

Senate Substitute for HOUSE BILL No. 2353

By Committee on Ways and Means

5-8

1 AN ACT concerning education; relating to the financing and instruction
2 thereof; *{relating to the state board of regents; concerning university*
3 *support staff}* making and concerning appropriations for the fiscal
4 years ending June 30, 2016, and June 30, 2017, for the department of
5 education; amending *{K.S.A. 72-5423 and}* K.S.A. 2014 Supp. 72-
6 1046b, as amended by section 29 of 2015 House Substitute for Senate
7 Bill No. 7, 72-3715, as amended by section 36 of 2015 House
8 Substitute for Senate Bill No. 7, *{72-5413,}* 72-6434, as amended by
9 section 38 of 2015 House Substitute for Senate Bill No. 7, 72-8814, as
10 amended by section 63 of 2015 House Substitute for Senate Bill No. 7,
11 75-2319, as amended by section 72 of 2015 House Substitute for
12 Senate Bill No. 7, *76-715a and 76-715b*; and Sections 5 and 6 of 2015
13 House Substitute for Senate Bill No. 7 and repealing the existing
14 sections; also repealing K.S.A. 2014 Supp. 72-6434, as amended by
15 section 7 of this act, and 72-8814, as amended by section 8 of this act.
16

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

18 Section 1.

19 DEPARTMENT OF EDUCATION

20 (a) There is appropriated for the above agency from the state general
21 fund for the fiscal year ending June 30, 2016, the following:

22 Block grants to USDs.....\$4,500,000

23 Sec. 2.

24 DEPARTMENT OF EDUCATION

25 (a) There is appropriated for the above agency from the state general
26 fund for the fiscal year ending June 30, 2017, the following:

27 Block grants to USDs.....\$4,500,000

28 Sec. 3. Section 5 of 2015 House Substitute for Senate Bill No. 7 is
29 hereby amended to read as follows: Sec. 5. (a) As used in sections 4
30 through 22 of 2015 House Substitute for Senate Bill No. 7, and
31 amendments thereto:

32 (1) (A) "At-risk pupils" means pupils who are eligible for free meals
33 under the national school lunch act and who are enrolled in a district which
34 maintains an approved at-risk pupil assistance plan.

35 (B) The term "at-risk pupils" shall not include any pupil: (i) Enrolled
36 in any of the grades one through 12 who is in attendance less than full

1 time; or (ii) who is over 19 years of age. The provisions of this paragraph
2 shall not apply to any pupil who has an individualized education program.

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

4 (3) "Current school year" means the school year during which general
5 state aid is determined by the state board under section 6 of 2015 House
6 *Substitute for Senate Bill No. 7*, and amendments thereto.

7 (4) "Enrollment" means: (A) (i) Subject to the provisions of
8 subsection (a)(4)(A)(ii), for school districts scheduling the school days or
9 school hours of the school term on a trimestral or quarterly basis, the
10 number of pupils regularly enrolled in the district on September 20 plus
11 the number of pupils regularly enrolled in the school district on February
12 20 less the number of pupils regularly enrolled on February 20 who were
13 counted in the enrollment of the school district on September 20;

14 (ii) for school districts not described in subsection (a)(4)(A)(i), the
15 number of pupils regularly enrolled in the school district on September 20;
16 and

17 (iii) a pupil who is a foreign exchange student shall not be counted
18 unless such student is regularly enrolled in the school district on
19 September 20 and attending kindergarten or any of the grades one through
20 12 maintained by the school district for at least one semester or two
21 quarters or the equivalent thereof;

22 (B) if enrollment in a school district in any school year has decreased
23 from enrollment in the preceding school year, enrollment of the school
24 district in the current school year means whichever is the greater of:

25 (i) Enrollment in the preceding school year minus enrollment in such
26 school year of preschool-aged at-risk pupils, if any such pupils were
27 enrolled, plus enrollment in the current school year of preschool-aged at-
28 risk pupils, if any such pupils are enrolled; or

29 (ii) the sum of enrollment in the current school year of preschool-
30 aged at-risk pupils, if any such pupils are enrolled and the average of the
31 sum of:

32 (a) Enrollment of the school district in the current school year minus
33 enrollment in such school year of preschool-aged at-risk pupils, if any
34 such pupils are enrolled;

35 (b) enrollment in the preceding school year minus enrollment in such
36 school year of preschool-aged at-risk pupils, if any such pupils were
37 enrolled; and

38 (c) enrollment in the school year next preceding the preceding school
39 year minus enrollment in such school year of preschool-aged at-risk
40 pupils, if any such pupils were enrolled.

41 (5) "February 20" has its usual meaning, except that in any year in
42 which February 20 is not a day on which school is maintained, it shall
43 mean the first day after February 20 on which school is maintained.

1 (6) *"Federal impact aid" means an amount equal to the federally*
2 *qualified percentage of the amount of moneys a district receives in the*
3 *current school year under the provisions of title I of public law 874 and*
4 *congressional appropriations therefor, excluding amounts received for*
5 *assistance in cases of major disaster and amounts received under the low-*
6 *rent housing program. The amount of federal impact aid defined herein as*
7 *an amount equal to the federally qualified percentage of the amount of*
8 *moneys provided for the district under title I of public law 874 shall be*
9 *determined by the state board in accordance with terms and conditions*
10 *imposed under the provisions of the public law and rules and regulations*
11 *thereunder.*

12 ~~(6)~~ (7) "Preceding school year" means the school year immediately
13 before the current school year.

14 ~~(7)~~ (8) "Preschool-aged at-risk pupil" means an at-risk pupil who has
15 attained the age of four years, is under the age of eligibility for attendance
16 at kindergarten, and has been selected by the state board in accordance
17 with guidelines consonant with guidelines governing the selection of
18 pupils for participation in head start programs.

19 (8) (9) "Preschool-aged exceptional children" means exceptional
20 children, except gifted children, who have attained the age of three years
21 but are under the age of eligibility for attendance at kindergarten.

22 ~~(9)~~ (10) "Pupil" means any person who is regularly enrolled in a
23 district and attending kindergarten or any of the grades one through 12
24 maintained by the district, or who is regularly enrolled in a district and
25 attending kindergarten or any of the grades one through 12 in another
26 district in accordance with an agreement entered into under authority of
27 K.S.A. 72-8233, and amendments thereto, or who is regularly enrolled in a
28 district and attending special education services provided for preschool-
29 aged exceptional children by the district.

30 ~~(10)~~ (11) "School district" means a unified school district organized
31 and operated under the laws of this state.

32 ~~(11)~~ (12) "School year" means the 12-month period ending June 30.

33 ~~(12)~~ (13) "September 20" has its usual meaning, except that in any
34 year in which September 20 is not a day on which school is maintained, it
35 shall mean the first day after September 20 on which school is maintained.

36 ~~(13)~~ (14) "State board" means the state board of education.

37 (b) The provisions of this section shall be effective from and after
38 July 1, 2015, through June 30, 2017.

39 Sec. 4. Section 6 of 2015 House Substitute for Senate Bill No. 7 is
40 hereby amended to read as follows: Sec. 6. (a) For school year 2015-2016
41 and school year 2016-2017, the state board shall disburse general state aid
42 to each school district in an amount equal to:

43 (1) Subject to the provisions of subsections (b) through ~~(e)~~ (f), the

1 amount of general state aid such school district received for school year
2 2014-2015, if any, pursuant to K.S.A. 72-6416, prior to its repeal, as
3 prorated in accordance with K.S.A. 72-6410, prior to its repeal, less:

4 (A) The amount directly attributable to the ancillary school facilities
5 weighting as determined for school year 2014-2015 under K.S.A. 72-6443,
6 prior to its repeal;

7 (B) the amount directly attributable to the cost of living weighting as
8 determined for school year 2014-2015 under K.S.A. 2014 Supp. 72-6450,
9 prior to its repeal;

10 (C) the amount directly attributable to declining enrollment state aid
11 as determined for school year 2014-2015 under K.S.A. 2014 Supp. 72-
12 6452, prior to its repeal; and

13 (D) the amount directly attributable to virtual school state aid as
14 determined for school year 2014-2015 under K.S.A. 2014 Supp. 72-3715,
15 and amendments thereto, plus;

16 (2) the amount of supplemental general state aid such school district
17 received for school year 2014-2015, if any, pursuant to K.S.A. 72-6434,
18 prior to its repeal, as prorated in accordance with K.S.A. 72-6434, prior to
19 its repeal, plus;

20 (3) the amount of capital outlay state aid such school district received
21 for school year 2014-2015, if any, pursuant to K.S.A. 2014 Supp. 72-8814,
22 prior to its repeal, plus;

23 (4) (A) an amount that is directly attributable to the proceeds of the
24 tax levied by the school district pursuant to section 14 of *2015 House*
25 *Substitute for Senate Bill No. 7*, and amendments thereto, provided, the
26 school district has levied such tax;

27 (B) an amount that is directly attributable to the proceeds of the tax
28 levied by the school district pursuant to section 15 of *2015 House*
29 *Substitute for Senate Bill No. 7*, and amendments thereto, provided, the
30 school district has levied such tax;

31 (C) an amount that is directly attributable to the proceeds of the tax
32 levied by the school district pursuant to section 16 of *2015 House*
33 *Substitute for Senate Bill No. 7*, and amendments thereto, provided, the
34 school district has levied such tax, plus;

35 (5) the amount of virtual school state aid such school district is to
36 receive under K.S.A. 2014 Supp. 72-3715, and amendments thereto, plus;

37 (6) an amount certified by the board of trustees of the Kansas public
38 employees retirement system which is equal to the participating employer's
39 obligation of such school district to the system, less;

40 (7) an amount equal to 0.4% of the amount determined under
41 subsection (a)(1).

42 (b) For any school district whose school financing sources exceeded
43 its state financial aid for school year 2014-2015 as calculated under the

1 school district finance and quality performance act, prior to its repeal, the
2 amount such school district is entitled to receive under subsection (a)(1)
3 shall be the proceeds of the tax levied by the school district pursuant to
4 section 11, and amendments thereto, less the difference between such
5 school district's school financing sources and its state financial aid for
6 school year 2014-2015 as calculated under the school district finance and
7 quality performance act, prior to its repeal.

8 (c) For any school district formed by consolidation in accordance
9 with article 87 of chapter 72 of the Kansas Statutes Annotated, and
10 amendments thereto, prior to the effective date of this act, and whose state
11 financial aid for school year 2014-2015 was determined under K.S.A. 72-
12 6445a, prior to its repeal, the amount of general state aid for such school
13 district determined under subsection (a)(1) shall be determined as if such
14 school district was not subject to K.S.A. 72-6445a, prior to its repeal, for
15 school year 2014-2015.

16 (d) For any school district that consolidated in accordance with article
17 87 of chapter 72 of the Kansas Statutes Annotated, and amendments
18 thereto, and such consolidation becomes effective on or after July 1, 2015,
19 the amount of general state aid for such school district determined under
20 subsection (a)(1) shall be the sum of the general state aid each of the
21 former school districts would have received under subsection (a)(1).

22 (e) (1) For any school district that was entitled to receive school
23 facilities weighting for school year 2014-2015 under K.S.A. 72-6415b,
24 prior to its repeal, and which would not have been eligible to receive such
25 weighting for school year 2015-2016 under K.S.A. 72-6415b, prior to its
26 repeal, an amount directly attributable to the school facilities weighting as
27 determined for school year 2014-2015 under K.S.A. 72-6415, prior to its
28 repeal, for such school district shall be subtracted from the amount of
29 general state aid for such school district determined under subsection (a)
30 (1).

31 (2) For any school district which would have been eligible to receive
32 school facilities weighting for school year 2015-2016 under K.S.A. 72-
33 6415b, prior to its repeal, but which did not receive such weighting for
34 school year 2014-2015, an amount directly attributable to the school
35 facilities weighting as would have been determined under K.S.A. 72-6415,
36 prior to its repeal, for school year 2015-2016 shall be added to the amount
37 of general state aid for such school district determined under subsection (a)
38 (1).

39 (3) For any school district which would have been eligible to receive
40 school facilities weighting for school year 2016-2017 under K.S.A. 72-
41 6415b, prior to its repeal, but which did not receive such weighting for
42 school year 2014-2015, and which would not have been eligible to receive
43 such weighting for school year 2015-2016 under K.S.A. 72-6415b, prior to

1 its repeal, an amount directly attributable to the school facilities weighting
2 as would have been determined under K.S.A. 72-6415, prior to its repeal,
3 for school year 2016-2017 shall be added to the amount of general state
4 aid for such school district determined under subsection (a)(1).

5 *(f) (1) For any school district that received federal impact aid for*
6 *school year 2014-2015, if such school district receives federal impact aid*
7 *in school year 2015-2016 in an amount that is less than the amount such*
8 *school district received in school year 2014-2015, then an amount equal*
9 *to the difference between the amount of federal impact aid received by*
10 *such school district in such school years shall be added to the amount of*
11 *general state aid for such school district for school year 2015-2016 as*
12 *determined under subsection (a)(1).*

13 *(2) For any school district that received federal impact aid for school*
14 *year 2014-2015, if such school district receives federal impact aid in*
15 *school year 2016-2017 in an amount that is less than the amount such*
16 *school district received in school year 2014-2015, then an amount equal*
17 *to the difference between the amount of federal impact aid received by*
18 *such school district in such school years shall be added to the amount of*
19 *general state aid for such school district for school year 2016-2017 as*
20 *determined under subsection (a)(1).*

21 ~~(f)~~ (g) The general state aid for each school district shall be disbursed
22 in accordance with appropriation acts. In the event the appropriation for
23 general state aid exceeds the amount determined under subsection (a) for
24 any school year, then the state board shall disburse such excess amount to
25 each school district in proportion to such school district's enrollment.

26 ~~(g)~~ (h) The provisions of this section shall be effective from and after
27 July 1, 2015, through June 30, 2017.

28 Sec. 5. From and after July 1, 2015, K.S.A. 2014 Supp. 72-1046b, as
29 amended by section 29 of 2015 House Substitute for Senate Bill No. 7, is
30 hereby amended to read as follows: 72-1046b. (a) As used in this section:

31 (1) "School district" means a school district organized and operating
32 under the laws of this state and no part of which is located in Johnson
33 county, Sedgwick county, Shawnee county or Wyandotte county.

34 (2) "Non-resident pupil" or "pupil" means a pupil who is enrolled and
35 in attendance at a school located in a district in which such pupil is not a
36 resident and who: (A) Lives $2\frac{1}{2}$ or more miles from the attendance center
37 the pupil would attend in the district in which the pupil resides and is not a
38 resident of Johnson county, Sedgwick county, Shawnee county or
39 Wyandotte county; or (B) is a member of the family of a pupil meeting the
40 condition prescribed in subpart (A).

41 (3) "Member of the family" means a brother or sister of the whole or
42 half blood or by adoption, a stepbrother or stepsister, and a foster brother
43 or foster sister.

1 (b) The board of education of any school district may allow any pupil
2 who is not a resident of the district to enroll in and attend school in such
3 district. The board of education of such district may furnish or provide
4 transportation to any non-resident pupil who is enrolled in and attending
5 school in the district pursuant to this section. If the district agrees to
6 furnish or provide transportation to a non-resident pupil, such
7 transportation shall be furnished or provided until the end of the school
8 year. Prior to providing or furnishing transportation to a non-resident
9 pupil, the district shall notify the board of education of the district in
10 which the pupil resides that transportation will be furnished or provided.

11 (c) Pupils attending school in a school district in which the pupil does
12 not reside pursuant to this section shall be counted as regularly enrolled in
13 and attending school in the district where the pupil is enrolled for the
14 purpose of computations under the classroom learning assuring student
15 success act, section 4 of 2015 House Substitute for Senate Bill No. 7 et
16 seq., and amendments thereto, and for the purposes of the statutory
17 provisions contained in article 83 of chapter 72 of the Kansas Statutes
18 Annotated, and amendments thereto. Such non-resident pupil shall not be
19 charged for the costs of attendance at school.

20 (d) *Any pupil who was not a resident of the district in school year*
21 *2014-2015, but was allowed to enroll in and attend school in such district*
22 *in school year 2014-2015 by the board of education of such district and*
23 *any member of the family of such pupil regardless of whether such family*
24 *member enrolled in and attended school in such district in school year*
25 *2014-2015, shall be allowed to enroll in and attend school in such district*
26 *in school years 2015-2016 and 2016-2017 regardless of whether such*
27 *pupil or family member of such pupil is a resident of the district in either*
28 *school year****{, provided such pupil or such pupil's family member is in***
29 ***compliance with any attendance and behavior policies of the district******}***
30 *If transportation was furnished or provided to such pupil in school year*
31 *2014-2015 by the district, then transportation shall be furnished or*
32 *provided by the district to such pupil and any family member of such pupil*
33 *in school years 2015-2016 and 2016-2017, provided there is no change in*
34 *such pupil's residence and no requirement for the district to furnish*
35 *transportation to any additional residence.*

36 Sec. 6. From and after July 1, 2015, K.S.A. 2014 Supp. 72-3715, as
37 amended by section 36 of 2015 House Substitute for Senate Bill No. 7, is
38 hereby amended to read as follows: 72-3715. (a) In order to be included in
39 the full-time equivalent enrollment of a virtual school, a pupil shall be in
40 attendance at the virtual school on: (1) A single school day on or before
41 September 19 of each school year; and (2) on a single school day on or
42 after September 20, but before October 4 of each school year.

43 (b) A school district which offers a virtual school shall determine the

1 full-time equivalent enrollment of each pupil enrolled in the virtual school
2 on September 20 of each school year as follows:

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

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

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

9 (4) divide the sum obtained under paragraph (3) by 12. The quotient
10 is the full-time equivalent enrollment of the pupil.

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

18 (d) Subject to the availability of appropriations and within the limits
19 of any such appropriations, each school year a school district which offers
20 a virtual school shall receive virtual school state aid.

21 The state board of education shall determine the amount of virtual
22 school state aid a school district is to receive as follows:

23 (1) For school year 2015-2016:

24 (A) Determine the number of pupils enrolled in virtual school on a
25 full-time basis, excluding those pupils who are over 18 years of age, and
26 multiply the total number of such pupils by \$5,000;

27 (B) determine the full-time equivalent enrollment of pupils enrolled
28 in virtual school on a part-time basis, excluding those pupils who are over
29 18 years of age, and multiply the total full-time equivalent enrollment of
30 such pupils by \$4,045;

31 (C) for pupils enrolled in a virtual school who are over 18 years of
32 age, determine the number of one-hour credit courses such pupils have
33 passed and multiply the total number of such courses by \$933; and

34 (D) add the amounts calculated under subsections (d)(1)(A) through
35 (d)(1)(C). The resulting sum is the amount of virtual school state aid the
36 school district shall receive.

37 (2) For school year 2016-2017:

38 (A) Determine the number of pupils enrolled in virtual school on a
39 full-time basis, excluding those pupils who are over 18 years of age, and
40 multiply the total number of such pupils by \$5,600;

41 (B) determine the full-time equivalent enrollment of pupils enrolled
42 in virtual school on a part-time basis, excluding those pupils who are over
43 18 years of age, and multiply the total full-time equivalent enrollment of

1 such pupils by \$1,700;

2 (C) for pupils enrolled in a virtual school who are over 18 years of
3 age, determine the number of one-hour credit courses such pupils have
4 passed and multiply the total number of such courses by \$933; and

5 (D) add the amounts calculated under subsections (d)(2)(A) through
6 (d)(2)(C). The resulting sum is the amount of virtual school state aid the
7 school district shall receive.

8 (3) For purposes of this subsection:

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

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

13 (e) There is hereby established in every school district a fund which
14 shall be called the virtual school fund, which fund shall consist of all
15 moneys deposited therein or transferred thereto according to law. The
16 expenses of a school district directly attributable to virtual schools offered
17 by a school district may be paid from the virtual school fund. The cost of
18 an advance placement course provided to a pupil by a virtual school shall
19 be paid by the virtual school. Amounts deposited in the virtual school fund
20 may be transferred to the general fund of the school district as approved by
21 the board of education.

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

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

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

36 Sec. 7. K.S.A. 2014 Supp. 72-6434, as amended by section 38 of
37 2015 House Substitute for Senate Bill No. 7, is hereby amended to read as
38 follows: 72-6434. (a) For school year 2014-2015, each district that has
39 adopted a local option budget is eligible for entitlement to an amount of
40 supplemental general state aid. Except as provided by K.S.A. 2014 Supp.
41 72-6434b, and amendments thereto, entitlement of a district to
42 supplemental general state aid shall be determined by the state board as
43 provided in this subsection. The state board shall:

- 1 (1) Determine the amount of the assessed valuation per pupil in the
2 preceding school year of each district in the state;
- 3 (2) rank the districts from low to high on the basis of the amounts of
4 assessed valuation per pupil determined under subsection (a)(1);
- 5 (3) identify the amount of the assessed valuation per pupil located at
6 the 81.2 percentile of the amounts ranked under subsection (a)(2);
- 7 (4) divide the assessed valuation per pupil of the district as
8 determined under subsection (a)(1) by the amount identified under
9 subsection (a)(3);
- 10 (5) (A) if the quotient obtained under subsection (a)(4) is less than
11 one, subtract the quotient obtained under subsection (a)(4) from one, and
12 multiply such difference by the amount of the local option budget of the
13 school district; or
- 14 (B) if the quotient obtained under subsection (a)(4) equals or exceeds
15 one, the school district shall not be entitled to receive supplemental
16 general state aid; and
- 17 (6) determine the amount of supplemental general state aid for each
18 school district eligible to receive such state aid as follows:
 - 19 (A) For those school districts ranked in the lowest quintile of those
20 school districts eligible to receive supplemental general state aid under
21 subsection (a)(5), multiply the product calculated under subsection (a)(5)
22 (A) by 97%;
 - 23 (B) for those school districts ranked in the second lowest quintile of
24 those school districts eligible to receive supplemental general state aid
25 under subsection (a)(5), multiply the product calculated under subsection
26 (a)(5)(A) by 95%;
 - 27 (C) for those school districts ranked in the third lowest quintile of
28 those school districts eligible to receive supplemental general state aid
29 under subsection (a)(5), multiply the product calculated under subsection
30 (a)(5)(A) by 92%;
 - 31 (D) for those school districts ranked in the second highest quintile of
32 those school districts eligible to receive supplemental general state aid
33 under subsection (a)(5), multiply the product calculated under subsection
34 (a)(5)(A) by 82%; and
 - 35 (E) for those school districts ranked in the highest quintile of those
36 school districts eligible to receive supplemental general state aid under
37 subsection (a)(5), multiply the product calculated under subsection (a)(5)
38 (A) by 72%.
- 39 (b) If the amount of appropriations for supplemental general state aid
40 is less than the amount each district is entitled to receive for the school
41 year, the state board shall prorate the amount appropriated among the
42 districts in proportion to the amount each district is entitled to receive.
- 43 (c) The state board shall prescribe the dates upon which the

1 distribution of payments of supplemental general state aid to school
2 districts shall be due. Payments of supplemental general state aid shall be
3 distributed to districts on the dates prescribed by the state board. The state
4 board shall certify to the director of accounts and reports the amount due
5 each district, and the director of accounts and reports shall draw a warrant
6 on the state treasurer payable to the treasurer of the district. Upon receipt
7 of the warrant, the treasurer of the district shall credit the amount thereof
8 to the supplemental general fund of the district to be used for the purposes
9 of such fund.

10 (d) If any amount of supplemental general state aid that is due to be
11 paid during the month of June of a school year pursuant to the other
12 provisions of this section is not paid on or before June 30 of such school
13 year, then such payment shall be paid on or after the ensuing July 1, as
14 soon as moneys are available therefor. Any payment of supplemental
15 general state aid that is due to be paid during the month of June of a school
16 year and that is paid to school districts on or after the ensuing July 1 shall
17 be recorded and accounted for by school districts as a receipt for the
18 school year ending on the preceding June 30.

19 (e) (1) Except as provided by paragraph (2), moneys received as
20 supplemental general state aid shall be used to meet the requirements
21 under the school performance accreditation system adopted by the state
22 board, to provide programs and services required by law and to improve
23 student performance.

24 (2) Amounts of supplemental general state aid attributable to any
25 percentage over 25% of state financial aid determined for the current
26 school year may be transferred to the capital improvements fund of the
27 district and the capital outlay fund of the district if such transfers are
28 specified in the resolution authorizing the adoption of a local option
29 budget in excess of 25%.

30 (f) For the purposes of determining the total amount of state moneys
31 paid to school districts, all moneys appropriated as supplemental general
32 state aid shall be deemed to be state moneys for educational and support
33 services for school districts.

34 (g) For school year 2014-2015, for those school districts whose total
35 assessed valuation for school year 2015-2016 is less than such district's
36 total assessed valuation for school year 2014-2015, and the difference in
37 total assessed valuation between school year 2014-2015 and school year
38 2015-2016 is an amount that is greater than 25% of the total assessed
39 valuation of such district for school year 2014-2015, and such reduction in
40 total assessed valuation is the direct result of the classification of tangible
41 personal property within such district for property tax purposes pursuant to
42 ~~K.S.A. 2014 Supp. 79-507, and amendments thereto~~, the assessed
43 valuation per pupil for purposes of determining supplemental general state

1 aid shall be based on such school district's total assessed valuation for
2 school year 2015-2016.

3 Sec. 8. K.S.A. 2014 Supp. 72-8814, as amended by section 63 of
4 2015 Senate Bill No. 7, is hereby amended to read as follows: 72-8814. (a)
5 There is hereby established in the state treasury the school district capital
6 outlay state aid fund. Such fund shall consist of all amounts transferred
7 thereto under the provisions of subsection (c).

8 (b) For school year 2014-2015, each school district which levies a
9 tax pursuant to K.S.A. 72-8801 et seq., and amendments thereto, shall be
10 entitled to receive payment from the school district capital outlay state aid
11 fund in an amount determined by the state board of education as provided
12 in this subsection. The state board of education shall:

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

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

23 (3) determine a state aid percentage factor for each school district by
24 assigning a state aid computation percentage to the amount of the lowest
25 AVPP shown on the schedule and decreasing the state aid computation
26 percentage assigned to the amount of the lowest AVPP by one percentage
27 point for each \$1,000 interval above the amount of the lowest AVPP.
28 Except as provided by K.S.A. 2014 Supp. 72-8814b, and amendments
29 thereto, the state aid percentage factor of a school district is the percentage
30 assigned to the schedule amount that is equal to the amount of the AVPP of
31 the school district. The state aid computation percentage is 75%;

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

34 (5) multiply the amount computed under subsection (b)(4), but not to
35 exceed 8 mills, by the applicable state aid percentage factor for the school
36 district. The product is the amount of payment the school district is entitled
37 to receive from the school district capital outlay state aid fund in the
38 school year.

39 (c) During the fiscal year ending June 30, 2015:

40 (1) On February 20, 2015, the director of accounts and reports shall
41 transfer \$25,300,000 from the state general fund to the school district
42 capital outlay state aid fund. The state board of education shall distribute
43 such moneys to pay the proportionate share of the entitlements to each

1 school district as determined under the provisions of subsection (b); and

2 (2) On June 20, 2015, the director of accounts and reports shall
3 transfer the remaining amount of moneys to which the school districts are
4 entitled to receive from the state general fund to the school district capital
5 outlay state aid fund pursuant to the provisions of subsection (b). Such
6 transferred amount shall not exceed ~~\$2,202,500~~ \$3,958,900. The state
7 board of education shall distribute such moneys to pay the share of the
8 entitlement to each school district as determined under the provisions of
9 subsection (b).

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

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

23 (f) For school year 2014-2015, for those school districts whose total
24 assessed valuation for school year 2015-2016 is less than such district's
25 total assessed valuation for school year 2014-2015, and the difference in
26 total assessed valuation between school year 2014-2015 and school year
27 2015-2016 is an amount that is greater than 25% of the total assessed
28 valuation of such district for school year 2014-2015, and such reduction in
29 total assessed valuation is the ~~direct~~ result of the classification of tangible
30 personal property within such district for property tax purposes ~~pursuant to~~
31 ~~K.S.A. 2014 Supp. 79-507, and amendments thereto~~, the assessed
32 valuation per pupil for purposes of determining capital outlay state aid
33 shall be based on such school district's total assessed valuation for school
34 year 2015-2016.

35 Sec. 9. From and after July 1, 2015, K.S.A. 2014 Supp. 75-2319, as
36 amended by section 72 of 2015 House Substitute for Senate Bill No. 7, is
37 hereby amended to read as follows: 75-2319. (a) There is hereby
38 established in the state treasury the school district capital improvements
39 fund. The fund shall consist of all amounts transferred thereto under the
40 provisions of subsection (c).

41 (b) Subject to the provisions of subsection (f), in each school year,
42 each school district which is obligated to make payments from its capital
43 improvements fund shall be entitled to receive payment from the school

1 district capital improvements fund in an amount determined by the state
2 board of education as provided in this subsection.

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

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

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

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

19 (D) determine a state aid percentage factor for each school district by
20 assigning a state aid computation percentage to the amount of the median
21 AVPP shown on the schedule, decreasing the state aid computation
22 percentage assigned to the amount of the median AVPP by one percentage
23 point for each \$1,000 interval above the amount of the median AVPP, and
24 increasing the state aid computation percentage assigned to the amount of
25 the median AVPP by one percentage point for each \$1,000 interval below
26 the amount of the median AVPP. Except as provided by K.S.A. 2014 Supp.
27 75-2319c, and amendments thereto, the state aid percentage factor of a
28 school district is the percentage assigned to the schedule amount that is
29 equal to the amount of the AVPP of the school district. The state aid
30 percentage factor of a school district shall not exceed 100%. The state aid
31 computation percentage is 25%;

32 (E) determine the amount of payments that a school district is
33 obligated to make from its bond and interest fund attributable to
34 ~~contractual bond obligations incurred by the school district~~ *general*
35 *obligation bonds approved for issuance at an election held prior to July 1,*
36 *2015; and*

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

39 (2) For general obligation bonds approved for issuance at an election
40 held on or after July 1, 2015, but prior to July 1, 2017, the state board of
41 education shall:

42 (A) Determine the amount of the AVPP of each school district in the
43 state and round such amount to the nearest \$1,000. The rounded amount is

1 the AVPP of a school district for the purposes of this subsection (b)(2);

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

8 (C) determine a state aid percentage factor for each school district by
9 assigning a state aid computation percentage to the amount of the lowest
10 AVPP shown on the schedule and decreasing the state aid computation
11 percentage assigned to the amount of the lowest AVPP by one percentage
12 point for each \$1,000 interval above the amount of the lowest AVPP.
13 Except as provided by K.S.A. 2014 Supp. 75-2319c, and amendments
14 thereto, the state aid percentage factor of a school district is the percentage
15 assigned to the schedule amount that is equal to the amount of the AVPP of
16 the school district. The state aid computation percentage is 75%;

17 (D) determine the amount of payments that a school district is
18 obligated to make from its bond and interest fund attributable to
19 ~~contractual bond obligations incurred by the school district~~ *general*
20 *obligation bonds approved for issuance at an election held on or after July*
21 *1, 2015, but prior to July 1, 2017;* and

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

24 (3) The sum of the amount determined under subsection (b)(1)(F) and
25 the amount determined under subsection (b)(2)(E) is the amount of
26 payment the school district is entitled to receive from the school district
27 capital improvements fund in the school year.

28 (c) The state board of education shall certify to the director of
29 accounts and reports the entitlements of school districts determined under
30 the provisions of subsection (b), and an amount equal thereto shall be
31 transferred by the director from the state general fund to the school district
32 capital improvements fund for distribution to school districts. All transfers
33 made in accordance with the provisions of this subsection shall be
34 considered to be demand transfers from the state general fund, except that
35 all such transfers during the fiscal years ending June 30, 2013, June 30,
36 2014, June 30, 2015, and June 30, 2016, shall be considered to be revenue
37 transfers from the state general fund.

38 (d) Payments from the school district capital improvements fund shall
39 be distributed to school districts at times determined by the state board of
40 education to be necessary to assist school districts in making scheduled
41 payments pursuant to contractual bond obligations. The state board of
42 education shall certify to the director of accounts and reports the amount
43 due each school district entitled to payment from the fund, and the director

1 of accounts and reports shall draw a warrant on the state treasurer payable
2 to the treasurer of the school district. Upon receipt of the warrant, the
3 treasurer of the school district shall credit the amount thereof to the bond
4 and interest fund of the school district to be used for the purposes of such
5 fund.

6 (e) The provisions of this section apply only to contractual
7 obligations incurred by school districts pursuant to general obligation
8 bonds issued upon approval of a majority of the qualified electors of the
9 school district voting at an election upon the question of the issuance of
10 such bonds.

11 *{Sec. 10. From and after July 1, 2015, K.S.A. 2014 Supp. 76-715a is*
12 *hereby amended to read as follows: 76-715a. (a) The state board of*
13 *regents, in accordance with the provisions of this section, may authorize*
14 *any state institution of higher education to convert all classified staff*
15 *employee positions or any portion thereof in the institution to the*
16 *unclassified service of state employment. Except as otherwise provided*
17 *for leave time in K.S.A. 2014 Supp. 76-715b, and amendments thereto,*
18 *those classified staff employees whose positions are converted from*
19 *classified to unclassified status shall retain all health and flexible*
20 *benefits and leave and retirement benefits provided to them under the*
21 *state classified employee system. Each institution designated by the*
22 *board shall develop a plan for a system for administration of all other*
23 *aspects of employment for these employees, including personnel policies*
24 *and procedures, and each such system of administration shall be subject*
25 *to approval by the state board of regents. Such personnel policies and*
26 *procedures shall include a disciplinary and grievance process which*
27 *provides for the right to appeal and due process procedures.*
28 *Development of such plan shall be subject to input from affected*
29 *classified employees. Implementation of this section shall not cause a*
30 *salary reduction or layoff of any classified employee. This section shall*
31 *not be implemented by the state board of regents at any state institution*
32 *of higher education unless an election has been held for classified staff*
33 *employees affected by such proposal at such institution and the*
34 *classified staff employees voting at the election by majority vote approve*
35 *the conversion of the classified staff employee positions affected by such*
36 *proposal at that institution to unclassified positions. Any such election*
37 *held after the effective date of this act shall be preceded by an official*
38 *announcement providing at least 90 days notice of the date, time and*
39 *place of the election. After a vote of approval, the state educational*
40 *institution shall provide all affected employees with opportunities for*
41 *input into the development of the plan that is to be presented to the state*
42 *board of regents.*

43 (b) *For the limited purposes of this section, and K.S.A. 74-4925,*

1 *and amendments thereto, these newly designated unclassified employees*
2 *shall be referred to as "university support staff" and the university of*
3 *Kansas medical center shall be considered a state institution of higher*
4 *education separate from the university of Kansas, Lawrence, and its*
5 *campuses.*

6 *(c) Nothing in this act shall affect the representation rights of*
7 *collective bargaining organizations that represent employees of a state*
8 *institution of higher education, nor shall the provisions of this act affect*
9 *any term or condition of any collective bargaining agreement in effect*
10 *on the effective date of this act.*

11 *Sec. 11. From and after July 1, 2015, K.S.A. 2014 Supp. 76-715b is*
12 *hereby amended to read as follows: 76-715b. (a) As used in this section:*

13 *(1) "State board" means the state board of regents.*

14 *(2) "State educational institution" has the meaning ascribed*
15 *thereto in K.S.A. 76-711, and amendments thereto.*

16 *(3) "Leave time" means vacation leave and discretionary day leave.*

17 *(b) The state board may adopt a policy which authorizes state*
18 *educational institutions to provide leave time to the classified employees*
19 *and university support staff of any such institution in an amount not to*
20 *exceed the amount of leave time provided to unclassified employees of*
21 *such institution.*

22 *(c) Subject to the policy of the state board adopted pursuant to this*
23 *section, each state educational institution may provide leave time to*
24 *classified employees and university support staff of such institution. The*
25 *amount of leave time may vary from the amount of leave time provided*
26 *to classified or unclassified employees of state agencies that are not state*
27 *educational institutions.*

28 *Sec. 12. From and after July 1, 2015, K.S.A. 2014 Supp. 72-5413 is*
29 *hereby amended to read as follows: 72-5413. As used in this act, and ~~in~~*
30 *~~acts amendatory thereof or supplemental~~ amendments thereto:*

31 *(a) The term "persons" includes one or more individuals,*
32 *organizations, associations, corporations, boards, committees,*
33 *commissions, agencies, or their representatives.*

34 *(b) "Board of education" means the state board of education*
35 *pursuant to its authority under K.S.A. 76-1001a and 76-1101a, and*
36 *amendments thereto, the board of education of any school district, the*
37 *board of control of any area vocational-technical school and the board*
38 *of trustees of any community college.*

39 *(c) "Professional employee" means any person employed by a*
40 *board of education in a position which requires a certificate issued by*
41 *the state board of education or employed by a board of education in a*
42 *professional, educational or instructional capacity, but shall not mean*
43 *any such person who is an administrative employee and, commencing in*

1 *the 2006-2007 school year, shall not mean any person who is a retirant*
2 *from school employment of the Kansas public employees retirement*
3 *system, regardless of whether an agreement between a board of*
4 *education and an exclusive representative of professional employees that*
5 *covers terms and conditions of professional service provides to the*
6 *contrary.*

7 (d) *"Administrative employee" means, in the case of a school*
8 *district, any person who is employed by a board of education in an*
9 *administrative capacity and who is fulfilling duties for which an*
10 *administrator's certificate is required under K.S.A. 72-7513, and*
11 *amendments thereto; and, in the case of an area vocational-technical*
12 *school or community college, any person who is employed by the board*
13 *of control or the board of trustees in an administrative capacity and who*
14 *is acting in that capacity and who has authority, in the interest of the*
15 *board of control or the board of trustees, to hire, transfer, suspend,*
16 *layoff, recall, promote, discharge, assign, reward or discipline other*
17 *employees, or responsibly to direct them or to adjust their grievances, or*
18 *effectively to recommend a preponderance of such actions, if in*
19 *connection with the foregoing, the exercise of such authority is not of a*
20 *merely routine or clerical nature, but requires the use of independent*
21 *judgment.*

22 (e) *"Professional employees' organizations" means any one or*
23 *more organizations, agencies, committees, councils or groups of any*
24 *kind in which professional employees participate, and which exist for*
25 *the purpose, in whole or part, of engaging in professional negotiation*
26 *with boards of education with respect to the terms and conditions of*
27 *professional service or for the purpose of professional development or*
28 *liability protection.*

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

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

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

43 (i) *"Fact-finding" means the investigation by an individual or*

1 *board of a dispute concerning terms and conditions of professional*
2 *service which arose in the course of professional negotiation, and the*
3 *submission of a report by such individual or board to the parties to such*
4 *dispute which includes a determination of the issues involved, findings*
5 *of fact regarding such issues, and the recommendation of the fact-*
6 *finding individual or board for resolution of the dispute.*

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

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

17 (l) (1) *"Terms and conditions of professional service" means: (A)*
18 *Salaries and wages, including pay for duties under supplemental*
19 *contracts; hours and amounts of work; vacation allowance, holiday,*
20 *sick, extended, sabbatical, and other leave, and number of holidays;*
21 *retirement; insurance benefits; wearing apparel; pay for overtime; jury*
22 *duty; grievance procedure, including binding arbitration of grievances;*
23 *disciplinary procedure; resignations; termination and nonrenewal of*
24 *contracts; reemployment of professional employees; terms and form of*
25 *the individual professional employee contract; probationary period;*
26 *professional employee appraisal procedures; each of the foregoing being*
27 *a term and condition of professional service, regardless of its impact on*
28 *the employee or on the operation of the educational system; (B) matters*
29 *which relate to privileges to be granted the recognized professional*
30 *employees' organization, including, but not limited to, voluntary payroll*
31 *deductions; dissemination of information regarding the professional*
32 *negotiation process and related matters to members of the bargaining*
33 *unit on school or college premises through direct contact with members*
34 *of the bargaining unit; reasonable leaves of absence for members of the*
35 *bargaining unit for organizational purposes, such as engaging in*
36 *professional negotiation and partaking of instructional programs*
37 *properly related to the representation of the bargaining unit; any of the*
38 *foregoing privileges which are granted the recognized professional*
39 *employees' organization through the professional negotiation process*
40 *shall not be granted to any other professional employees' organization;*
41 *and (C) such other matters as the parties mutually agree upon as*
42 *properly related to professional service including, but not limited to,*
43 *employment incentive or retention bonuses authorized under K.S.A. 72-*

1 *8246, and amendments thereto.*

2 *(2) Nothing in this act, and amendments thereto, shall authorize*
3 *any professional employees' organization to be granted the exclusive*
4 *privilege of access to the use of school or college facilities for meetings,*
5 *the use of bulletin boards on or about the facility or the use of school or*
6 *college mail systems.*

7 *(3) Nothing in this act, and amendments thereto, shall authorize the*
8 *diminution of any right, duty or obligation of either the professional*
9 *employee or the board of education which have been fixed by statute or*
10 *by the constitution of this state. Except as otherwise expressly provided*
11 *in this subsection (1), the fact that any matter may be the subject of a*
12 *statute or the constitution of this state does not preclude negotiation*
13 *thereon so long as the negotiation proposal would not prevent the*
14 *fulfillment of the statutory or constitutional objective.*

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

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

22 *(n) "Statutory declaration of impasse date" means ~~June 1~~ July 31*
23 *in the current school year.*

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

30 *Sec. 13. From and after July 1, 2015, K.S.A. 72-5423 is hereby*
31 *amended to read as follows: 72-5423. (a) Nothing in this act, or the act*
32 *of which this section is amendatory, shall be construed to change or*
33 *affect any right or duty conferred or imposed by law upon any board of*
34 *education, except that boards of education are required to comply with*
35 *this act, and the act of which this section is amendatory, in recognizing*
36 *professional employees' organizations, and when such an organization*
37 *is recognized, the board of education and the professional employees'*
38 *organization shall enter into professional negotiations on request of*
39 *either party at any time during the school year prior to issuance or*
40 *renewal of the annual teachers' contracts. Notices to negotiate on new*
41 *items or to amend an existing contract must be filed on or before*
42 *~~February 1~~ March 31 in any school year by either party, such notices*
43 *shall be in writing and delivered to the chief administrative officer of the*

1 **board of education or to the representative of the bargaining unit and**
2 **shall contain in reasonable and understandable detail the purpose of the**
3 **new or amended items desired.**

4 **(b) (1) Upon entering negotiations pursuant to this section, the**
5 **parties shall negotiate compensation of professional employees and hours**
6 **and amounts of work. In addition, each party may select not more than**
7 **three additional terms and conditions of professional service from the list**
8 **described in K.S.A. 72-5413(l)(1), and amendments thereto, for**
9 **negotiation. All other terms and conditions of professional service**
10 **described in K.S.A. 72-5413(l)(1), and amendments thereto, shall be**
11 **deemed permissive topics for negotiation and shall only be negotiated**
12 **upon the mutual agreement of the parties.**

13 **(2) For purposes of this section, the term "compensation" means**
14 **salary and wages, supplemental contract salaries and pay for overtime.**

15 **(3) The provisions of this subsection shall not apply to negotiations**
16 **between a board of education and a professional employees' organization**
17 **negotiating for the purpose of reaching their first agreement.**

18 **(c) Except as otherwise expressly provided in this subsection, every**
19 **meeting, conference, consultation and discussion between a professional**
20 **employees' organization or its representatives and a board of education**
21 **or its representatives during the course of professional negotiation and**
22 **every hearing conducted by the secretary under K.S.A. 72-5426, and**
23 **amendments thereto, for determination of the question of the existence**
24 **of impasse is subject to the provisions of the Kansas open meetings law,**
25 **and any amendments or supplements thereto. Meetings, conferences,**
26 **consultations and discussions held by the secretary under K.S.A. 72-**
27 **5426, and amendments thereto, for investigation of the question of the**
28 **existence of impasse, and meetings, conferences, consultations and**
29 **discussions held during the course of and in connection with, and the**
30 **meeting required at the conclusion of, impasse resolution proceedings,**
31 **as provided for in K.S.A. 72-5427 and 72-5428, and amendments to such**
32 **sections thereto, are specifically made exempt from the provisions of the**
33 **Kansas open meetings law, and any amendments or supplements thereto.**

34 **~~(d)~~ (d) Nothing in this act, or the act of which this section is**
35 **amendatory, shall be construed to authorize a strike by professional**
36 **employees.**

37 **~~(d)~~ (e) Any agreement lawfully made under the provisions of this**
38 **act, or the act of which this section is amendatory, may be adopted by**
39 **reference and made a part of the employment contract between any**
40 **professional employee of the applicable negotiating unit and a board of**
41 **education for a period of not to exceed three years.**

42 **(f) Those individuals selected by the board of education and the**
43 **professional employees' organization to conduct negotiations pursuant to**

1 *this act shall complete training on conducting negotiations each year. The*
2 *content and format of the training for these individuals shall be*
3 *determined by the respective party each individual represents in*
4 *negotiations.}*

5 ~~Sec. 10 {14.}~~ K.S.A. 2014 Supp. 72-6434, as amended by section 38
6 of 2015 House Substitute for Senate Bill No. 7, and 72-8814, as amended
7 by section 63 of 2015 House Substitute for Senate Bill No. 7, are hereby
8 repealed.

9 ~~Sec. 11 {15.}~~ From and after July 1, 2015, ~~{K.S.A. 72-5423 and}~~
10 K.S.A. 2014 Supp. 72-1046b, as amended by section 29 of 2015 House
11 Substitute for Senate Bill No. 7, 72- 3715, as amended by section 36 of
12 2015 House Substitute for Senate Bill No. 7, ~~{72-5413,}~~ 72-6434, as
13 amended by section 7 of this act, 72-8814, as amended section 8 of this
14 act, 75-2319, as amended by section 72 of 2015 House Substitute for
15 Senate Bill No. 7, ~~76-715a and 76-715b}~~ and Sections 5 and 6 of 2015
16 House Substitute for Senate Bill No. 7 are hereby repealed.

17 ~~Sec. 12 {16.}~~ This act shall take effect and be in force from and after
18 its publication in the Kansas register.