-half of the proceeds derived from such levy shall be allocated to each of the two school districts in which such cities are located.

Sec. 67. From and after July 1, 2013, K.S.A. 2011 Supp. 72-6624 is hereby amended to read as follows: 72-6624. (a) As used in this section:

1. "School district" means unified school district No. 404, unified school district No. 493, unified school district No. 499 and unified school district No. 508.

2. "Property" means any property, and improvements thereon, comprising a racetrack gaming facility or lottery gaming facility under the Kansas expanded lottery act located in Cherokee county.

3. "State aid" means general state aid, supplemental general state aid, base state aid, property value equalization state aid, supplemental equalization state aid, transportation state aid, career technical education state aid, school facility state aid, capital improvements state aid, capital outlay state aid and any other state aid paid, distributed or allocated to school districts under the school district finance and quality performance excellence in education act or other law, and any other state aid paid, distributed or allocated to school districts on the basis of the assessed valuation of school districts.

(b) For the purposes of computing the assessed valuation of school districts for the payment, distribution or allocation of state aid and the levying of school taxes, 1/4 of the assessed valuation of such property shall be assigned to each of the school districts.

(c) The provisions of this section shall not apply if the property is not or ceases to be used as a racetrack gaming facility or lottery gaming facility under the Kansas expanded lottery act.

Sec. 68. From and after July 1, 2013, K.S.A. 2011 Supp. 72-6625 is hereby amended to read as follows: 72-6625. (a) As used in this section:

1. "School district" means unified school district No. 507 and unified school district No. 374.

2. "Property" means the following described property, and improvements thereon, comprised of 1,120 acres, more or less, located in Haskell county: All of Section 34, Township 29 South, Range 33 West and the West ½ of Section 3, Township 30 South, Range 33 West and the Northeast Quarter of Section 3, Township 30 South, Range 33 West.

3. "State aid" means general state aid, supplemental general state aid, base state aid, property value equalization state aid, supplemental equalization state aid, transportation state aid, career technical education state aid, school facility state aid, capital improvements state aid, capital outlay state aid and any other state aid paid, distributed or allocated to school districts under the school district finance and quality performance excellence in education act or other law, and any other state aid paid,
distributed or allocated to school districts on the basis of the assessed valuation of school districts.

(b) For the purposes of computing the assessed valuation of school districts for the payment, distribution or allocation of state aid and the levying of school taxes, ½ of the assessed valuation of such property shall be assigned to each of the school districts.

(c) The provisions of this section shall not apply if the property is not or ceases to be used for the production of ethanol.

Sec. 69. From and after July 1, 2013, K.S.A. 72-6757 is hereby amended to read as follows: 72-6757. (a) As used in this section:

(1) “Receiving school district” means a school district of nonresidence of a pupil who attends school in such school district.

(2) "Sending school district" means a school district of residence of a pupil who attends school in a school district not of the pupil's residence.

(b) The board of education of any school district may make and enter into contracts with the board of education of any receiving school district located in this state for the purpose of providing for the attendance of pupils at school in the receiving school district.

(c) The board of education of any school district may make and enter into contracts with the governing authority of any accredited school district located in another state for the purpose of providing for the attendance of pupils from this state at school in such other state or for the attendance of pupils from such other state at school in this state.

(d) Pupils attending school in a receiving school district in accordance with a contract authorized by this section and made and entered into by such receiving school district with a sending school district located in this state shall be counted as regularly enrolled in and attending school in the sending school district for the purpose of computations under the school district finance and quality performance excellence in education act.

(e) Any contract made and entered into under authority of this section is subject to the following conditions:

(1) The contract shall be for the benefit of pupils who reside at inconvenient or unreasonable distances from the schools maintained by the sending school district or for pupils who, for any other reason deemed sufficient by the board of education of the sending school district, should attend school in a receiving school district;

(2) the contract shall make provision for the payment of tuition by the sending school district to the receiving school district;

(3) if a sending school district is located in this state and the receiving school district is located in another state, the amount of tuition provided to be paid for the attendance of a pupil or pupils at school in the receiving school district shall not exceed ½ of the amount of the budget per pupil of
the sending school district under the school district finance and quality performance excellence in education act for the current school year; and

(4) the contract shall make provision for transportation of pupils to and from the school attended on every school day.

(f) Amounts received pursuant to contracts made and entered into under authority of this section by a school district located in this state for enrollment and attendance of pupils at school in regular educational programs shall be deposited in the general fund of the school district.

(g) The provisions of subsection (e)(3) do not apply to unified school district No. 104, Jewell county.

(h) The provisions of this section do not apply to contracts made and entered into under authority of the special education for exceptional children act.

(i) The provisions of this section are deemed to be alternative to the provisions of K.S.A. 72-8233, and amendments thereto, and no procedure or authorization under K.S.A. 72-8233, and amendments thereto, shall be limited by the provisions of this section.

Sec. 70. From and after July 1, 2013, K.S.A. 2011 Supp. 72-67,115 is hereby amended to read as follows: 72-67,115. (a) The board of education of any school district may:

(1) Offer and teach courses and conduct preschool programs for children under the age of eligibility to attend kindergarten.

(2) Enter into cooperative or interlocal agreements with one or more other boards for the establishment, operation and maintenance of such preschool programs.

(3) Contract with private, nonprofit corporations or associations or with any public or private agency or institution, whether located within or outside the state, for the establishment, operation and maintenance of such preschool programs.

(4) Prescribe and collect fees for providing such preschool programs.

(b) Fees for providing preschool programs shall be prescribed and collected only to recover the costs incurred as a result of and directly attributable to the establishment, operation and maintenance of the preschool programs. Revenues from fees collected by a board under this section shall be deposited in the general fund of the school district and shall be considered reimbursements to the district for the purpose of the school district finance and quality performance excellence in education act and may be expended whether the same have been budgeted or not and amounts so expended shall not be considered operating expenses.

Sec. 71. From and after July 1, 2013, K.S.A. 2011 Supp. 72-8187 is hereby amended to read as follows: 72-8187. (a) In each school year, to the extent that appropriations are available, each school district which has provided educational services for pupils residing at the Flint Hills job
corps center, for pupils housed at a psychiatric residential treatment facility
or for pupils confined in a juvenile detention facility is eligible to receive a
grant of state moneys in an amount to be determined by the state board of
education.

(b) In order to be eligible for a grant of state moneys provided for by
this section, each school district which has provided educational services
for pupils residing at the Flint Hills job corps center, for pupils housed at a
psychiatric residential treatment facility or for pupils confined in a juvenile
detention facility shall submit to the state board of education an
application for a grant and shall certify the amount expended, and not
reimbursed or otherwise financed, in the school year for the services
provided. The application and certification shall be prepared in such form
and manner as the state board shall require and shall be submitted at a time
to be determined and specified by the state board. Approval by the state
board of applications for grants of state moneys is prerequisite to the
award of grants.

(c) Each school district which is awarded a grant under this section
shall make such periodic and special reports of statistical and financial
information to the state board as it may request.

(d) All moneys received by a school district under authority of this
section shall be deposited in the general fund of the school district and
shall be considered reimbursement of the district for the purpose of the
school district finance and quality performance excellence in education
act.

(e) The state board of education shall approve applications of school
districts for grants, determine the amount of grants and be responsible for
payment of grants to school districts. In determining the amount of a grant
which a school district is eligible to receive, the state board shall compute
the amount of state financial aid the district would have received on the
basis of enrollment of pupils residing at the Flint Hills job corps center,
housed at a psychiatric residential treatment facility or confined in a
juvenile detention facility if such pupils had been counted as two pupils
under the school district finance and quality performance act and compare
such computed amount to the amount certified by the district under
subsection (b). The amount of the grant the district is eligible to receive
shall be an amount equal to the lesser of the amount computed under this
subsection or the amount certified under subsection (b). If the amount of
appropriations for the payment of grants under this section is insufficient
to pay in full the amount each school district is determined to be eligible to
receive for the school year, the state board shall prorate the amount
appropriated among all school districts which are eligible to receive grants
of state moneys in proportion to the amount each school district is
determined to be eligible to receive.
(f) On or before July 1 of each year, the secretary of social and rehabilitation services shall submit to the Kansas department of education a list of facilities which have been certified and licensed as psychiatric residential treatment facilities.

(g) As used in this section:

(1) "Enrollment" means the number of pupils who are: (A) Residing at the Flint Hills job corps center, confined in a juvenile detention facility or residing at a psychiatric residential treatment facility; and (B) for whom a school district is providing educational services on September 20, on November 20, or on April 20 of a school year, whichever is the greatest number of pupils;

(2) "juvenile detention facility" means any public or private facility which is used for the lawful custody of accused or adjudicated juvenile offenders and which shall not be a jail; and

(3) "psychiatric residential treatment facility" means a facility which provides psychiatric services to individuals under the age of 21 and which conforms with the regulations of the centers for medicare/medicaid services, is licensed by the Kansas department of health and environment and is certified by the Kansas department of social and rehabilitation services pursuant to subsection (f).

Sec. 72. From and after July 1, 2013, K.S.A. 72-8189 is hereby amended to read as follows: 72-8189. For the purposes of the school district finance and quality performance excellence in education act, and notwithstanding any provision of the act to the contrary, the term local effort, as applied to U.S.D. No. 450, Shawnee county, shall not include within its meaning the proceeds from taxes which may be paid upon property of Heartland Park of Topeka for the 1988 through 1991 tax years. Any such tax proceeds which may be distributed to the school district as the result of a final and binding judicial decree may be deposited in the supplemental general fund of the district or may be disposed of as provided in K.S.A. 72-6427 section 22, and amendments thereto.

Sec. 73. From and after July 1, 2013, K.S.A. 72-8230 is hereby amended to read as follows: 72-8230. (a) In the event the boards of education of any two or more school districts enter into a school district interlocal cooperation agreement for the purpose of jointly and cooperatively performing any of the services, duties, functions, activities, obligations or responsibilities which are authorized or required by law to be performed by school districts of this state, the following conditions shall apply:

(1) A school district interlocal cooperation agreement shall establish a board of directors which shall be responsible for administering the joint or cooperative undertaking. The agreement shall specify the organization and composition of and manner of appointment to the board of directors. Only
members of boards of education of school districts party to the agreement shall be eligible for membership on the board of directors. The terms of office of members of the board of directors shall expire concurrently with their terms as board of education members. Vacancies in the membership of the board of directors shall be filled within 30 days from the date of the vacancy in the manner specified in the agreement.

(2) A school district interlocal cooperation agreement may provide for the establishment and composition of an executive board. The members of the executive board, if established, shall be selected by the board of directors from its membership. The executive board shall exercise the powers, have the responsibilities, and perform the duties and functions of the board of directors to the extent authority to do so is delegated by the board of directors.

(3) A school district interlocal cooperation agreement shall be effective only after approval by the state board of education.

(4) A school district interlocal cooperation agreement shall be subject to change or termination by the legislature.

(5) The duration of a school district interlocal cooperation agreement for joint or cooperative action in performing any of the services, duties, functions, activities, obligations or responsibilities, other than the provision of special education services, which are authorized or required by law to be performed by school districts of this state, shall be for a term of at least three years but not exceeding five years.

(6) (A) The duration of a school district interlocal cooperation agreement for joint or cooperative action in providing special education services shall be perpetual unless the agreement is partially or completely terminated in accordance with this provision. This provision applies to every school district interlocal cooperation agreement for the provision of special education services entered into under authority of this section after the effective date of this act and to every such agreement entered into under this section prior to the effective date of this act, and extant on the effective date of this act, regardless of any provisions in such an agreement to the contrary.

(B) Partial termination of a school district interlocal cooperation agreement for the provision of special education services made and entered into by the boards of three or more school districts may be accomplished only upon petition for withdrawal from the agreement by a contracting school district to the other contracting school districts and approval by the state board of written consent to the petition by such other school districts or upon order of the state board after appeal to it by a school district from denial of consent to a petition for withdrawal and hearing thereon conducted by the state board. The state board shall consider all the testimony and evidence brought forth at the hearing and
issue an order approving or disapproving withdrawal by the school district from the agreement.

(C) Complete termination of a school district interlocal cooperation agreement for the provision of special education services made and entered into by the boards of two school districts may be accomplished upon approval by the state board of a joint petition made to the state board for termination of the agreement by both of the contracting school districts after adoption of a resolution to that effect by each of the contracting school districts or upon petition for withdrawal from the agreement made by a contracting school district to the other contracting school district and approval by the state board of written consent to the petition by such other school district or upon order of the state board after appeal to it by a school district from denial of consent to a petition for withdrawal and hearing thereon conducted by the state board. The state board shall consider all the testimony and evidence brought forth at the hearing and issue an order approving or disapproving withdrawal by the school district from the agreement.

(D) Complete termination of a school district interlocal cooperation agreement for the provision of special education services made and entered into by the boards of three or more school districts may be accomplished only upon approval by the state board of a joint petition made to the state board for termination of the agreement by not less than 2/3 of the contracting school districts after adoption of a resolution to that effect by each of the contracting school districts seeking termination of the agreement. The state board shall consider the petition and approve or disapprove termination of the agreement.

(E) The state board shall take such action in approving or disapproving the complete or partial termination of a school district interlocal cooperation agreement for the provision of special education services as the state board deems to be in the best interests of the involved school districts and of the state as a whole in the provision of special education services for exceptional children. Whenever the state board has disapproved the complete or partial termination of such an agreement, no further action with respect to such agreement shall be considered or taken by the state board for a period of not less than three years.

(7) A school district interlocal cooperation agreement shall specify the method or methods to be employed for disposing of property upon partial or complete termination.

(8) Within the limitations provided by law, a school district interlocal cooperation agreement may be changed or modified by affirmative vote of not less than 2/3 of the contracting school districts.

(b) Except as otherwise specifically provided in this subsection, any power or powers, privileges or authority exercised or capable of exercise
by any school district of this state, or by any board of education thereof, may be jointly exercised pursuant to the provisions of a school district interlocal cooperation agreement. No power or powers, privileges or authority with respect to the levy and collection of taxes, the issuance of bonds, or the purposes and provisions of the school district finance and quality performance excellence in education act or title I of public law 874 shall be created or effectuated for joint exercise pursuant to the provisions of a school district interlocal cooperation agreement.

(c) Payments from the general fund of each school district which enters into any school district interlocal cooperation agreement for the purpose of financing the joint or cooperative undertaking provided for by the agreement shall be operating expenses.

(d) Upon partial termination of a school district interlocal cooperation agreement, the board of directors established under a renegotiated agreement thereof shall be the successor in every respect to the board of directors established under the former agreement.

(e) Nothing contained in this section shall be construed to abrogate, interfere with, impair, qualify or affect in any manner the exercise and enjoyment of all of the powers, privileges and authority conferred upon school districts and boards of education thereof by the provisions of the interlocal cooperation act, except that boards of education and school districts are required to comply with the provisions of this section when entering into an interlocal cooperation agreement that meets the definition of school district interlocal cooperation agreement.

(f) As used in this section:
(1) "School district interlocal cooperation agreement" means an agreement which is entered into by the boards of education of two or more school districts pursuant to the provisions of the interlocal cooperation act.
(2) "State board" means the state board of education.

Sec. 74. From and after July 1, 2013, K.S.A. 72-8233 is hereby amended to read as follows: 72-8233. (a) In accordance with the provisions of this section, the boards of education of any two or more unified school districts may make and enter into agreements providing for the attendance of pupils residing in one school district at school in kindergarten or any of the grades one through 12 maintained by any such other school district. The boards of education may also provide by agreement for the combination of enrollments for kindergarten or one or more grades, courses or units of instruction.

(b) Prior to entering into any agreement under authority of this section, the board of education shall adopt a resolution declaring that it has made a determination that such an agreement should be made and that the making and entering into of such an agreement would be in the best interests of the educational system of the school district. Any such
agreement is subject to the following conditions:

(1) The agreement may be for any term not exceeding a term of five years.

(2) The agreement shall be subject to change or termination by the legislature.

(3) Within the limitations provided by law, the agreement may be changed or terminated by mutual agreement of the participating boards of education.

(4) The agreement shall make provision for transportation of pupils to and from the school attended on every school day, for payment or sharing of the costs and expenses of pupil attendance at school, and for the authority and responsibility of the participating boards of education.

(c) Provision by agreements entered into under authority of this section for the attendance of pupils at school in a school district of nonresidence of such pupils shall be deemed to be compliance with the kindergarten, grade, course and units of instruction requirements of law.

(d) The board of education of any school district which enters into an agreement under authority of this section for the attendance of pupils at school in another school district may discontinue kindergarten or any or all of the grades, courses and units of instruction specified in the agreement for attendance of pupils enrolled in kindergarten or any such grades, courses and units of instruction at school in such other school district. Upon discontinuing kindergarten or any grade, course or unit of instruction under authority of this subsection, the board of education may close any school building or buildings operated or used for attendance by pupils enrolled in such discontinued kindergarten, grades, courses or units of instruction. The closing of any school building under authority of this subsection shall require a majority vote of the members of the board of education and shall require no other procedure or approval.

(e) Pupils attending school in a school district of nonresidence of such pupils in accordance with an agreement made and entered into under authority of this section shall be counted as regularly enrolled in and attending school in the school district of residence of such pupils for the purpose of computations under the school district finance and quality performance excellence in education act.

(f) Pupils who satisfactorily complete grade 12 while in attendance at school in a school district of nonresidence of such pupils in accordance with the provisions of an agreement entered into under authority of this section shall be certified as having graduated from the school district of residence of such pupils unless otherwise provided for by the agreement.

Sec. 75. From and after July 1, 2013, K.S.A. 72-8236 is hereby amended to read as follows: 72-8236. (a) The board of education of any school district may: (1) Establish, operate and maintain a child care
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facility; (2) enter into cooperative or interlocal agreements with one or
more other boards for the establishment, operation and maintenance of a
child care facility; (3) contract with private, nonprofit corporations or
associations or with any public or private agency or institution, whether
located within or outside the state, for the establishment, operation and
maintenance of a child care facility; and (4) prescribe and collect fees for
providing care at a child care facility.

(b) Fees for providing care at a child care facility established under
authority of this section shall be prescribed and collected only to recover
the costs incurred as a result of and directly attributable to the
establishment, operation and maintenance of the child care facility.
Revenues from fees collected by a board under this section shall be
deposited in the general fund of the school district and shall be considered
reimbursements to the district for the purpose of the school district finance
and quality performance excellence in education act and may be expended
whether the same have been budgeted or not and amounts so expended
shall not be considered operating expenses.

c) Every school district which establishes, operates and maintains a
child care facility shall be subject to the provisions contained in article 5 of
chapter 65 of Kansas Statutes Annotated, and amendments thereto.
(d) As used in this section, the term "child" means any child who is
three years of age or older, and any infant or toddler whose parent or
parents are pupils or employees of a school district which establishes,
operates and maintains, or cooperates in the establishment, operation and
maintenance of, a child care facility under authority of this act.

Sec. 76. K.S.A. 2011 Supp. 72-8237 is hereby amended to read as
follows: 72-8237. (a) The board of education of any school district may:
(1) Establish, operate and maintain a summer program for pupils; (2) enter
into cooperative or interlocal agreements with one or more other boards of
education for the establishment, operation and maintenance of a summer
program for pupils; and (3) prescribe and collect fees for providing a
summer program for pupils or provide such program without charge.
(b) Fees for providing a summer program for pupils shall be
prescribed and collected only to recover the costs incurred as a result of
and directly attributable to the establishment, operation and maintenance
of the program.
(c) No school district may collect fees for providing a summer
program for pupils required to attend such a program in accordance with
the provisions of law, rules and regulations of the state board of education,
policy of the board of education, or an individualized education plan
developed for an exceptional child.
(d) There is hereby established in every district which establishes,
operates and maintains a summer program a fund which shall be called the
summer program fund, which fund shall consist of all moneys deposited
therein or transferred thereto according to law. All moneys received by a
district from fees collected under this section or from any other source for
summer programs shall be credited to the summer program fund. The
expenses of a district directly attributable to summer programs shall be
paid from the summer program fund.

Any unencumbered balance of moneys remaining in the summer
program fund of a school district on June 30, 2011, may be expended
in school year 2011-2012 by the school district for general
operating expenses of the school district as approved by the board of
education.

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

Sec. 77. K.S.A. 2011 Supp. 72-8250 is hereby amended to read as
follows: 72-8250. (a) There is hereby established in every school district a
textbook and student materials revolving fund. Moneys in such fund shall
be used to:

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

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

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

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

Any unencumbered balance of moneys remaining in the textbook and
student materials revolving fund of a school district on June 30, 2011,
may be expended in school year 2011-2012 by the school
district for general operating expenses of the school district as approved by
the board of education in an amount not to exceed 1/3 of the unencumbered
balance of the school district's textbook and student materials revolving
fund.
Sec. 78. From and after July 1, 2013, K.S.A. 2011 Supp. 72-8251 is hereby amended to read as follows: 72-8251. Whenever a school district is required by law to make any payment during the month of June and there is insufficient revenue to make such payment as a result of the payment of state aid after the date prescribed by the state board of education pursuant to K.S.A. 72-6417 or 72-6434 section 20, and amendments thereto, the school district shall make such payment as soon as moneys are available.

Sec. 79. From and after July 1, 2013, K.S.A. 2011 Supp. 72-8302 is hereby amended to read as follows: 72-8302. (a) The board of education of a school district may provide or furnish transportation for pupils who are enrolled in the school district to or from any school of the school district or to or from any school of another school district attended by such pupils in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto.

(b) (1) When any or all of the conditions specified in this provision exist, the board of education of a school district shall provide or furnish transportation for pupils who reside in the school district and who attend any school of the school district or who attend any school of another school district in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto. The conditions which apply to the requirements of this provision are as follows:

(A) The residence of the pupil is inside or outside the corporate limits of a city, the school building attended is outside the corporate limits of a city and the school building attended is more than 2½ miles by the usually traveled road from the residence of the pupil; or

(B) the residence of the pupil is outside the corporate limits of a city, the school building attended is inside the corporate limits of a city and the school building attended is more than 2½ miles by the usually traveled road from the residence of the pupil; or

(C) the residence of the pupil is inside the corporate limits of one city, the school building attended is inside the corporate limits of a different city and the school building attended is more than 2½ miles by the usually traveled road from the residence of the pupil.

(2) The provisions of this subsection are subject to the provisions of subsections (c) and (d).

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

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

(e) (1) Subject to the limitations specified in this subsection, the
board of education of any school district may prescribe and collect fees to
offset, totally or in part, the costs incurred for the provision or furnishing
of transportation for pupils. The limitations which apply to the
authorization granted by this subsection are as follows:
(A) Fees for the provision or furnishing of transportation for pupils
shall be prescribed and collected only to recover the costs incurred as a
result of and directly attributable to the provision or furnishing of
transportation for pupils and only to the extent that such costs are not
reimbursed from any other source provided by law;
(B) fees for the provision or furnishing of transportation may not be
assessed against or collected from any pupil who is counted in determining
the transportation weighting of state aid the school district is entitled to receive under the provisions of the school district finance and quality performance excellence in education act or any pupil who is determined to be a child with disabilities under the provisions of the special education for exceptional children act or any pupil who is eligible for free or reduced price meals under the national school lunch act or any pupil who is entitled to transportation under the provisions of subsection (a) of K.S.A. 72-8306, and amendments thereto, and who resides 2½ miles or more by the regular route of a school bus from the school attended;
(C) fees for the provision or furnishing of transportation for pupils in
accordance with the provisions of an agreement entered into under
authority of K.S.A. 72-8233 or 72-8307, and amendments thereto, shall be
controlled by the provisions of the agreement.
(2) All moneys received by a school district from fees collected under
this subsection shall be deposited in the general fund of the district.

Sec. 80. From and after July 1, 2013, K.S.A. 72-8309 is hereby
amended to read as follows: 72-8309. (a) The board of education of a
school district shall not furnish or provide transportation for pupils or
students who reside in another school district except in accordance with
the written consent of the board of education of the school district in which
such pupil or student resides, or in accordance with an order issued by a
board of education under the provisions of K.S.A. 72-1046b, and
amendments thereto, or in accordance with the provisions of an agreement
entered into under authority of K.S.A. 72-8233, and amendments thereto.

(b) A school district may transport a nonresident pupil or student if
such pupil or student boards the school bus within the boundaries or on the
boundary of the transporting school district. To the extent that the
provisions of this subsection conflict with the provisions of subsection (a),
the provisions of subsection (a) shall control.

(c) No pupil or student who is furnished or provided transportation by
a school district which is not the school district in which the pupil or
student resides shall be counted in the computation of the school district's
transportation weighting under article 64 of chapter 72 of Kansas Statutes
Annotated transportation state aid the school district is entitled to receive
under the provisions of the excellence in education act.

Sec. 81. From and after July 1, 2013, K.S.A. 2011 Supp. 72-8316 is
hereby amended to read as follows: 72-8316. (a) Any board of education,
pursuant to a policy developed and adopted by it, may provide for the use
of district-owned or leased school buses when such buses are not being
used for regularly required school purposes. The policy may provide for:

(1) (A) Transporting parents and other adults to or from school-
related functions or activities, (B) transporting pupils to or from functions
or activities sponsored by organizations, the membership of which is
principally composed of children of school age, and (C) transporting
persons engaged in field trips in connection with their participation in an
adult education program maintained by the transporting school district or
by any other school district, within or outside the boundaries of the
transporting school district; and

(2) contracting with: (A) The governing body of any township, city or
county for transportation of individuals, groups or organizations; (B) the
governing authority of any nonpublic school for transportation of pupils
attending such nonpublic school to or from interschool or intraschool
functions or activities; (C) the board of trustees of any community
college for transportation of students enrolled in such community college
to or from attendance at class at the community college or to and from
functions or activities of the community college; (D) a public recreation
commission established and operated under the laws of this state, for any
purposes related to the operation of the recreation commission and all
programs and services thereof; (E) the board of education of any other
school district for transportation, on a cooperative and shared-cost basis, of
pupils, school personnel, parents and other adults to or from school-related
functions or activities; or (F) a four-year college or university, area
vocational school or area vocational-technical school for transportation of
students to or from attendance at class at the four-year college or
university, area vocational school or area vocational-technical school or for
transportation of students, alumni and other members of the public to or
from functions or activities of the four-year college or university, area
vocational school or area vocational-technical school.

(b) The costs related to the use of school buses under authority of this
section shall not be considered in determining the transportation 
weighting of state aid a school district is entitled to receive under article 64 of 
chapter 72 of Kansas Statutes Annotated the provisions of the excellence in 
education act.

(c) Transportation fees may be charged by the board to offset, totally 
or in part, the costs incurred for the use of school buses under authority of 
this section.

(d) Any revenues received by a board of education as transportation 
fees or under any contract entered into pursuant to this section shall be 
deposited in the general fund of the district and shall be considered 
reimbursements to the district for the purpose of the school district finance 
and quality performance excellence in education act. Such revenues may 
be expended whether the same have been budgeted or not.

(e) The provisions of subsection (c) of K.S.A. 8-1556, and 
amendments thereto, apply to the use of school buses under authority of 
this section.

Sec. 82. From and after July 1, 2013, K.S.A. 2011 Supp. 72-8319 is 
hereby amended to read as follows: 72-8319. (a) The board of education of 
Fort Leavenworth, U.S.D. No. 207 may provide transportation for any 
pupil in grades 10 through 12 who resides on Fort Leavenworth military 
reservation, but who is enrolled in and attends high school in 

(b) Solely for the purpose of computation of transportation weighting, 
as provided by this section, the transportation state aid U.S.D. No. 207 is 
entitled to receive under the provisions of the excellence in education act, 
any pupil provided transportation pursuant to this section shall be counted 
as regularly enrolled in and attending school in U.S.D. No. 207 on 
September 20 of the current school year.

Sec. 83. From and after July 1, 2013, K.S.A. 2011 Supp. 72-8415b is 
hereby amended to read as follows: 72-8415b. (a) Any school district that 
elects to become a self-insurer under the provisions of K.S.A. 72-8414, 
and amendments thereto, may transfer moneys from its general fund to the 
special reserve fund of the district as provided by K.S.A. 72-6428 section 
24, and amendments thereto.

(b) Any community college that elects to become a self-insurer under 
the provisions of K.S.A. 72-8414, and amendments thereto, may transfer 
such amounts from its general fund to the health care services reserve fund 
or the disability income benefits reserve fund, or the group life benefit
reserve fund, or all three, as may be deemed necessary to meet the cost of health care services or disability income benefits, or group life insurance claims, whichever is applicable.

Sec. 84. K.S.A. 2011 Supp. 72-8814 is hereby amended to read as follows: 72-8814. (a) There is hereby established in the state treasury the school district capital outlay state aid fund. Such fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district which levies a tax pursuant to K.S.A. 72-8801 et seq., and amendments thereto, shall be entitled to receive payment from the school district capital outlay state aid fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest $1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal $1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal $1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each $1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each $1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp. 72-8814b, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district, except that the state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(5) determine the amount levied by each school district pursuant to K.S.A. 72-8801 et seq., and amendments thereto;

(6) multiply the amount computed under (5), but not to exceed eight mills, by the applicable state aid percentage factor. The product is the

(c) The state board shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital outlay state aid fund for distribution to school districts, except that no transfers shall be made from the state general fund to the school district capital outlay state aid fund during the fiscal years ending June 30, 2012, or June 30, 2013. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund.

(d) Payments from the school district capital outlay state aid fund shall be distributed to school districts at times determined by the state board of education. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the capital outlay fund of the school district to be used for the purposes of such fund.

(e) Amounts transferred to the capital outlay fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

(f) The provisions of this section shall not apply to any levies imposed by a resolution adopted by the board of education of the school district after June 30, 2012, and before July 1, 2017.

Sec. 85. From and after July 1, 2013, K.S.A. 72-8908 is hereby amended to read as follows: 72-8908. As used in this act:

(a) "Juvenile" means a person who is less than 18 years of age;
(b) "adult" means a person who is 18 years of age or older;
(c) "felony" means any crime designated a felony by the laws of Kansas or the United States;
(d) "misdemeanor" means any crime designated a misdemeanor by the laws of Kansas or the United States;
(e) "school day" means any day on which school is maintained;
(f) "school year" has the meaning ascribed thereto in K.S.A. 72-6408 same meaning as such term is defined in section 2, and amendments thereto;
(g) "counsel" means any person a pupil selects to represent and advise the pupil at all proceedings conducted pursuant to the provisions of this act; and
(h) "principal witness" means any witness whose testimony is of major importance in support of the charges upon which a proposed suspension or expulsion from school is based, or in determination of material questions of fact.

Sec. 86. From and after July 1, 2013, K.S.A. 2011 Supp. 72-9002 is hereby amended to read as follows: 72-9002. As used in this act:

(a) "Accredited" means accredited by the state board of education.

(b) "Board" means the board of education of a school district, the governing authority of any nonpublic school offering any of grades kindergarten through 12 in accredited schools and the board of control of an area vocational-technical school.

(b) "State board" means, in the case of school districts and nonpublic schools, the state board of education; and in the case of area vocational-technical schools, the state board of regents.

(c) "Employees" means all licensed employees of school districts and of nonpublic schools and all instructional and administrative employees of area vocational-technical schools.

(d) "School year" means the period from July 1 to June 30.

(e) "Accredited" means accredited by the state board of education.

"State board" means, in the case of school districts and nonpublic schools, the state board of education, and in the case of area vocational-technical schools, the state board of regents.

(f) "Superintendent" means the superintendent of schools, or the superintendent's designee, for the school district employing the employee.

(g) "Teacher" means any instructor who holds a teacher's certificate issued by the state board.

Sec. 87. From and after July 1, 2013, K.S.A. 2011 Supp. 72-9003 is hereby amended to read as follows: 72-9003. Each board shall adopt a written policy of personnel evaluation procedure in accordance with K.S.A. 72-9002 et seq., and amendments thereto. For school districts, such policy shall include, but is not limited to, the Kansas educator evaluation protocol adopted by the state board of education. Every policy so adopted shall:

(a) Be prescribed in writing at the time of original adoption and at all times thereafter when any amendments are adopted;

(b) include evaluation procedures applicable to all employees;

(c) provide that all evaluations are to be made in writing and that evaluation documents and responses thereto are to be maintained in a personnel file for each employee for a period of not less than three years from the date each evaluation is made;

(d) except as provided herein, provide that every employee in the first two consecutive school years of employment shall be evaluated at least one time per semester by not later than the 60th school day of the semester.
Any employee who is not employed for the entire semester shall not be required to be evaluated. During the third and fourth years of employment, every employee shall be evaluated at least one time each school year by not later than February 15. After the fourth year of employment, every employee shall be evaluated at least once in every three years not later than February 15 of the school year in which the employee is evaluated.

(e) for school districts, provide, at a minimum, the guidelines described in the Kansas educator evaluation protocol adopted by the state board of education; and

(f) be approved by the state board.

Sec. 88. From and after July 1, 2013, K.S.A. 72-9004 is hereby amended to read as follows: 72-9004. Evaluation policies adopted under K.S.A. 72-9003, and amendments thereto, shall meet the following guidelines or criteria:

(a) Consideration shall be given to the following employee attributes: Efficiency, personal qualities, professional deportment, ability, results and performance, including improvement in the academic performance of pupils or students insofar as the evaluated employee has authority to cause such academic improvement, in the case of teachers, the capacity to maintain control of pupils or students, and such other matters as may be deemed material.

(b) Community attitudes toward, support for and expectations with regard to educational programs shall be reflected.

(c) The original policy and amendments thereto shall be developed by the board in cooperation with the persons responsible for making evaluations and the persons who are to be evaluated, and, to the extent practicable, consideration shall be given to comment and suggestions from other community interests.

(d) Evaluations of the chief administrator employed by a board shall be made by the board. The board shall place primary responsibility upon members of the administrative staff in making evaluations of other employees.

(e) Persons to be evaluated shall participate in their evaluations, and shall be afforded the opportunity for self-evaluation.

(f) The contract of any person subject to evaluation shall not be nonrenewed on the basis of incompetence unless an evaluation of such person has been made prior to notice of nonrenewal of the contract and unless the evaluation is in substantial compliance with the board's policy of personnel evaluation procedure as filed with the state board in accordance with the provisions of K.S.A. 72-9003, and amendments thereto.

(g) The contract of any teacher subject to evaluation under the provisions of K.S.A. 72-9001 et seq., and amendments thereto, who
receives a rating designation of ineffective pursuant to K.S.A. 72-9001 et seq., and amendments thereto, in two consecutive school years and has been provided an opportunity to participate in professional development in accordance with the provisions of K.S.A. 72-9601 et seq., and amendments thereto, may be terminated.

(h) Evaluations shall comply with the provisions of K.S.A. 72-9001 et seq., and amendments thereto.

Sec. 89. From and after July 1, 2013, K.S.A. 72-9005 is hereby amended to read as follows: 72-9005. (a) Whenever any evaluation is made of an employee, the written document thereof shall be presented to the employee, and the employee shall acknowledge such presentation by signing such written document. At any time not later than two (2) weeks after such presentation, the employee may respond thereto in writing.

(b) If an employee receives a rating designation of progressing or ineffective pursuant to section 34, and amendments thereto, such employee shall be entitled to an in-person conference with the superintendent to discuss such employee's evaluation.

(c) Subject to subsection (d), except by order of a court of competent jurisdiction, evaluation documents and responses thereto shall be available only to the evaluated employee, the board, the appropriate administrative staff members designated by the board, the school board attorney upon request of the board, the state board of education as provided in K.S.A. 72-7515, the board and the administrative staff of any school to which such employee applies for employment, and other persons specified by the employee in writing to his or her board.

(d) Upon consideration of any responses provided by the employee pursuant to subsection (a), a summary of the evaluation for such employee, which shall consist solely of the name of such employee and the rating designation given in the evaluation, shall be published on an internet website designated by the board. Such internet website shall be accessible to the parents of the students enrolled in the school district, and no fee shall be associated with or otherwise charged for access to such internet website.

Sec. 90. K.S.A. 2011 Supp. 72-9509 is hereby amended to read as follows: 72-9509. (a) There is hereby established in every school district a fund which shall be called the bilingual education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a district directly attributable to such bilingual education programs shall be paid from the bilingual education fund.

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

Any unencumbered balance of moneys remaining in the bilingual education fund of a school district on June 30, 2011, may be expended in school year 2011-2012 by the school district for general operating expenses of the school district as approved by the board of education.

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

Sec. 91. From and after July 1, 2013, K.S.A. 2011 Supp. 72-9608 is hereby amended to read as follows: 72-9608. (a) In each school year, each school district which is maintaining an approved professional development program shall be eligible to receive from state funds, within the limits of appropriations for professional development, an amount to be determined by the state board on the basis of priorities established through a needs-assessment survey conducted by the state board pursuant to section 35, and amendments thereto. In no event shall the amount allocated and distributed to any school district under this act exceed: (1) An amount which is equal to .50 of 1% of the amount of the general fund budget of the school district, or an amount equal to 50% of the actual expenses incurred by the school district in maintaining an approved professional development program, whichever is the lesser amount; or (2) an amount which is equal to 50% of the actual expenses incurred by the school district for the provision of innovative and experimental procedures, activities and services, if any of the same are provided and approved by the state board, in a professional development program maintained by the school district and approved by the state board.

(b) If the amount of appropriations for professional development programs is insufficient to pay in full the amount each school district is determined to be eligible to receive for the school year, the state board shall prorate the amount appropriated among all school districts which are eligible to receive state aid under the provisions of this act in proportion to the amount each school district is determined to be eligible to receive.
(c) The state board shall prescribe all forms necessary for reporting under this act.

(d) Every board shall make such periodic and special reports of statistical and financial information to the state board as it may request.

Sec. 92. K.S.A. 2011 Supp. 72-9609 is hereby amended to read as follows: 72-9609. There is hereby established in every school district a fund which shall be called the professional development fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by the school district from whatever source for professional development programs established under this act shall be credited to the fund established by this section. The expenses of a school district directly attributable to professional development programs shall be paid from the professional development fund.

Any unencumbered balance of moneys remaining in the professional development fund of a school district on June 30, 2011, may be expended in school year 2011-2012 by the school district for general operating expenses of the school district as approved by the board of education.

Sec. 93. From and after July 1, 2013, K.S.A. 2011 Supp. 74-32,141 is hereby amended to read as follows: 74-32,141. (a) On July 1, 1999, the technical colleges, area vocational schools and area vocational-technical schools established and existing under the laws of this state shall be and hereby are transferred from the supervision of the state board of education to supervision and coordination by the state board of regents. The technical colleges, area vocational schools and area vocational-technical schools shall continue to be operated, managed and controlled by governing boards as provided for in article 44 of chapter 72 of Kansas Statutes Annotated. The state board of regents shall exercise such supervision and coordination of the operation, management and control of technical colleges, area vocational schools and area vocational-technical schools as may be prescribed by law.

(b) On July 1, 1999, all of the powers, duties, functions, records and property of the state board of education relating to operations of technical colleges, area vocational schools and area vocational-technical schools shall be and are hereby transferred to and conferred and imposed upon the state board of regents.

(c) On and after July 1, 1999, the state board of regents shall be the successor in every way to the powers, duties and functions of the state board of education relating to operations of technical colleges, area vocational schools and area vocational-technical schools in which the same were vested prior to July 1, 1999. Every act performed by the state board of regents shall be deemed to have the same force and effect as if performed by the state board of education in which such functions were
vested prior to July 1, 1999.

(d) On and after July 1, 1999, whenever the state board of education, or words of like effect, is referred to or designated by a statute, contract or other document relating to operations of technical colleges, area vocational schools or area vocational-technical schools, such reference or designation shall be deemed to apply to the state board of regents established.

(e) All rules and regulations, and all orders and directives of the state board of education relating to operations of technical colleges, area vocational schools and area vocational-technical schools which are in existence on July 1, 1999, shall continue to be effective and shall be deemed to be the duly adopted rules and regulations or orders and directives of the state board of regents until revised, amended, revoked or nullified pursuant to law.

(f) The unexpended balance of any appropriation for and any funds available to the state board of education for purposes relating to operations of technical colleges, area vocational schools and area vocational-technical schools shall be transferred to the state board of regents on July 1, 1999.

(g) On and after July 1, 1999, all books, records and papers of the governing boards of technical colleges, area vocational schools and area vocational-technical schools shall be open and available, at all reasonable times, to the state board of regents and its designated officers, employees and agents.

(h) Except as otherwise specifically provided in this act, the transfer of supervision of the technical colleges, area vocational schools and area vocational-technical schools from the state board of education to supervision and coordination by the state board of regents shall not be construed in any manner so as to change or affect the operation, management and control of any technical college, area vocational school or area vocational-technical school or to change or affect any existing power, duty or function of the governing board of any technical college, area vocational school or area vocational-technical school with respect to such operation, management and control.

(i) For the purposes of the school district finance and quality performance excellence in education act, the term approved "career technical education program means, in the case of career technical education programs offered and provided in the area vocational schools, the area vocational-technical schools, and the technical colleges, approved by the state board of regents, and in the case of career technical education programs offered and provided in the high schools of a school district, approved by the state board of education.

Sec. 94. From and after July 1, 2013, K.S.A. 2011 Supp. 74-4939a is hereby amended to read as follows: 74-4939a. On and after the effective date of this act (a) For each fiscal year commencing with fiscal year-
2005, notwithstanding the provisions of K.S.A. 74-4939, and amendments thereto, or any other statute, all moneys appropriated for the department of education from the state general fund commencing with fiscal year 2005, and each ensuing fiscal year thereafter, by appropriation act of the legislature, in the KPERS — employer contributions account and all moneys appropriated for the department of education from the state general fund or any special revenue fund for each fiscal year commencing with fiscal year 2005, and each ensuing fiscal year thereafter, by any such appropriation act in that account or any other account for payment of employer contributions for school districts, shall be distributed by the department of education to school districts in accordance with this section. Notwithstanding the provisions of K.S.A. 74-4939, and amendments thereto, and subject to the provisions of subsection (b), the department of education shall disburse to each school district that is an eligible employer as specified in subsection (1) of K.S.A. 74-4931, and amendments thereto, an amount certified by the board of trustees of the Kansas public employees retirement system which is equal to the participating employer's obligation of such school district to the system in accordance with policies and procedures which are hereby authorized and directed to be adopted by the department of education for the purposes of this section and in accordance with any requirements prescribed by the board of trustees of the Kansas public employees retirement system. Upon receipt of each such disbursement of moneys, the school district shall deposit the entire amount thereof into a special retirement contributions fund of the school district, which shall be established by the school district in accordance with such policies and procedures and which shall be used only for the sole purpose of receiving such disbursements from the department of education, receiving any funds transferred by the school district to such fund pursuant to section 25, and amendments thereto, and making the remittances to the system in accordance with this section and such policies and procedures. Upon receipt of each such disbursement of moneys from the department of education, the school district shall remit, in accordance with the provisions of such policies and procedures and in the manner and on the date or dates prescribed by the board of trustees of the Kansas public employees retirement system, an equal amount to the Kansas public employees retirement system from the special retirement contributions fund of the school district to satisfy such school district's obligation as a participating employer. Notwithstanding the provisions of K.S.A. 74-4939, and amendments thereto, each school district that is an eligible employer as specified in subsection (1) of K.S.A. 74-4931, and amendments thereto, shall show within the budget of such school district all amounts received from disbursements into the special retirement contributions fund of such school district. Notwithstanding the provisions of any other statute, no
official action of the school board of such school district shall be required to approve a remittance to the system in accordance with this section and such policies and procedures. All remittances of moneys to the system by a school district in accordance with this subsection and such policies and procedures shall be deemed to be expenditures of the school district.

(b) For each fiscal year commencing with fiscal year 2014, the department of education shall adjust the amount certified by the board of trustees of the Kansas public employees retirement system, which is equal to the participating employer's obligation of such school district, to be disbursed to a school district pursuant to subsection (a) by subtracting from such amount the amount of funds transferred by such school district to its special retirement contributions fund pursuant to section 25, and amendments thereto. If the amount of funds transferred by the school district to its special retirement contributions fund pursuant to section 25, and amendments thereto, is in excess of the amount so certified by the board of trustees of the Kansas public employees retirement system to be disbursed to the school district, then no disbursement shall be made to such school district under this section. The amount of funds in the special retirement contributions fund that is in excess of the amount so certified by the board of trustees of the Kansas public employees retirement system to be disbursed to the school district shall be carried forward in such fund pursuant to section 25, and amendments thereto, and shall be used to adjust the amount certified by the board of trustees of the Kansas public employees retirement system to be disbursed to such school district in accordance with this subsection in the immediately succeeding fiscal year and each fiscal year thereafter until the total of such excess amount is expended under section 25, and amendments thereto. Any adjustment in the amount certified by the board of trustees of the Kansas public employees retirement system to be disbursed to such school district for such excess amount shall be in addition to any other adjustments which may be required under this subsection for such fiscal year.

Sec. 95. K.S.A. 2011 Supp. 75-2319 is hereby amended to read as follows: 75-2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) Subject to the provisions of subsection (f), in each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest
$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal $1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal $1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each $1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each $1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 5% for contractual bond obligations incurred by a school district prior to the effective date of this act, and 25% for contractual bond obligations incurred by a school district on or after the effective date of this act;

(5) determine the amount of payments in the aggregate that a school district is obligated to make from its bond and interest fund and, of such amount, compute the amount attributable to contractual bond obligations incurred by the school district prior to the effective date of this act and the amount attributable to contractual bond obligations incurred by the school district on or after the effective date of this act;

(6) multiply each of the amounts computed under paragraph (5) by the applicable state aid percentage factor; and

(7) add the products obtained under paragraph (6). The amount of the sum is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district
capital improvements fund for distribution to school districts. All transfers
made in accordance with the provisions of this subsection shall be
considered to be demand transfers from the state general fund, except that
all such transfers during the fiscal years ending June 30, 2012, and June
30, 2013, shall be considered to be revenue transfers from the state general
fund.
(d) Payments from the school district capital improvements fund shall
be distributed to school districts at times determined by the state board of
education to be necessary to assist school districts in making scheduled
payments pursuant to contractual bond obligations. The state board of
education shall certify to the director of accounts and reports the amount
due each school district entitled to payment from the fund, and the director
of accounts and reports shall draw a warrant on the state treasurer payable
to the treasurer of the school district. Upon receipt of the warrant, the
treasurer of the school district shall credit the amount thereof to the bond
interest fund of the school district to be used for the purposes of such
fund.
(e) (1) The provisions of this section apply only to contractual
obligations incurred by school districts pursuant to general obligation
bonds issued upon approval of a majority of the qualified electors of the
school district voting at an election upon the question of the issuance of
such bonds.
(2) The provisions of this section shall not apply to contractual
obligations incurred by school districts pursuant to general obligation
bonds issued upon approval of a majority of the qualified electors of the
school district voting at an election upon the question of the issuance of
such bonds when such election is held after June 30, 2012 and before July
1, 2017.
(f) Amounts transferred to the capital improvements fund of a school
district as authorized by K.S.A. 72-6433, and amendments thereto, shall
not be included in the computation when determining the amount of state
aid to which a district is entitled to receive under this section.
Sec. 96. From and after July 1, 2013, K.S.A. 2011 Supp. 79-201x is
hereby amended to read as follows: 79-201x. For taxable years 2011 and
2012 2013 and 2014, the following described property, to the extent herein
specified, shall be and is hereby exempt from the property tax levied
pursuant to the provisions of K.S.A. 72-6431 section 6, and amendments
thereto: Property used for residential purposes to the extent of $20,000 of
its appraised valuation.
New Sec. 97. Except as provided in section 28, and amendments
thereo, the provisions of this act are hereby declared severable. If any
provision of this act, or the application thereof, is held invalid or
unconstitutional, it shall be conclusively presumed that the legislature
would have enacted the remainder of the act without such invalid or unconstitutional provision.

Sec. 98. K.S.A. 72-4417 and 72-4419 and K.S.A. 2011 Supp. 72-3607, 72-3715, 72-6414a, 72-6414b, 72-6420, 72-6421, 72-6423, 72-6426, 72-6460, 72-8237, 72-8250, 72-8814, 72-9509, 72-9609 and 75-2319 are hereby repealed.


Sec. 100. This act shall take effect and be in force from and after its publication in the statute book.