

As Amended by House Committee

Session of 2013

HOUSE BILL No. 2319

By Committee on Taxation

2-13

1 AN ACT creating the coalition of innovative districts act.

2

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

4 Section 1. The provisions of sections 1 through 9, and amendments  
5 thereto, shall be known and may be cited as the coalition of innovative  
6 districts act.

7 Sec. 2. As used in sections 1 through 9, and amendments thereto:

8 (a) "Board of education" means the locally elected board of education  
9 of a school district.

10 (b) "Public innovative district" means a school district that has been  
11 approved to operate as a public innovative district pursuant to section 3,  
12 and amendments thereto.

13 (c) "Coalition" means the coalition of innovative districts established  
14 pursuant to section 4, and amendments thereto.

15 (d) "Completion percentage" means the percentage of high school  
16 graduates of a public innovative district that have enlisted in military  
17 service or completed a postsecondary educational certificate program or  
18 degree program as determined by the national student clearinghouse, or  
19 other postsecondary educational program completion database utilized by  
20 such public innovative district.

21 (e) "School district" means a unified school district organized and  
22 operated under the laws of this state.

23 (f) "School year" means the 12-month period ending June 30.

24 (g) "State board" means the state board of education.

25 Sec. 3. (a) Except as provided in section 5, and amendments thereto,  
26 the board of education of any school district may apply to the state board  
27 of education for a grant of authority to operate such school district as a  
28 public innovative district. The application shall be submitted in the form  
29 and manner prescribed by the state board, and shall be submitted not later  
30 than December 1 of the school year preceding the school year in which the  
31 school district intends to operate as a public innovative district.

32 (b) The application shall include the following:

33 (1) A description of the educational programs of the public innovative  
34 district;

35 (2) a description of the interest and support for partnerships between  
36 the public innovative district, parents and the community;

1 (3) the specific goals and the measurable pupil outcomes to be  
2 obtained by operating as a public innovative district; and

3 (4) an explanation of how pupil performance in achieving the  
4 specified outcomes will be measured, evaluated and reported.

5 (c) (1) Within 90 days from the date such application is submitted, the  
6 state board shall review the application to determine compliance with this  
7 section, and shall approve or deny such application. If the application is  
8 determined to be in compliance with this section, the state board shall  
9 approve such application and grant the school district authority to operate  
10 as a public innovative district. Notification of such approval shall be sent  
11 to the board of education of such school district within 10 days after such  
12 decision.

13 (2) If the state board determines such application is not in compliance  
14 with either this section, or section 5, and amendments thereto, the state  
15 board shall deny such application. Notification of such denial shall be sent  
16 to the board of education of such school district within 10 days after such  
17 decision and shall specify the reasons therefor. Within 30 days from the  
18 date such notification is sent, the board of education of such school district  
19 may submit a request to the state board for reconsideration of the  
20 application and may submit an amended application with such request.  
21 The state board shall act on the request for reconsideration within 60 days  
22 of receipt of such request.

23 (d) A public innovative district shall:

24 (1) Not charge tuition for any of the pupils residing within the public  
25 innovative district;

26 (2) participate in all Kansas math and reading assessments applicable  
27 to such public innovative district, or an alternative assessment program for  
28 measuring student progress as determined by the board of education;

29 (3) abide by all financial and auditing requirements that are  
30 applicable to school districts, except that a public innovative district may  
31 use generally accepted accounting principles;

32 (4) comply with all applicable health, safety and access laws; and

33 (5) comply with all statements set forth in the application submitted  
34 pursuant to subsection (a).

35 (e) (1) Except as otherwise provided in sections 1 through 9, and  
36 amendments thereto, or as required by the board of education of the public  
37 innovative district, a public innovative district shall be exempt from all  
38 laws and rules and regulations that are applicable to school districts.

39 (2) A public innovative district shall be subject to the special  
40 education for exceptional children act, the virtual school act, the school  
41 district finance and quality performance act, the provisions of K.S.A. 72-  
42 8801 et seq., and amendments thereto, ~~the provisions of K.S.A. 75-2315 et~~  
43 ~~seq., and amendments thereto~~ **all laws governing the issuance of general**

1 **obligation bonds by school districts**, the provisions of K.S.A. 74-4901 et  
2 seq., and amendments thereto, and all laws governing the election of  
3 members of the board of education.

4 Sec. 4. (a) There is hereby established the coalition of innovative  
5 districts, which shall consist of each school district granted authority to  
6 operate as a public innovative district pursuant to section 3, and  
7 amendments thereto.

8 (b) The duties and functions of the coalition set forth in the  
9 provisions of sections 1 through 9, and amendments thereto, shall be  
10 carried out by the coalition board, which shall consist of one representative  
11 of each public innovative district who shall be designated by the board of  
12 education of such public innovative district.

13 (c) The chairperson of the coalition board shall be appointed by the  
14 governor, the chairperson of the senate committee on education and the  
15 chairperson of the house of representatives committee on education whose  
16 decision shall be unanimous. The chairperson shall serve for a term of five  
17 years. In the event of a vacancy in the position of chairperson, a successor  
18 shall be appointed pursuant to this subsection.

19 (d) The coalition board may meet at such times and places as  
20 determined by the coalition board. Any action by the coalition board shall  
21 be taken only upon approval by a majority of the members.

22 Sec. 5. (a) Until such time as two or more public innovative districts  
23 have been granted authority to operate as public innovative districts  
24 pursuant to section 3, and amendments thereto, any board of education of  
25 **a school district** desiring to operate as a public innovative district shall  
26 submit a request for approval to operate as a public innovative district to  
27 the governor, the chairperson of the senate committee on education and the  
28 chairperson of the house of representatives committee on education and  
29 have such request approved by a majority of the three persons prior to  
30 submitting an application to the state board under section 3, and  
31 amendments thereto. The request for approval shall include such  
32 information as is required to be included on an application for authority to  
33 operate as a public innovative district under section 3, and amendments  
34 thereto.

35 (b) Upon the approval of the first two public innovative districts, the  
36 board of education of a school district desiring to operate as a public  
37 innovative district shall submit a request for approval to operate as a  
38 public innovative district to the coalition board and have such request  
39 approved by the coalition board prior to submitting any application to the  
40 state board under section 3, and amendments thereto.

41 (c) The request for approval required by subsection (b) shall include  
42 such information as is required to be included on an application for  
43 authority to operate as a public innovative district under section 3, and

1 amendments thereto. Copies of the request for approval shall be submitted  
2 to each public innovative district that is a member of the coalition. Within  
3 30 days after receipt of the request for approval by the last member to  
4 receive such request, the coalition board shall meet to approve or deny the  
5 request. Notification of the approval or denial of a request shall be sent to  
6 the board of education of the requesting school district within 10 days after  
7 such decision. If the request is denied, the notification shall specify the  
8 reasons therefor. Within 30 days from the date a notification of denial is  
9 sent, the board of education of the requesting school district may submit a  
10 request to the coalition board for reconsideration of the request for  
11 approval and may submit an amended request for approval with the  
12 request for reconsideration. The coalition board shall act on the request for  
13 reconsideration within 30 days of receipt of such request.

14 (d) At no time shall there be more than 10 public innovative districts  
15 operating in this state. Any request for approval submitted at such time  
16 shall be denied by the coalition board.

17 Sec. 6. (a) The authority to operate as a public innovative district  
18 shall be effective for a period of five school years. At least 90 days prior to  
19 the expiration of such five-year period, the board of education of a public  
20 innovative district may submit an application for renewal of its authority to  
21 operate as a public innovative district. Such renewal application shall be  
22 submitted in such form and manner as prescribed by the state board.

23 (b) A renewal application submitted pursuant to this section shall  
24 include:

25 (1) Evidence that such public innovative district has met the standards  
26 on the math and reading state assessments, or the alternative assessment  
27 adopted by the board of education, during the period of operation as a  
28 public innovative district;

29 (2) evidence that such public innovative district has shown  
30 improvement in its completion percentage during the period of operation  
31 as a public innovative district;

32 (3) demonstrated progress that such public innovative district is  
33 achieving the goals and outcomes described in its application for authority  
34 to operate as a public innovative district; and

35 (4) a description of compliance with the provisions of sections 1  
36 through 9, and amendments thereto.

37 (c) (1) Within 60 days after such renewal application is submitted, the  
38 state board shall review the renewal application to determine compliance  
39 with this section. If the renewal application is in compliance with the  
40 provisions of this section, the state board shall grant the renewal of the  
41 authority to operate as a public innovative district for a subsequent five-  
42 year period and notify the board of education of such public innovative  
43 district within 10 days after such decision.

1       (2) If the state board determines the renewal application is not in  
2 compliance with this section, the state board shall hold a hearing on the  
3 issues in controversy. Representatives of the public innovative district  
4 shall be provided the opportunity to present information refuting the basis  
5 upon which the noncompliance is premised. At least 30 days' notice shall  
6 be provided to the board of education of the public innovative district prior  
7 to the hearing. Within 60 days after the hearing, the state board shall  
8 determine whether to not renew the grant of authority, renew the grant of  
9 authority contingent upon compliance with specified conditions or renew  
10 the grant of authority without conditions. Notification of such decision  
11 shall be sent to the board of education of the public innovative district and  
12 shall specify the reasons therefor.

13       (3) If a grant of authority is not renewed, the board of education of  
14 such school district may apply for a grant of authority to operate as a  
15 public innovative district in accordance with the provisions of sections 1  
16 through 9, and amendments thereto.

17       Sec. 7. The members of the coalition, represented by the  
18 superintendent of each public innovative district, shall meet at least once a  
19 month to discuss the educational programs of the public innovative  
20 districts and the success or failure thereof. Such meetings shall be  
21 conducted in the spirit of cooperation and the sharing of educational  
22 program concepts that are either being implemented or being considered  
23 for implementation.

24       Sec. 8. The state board shall provide, upon request, any board of  
25 education with technical advice and assistance regarding the preparation of  
26 an application for a grant of authority to operate a public innovative  
27 district.

28       Sec. 9. The state board shall adopt such rules and regulations as  
29 necessary for the implementation and administration of the provisions of  
30 sections 1 through 9, and amendments thereto.

31       Sec. 10. This act shall take effect and be in force from and after its  
32 publication in the statute book.