

**{As Amended by House Committee of the Whole}**

*Session of 2017*

**Substitute for HOUSE BILL No. 2410**

By Committee on K-12 Education Budget

5-16

1 AN ACT concerning education; relating to the instruction and financing  
2 thereof; making and concerning appropriations for the fiscal years  
3 ending June 30, 2018, and June 30, 2019, for the department of  
4 education; creating the Kansas school equity and enhancement act;  
5 amending K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1770a, 12-1775a,  
6 12-1776a, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3712, 72-  
7 3715, 72-5333b, 72-64b01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-  
8 6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-  
9 8233, 72-8236, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-  
10 8316, 72-8415b, 72-8801, 72-8804, 72-8908, 72-9509, 72-9609, 72-  
11 99a02, 72-99a02, as amended by section-~~92~~ {87} of this act, 72-99a04,  
12 74-4939a, 74-8925, 74-99b43, 75-2319, 79-201x, 79-213, 79-2001 and  
13 79-2925b and repealing the existing sections; also repealing K.S.A.  
14 2016 Supp. 46-1133, 72-6482 and 75-2319, as amended by section 46  
15 of Senate Substitute for Substitute for House Bill No. 2052.

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, 2018, the following:

22 Operating expenditures (including official  
23 hospitality) (652-00-1000-0053).....\$12,515,606

24 *Provided*, That any unencumbered balance in the operating expenditures  
25 (including official hospitality) account in excess of \$100 as of June 30,  
26 2017, is hereby reappropriated for fiscal year 2018.

27 Special education services  
28 aid (652-00-1000-0700).....\$435,980,455

29 *Provided*, That any unencumbered balance in the special education  
30 services aid account in excess of \$100 as of June 30, 2017, is hereby  
31 reappropriated for fiscal year 2018: *Provided further*, That expenditures  
32 shall not be made from the special education services aid account for the  
33 provision of instruction for any homebound or hospitalized child unless  
34 the categorization of such child as exceptional is conjoined with the  
35 categorization of the child within one or more of the other categories of  
36 exceptionality: *And provided further*, That expenditures shall be made from

1 this account for grants to school districts in amounts determined pursuant  
 2 to and in accordance with the provisions of K.S.A. 72-983, and  
 3 amendments thereto: *And provided further*, That expenditures shall be  
 4 made from the amount remaining in this account, after deduction of the  
 5 expenditures specified in the foregoing proviso, for payments to school  
 6 districts in amounts determined pursuant to and in accordance with the  
 7 provisions of K.S.A. 72-978, and amendments thereto.

8 State foundation  
 9 aid (652-00-1000-0820).....\$1,984,223,684

10 *Provided*, That any unencumbered balance in the ~~general state~~ **{state**  
 11 **foundation}** aid account in excess of \$100 as of June 30, 2017, is hereby  
 12 reappropriated for fiscal year 2018.

13 Supplemental state  
 14 aid (652-00-1000-0840).....\$480,920,922

15 *Provided*, That any unencumbered balance in the supplemental-~~general~~  
 16 state aid account in excess of \$100 as of June 30, 2017, is hereby  
 17 reappropriated for fiscal year 2018.

18 Mentor teacher (1000-0440).....\$800,000

19 ~~Local excellence state aid~~.....\$2,593,452

20 Professional development.....\$1,700,000

21 Information technology education  
 22 opportunities (652-00-1000-0600).....\$500,000

23 Kansas reading success  
 24 program (652-00-1000-0070).....\$2,100,000

25 Discretionary grants (652-00-1000-0400).....\$322,457

26 *Provided*, That the above agency shall make expenditures from the  
 27 discretionary grants account during the fiscal year 2018, in the amount not  
 28 less than \$125,000 for after school programs for middle school students in  
 29 the sixth, seventh and eighth grades: *Provided further*, That the after  
 30 school programs may also include fifth and ninth grade students, if they  
 31 attend a junior high: *And provided further*, That such discretionary grants  
 32 shall be awarded to after school programs that operate for a minimum of  
 33 two hours a day, every day that school is in session, and a minimum of six  
 34 hours a day for a minimum of five weeks during the summer: *And*  
 35 *provided further*, That the discretionary grants awarded to after school  
 36 programs shall require a \$1 for \$1 local match: *And provided further*, That  
 37 the aggregate amount of discretionary grants awarded to any one after  
 38 school program shall not exceed \$25,000.

39 School food assistance (652-00-1000-0320).....\$2,510,486

40 School safety hotline (652-00-1000-0230).....\$10,000

41 KPERS – employer contributions –  
 42 USDs.....\$382,407,305

43 KPERS – employer

1 contributions (652-00-1000-0100).....\$25,275,661  
2 *Provided*, That any unencumbered balance in the KPERS – employer  
3 contributions account in excess of \$100 as of June 30, 2017, is hereby  
4 reappropriated for fiscal year 2018: *Provided further*; That all expenditures  
5 from the KPERS – employer contributions account shall be for payment of  
6 participating employers' contributions to the Kansas public employees  
7 retirement system as provided in K.S.A. 74-4939, and amendments  
8 thereto: *And provided further*; That expenditures from this account for the  
9 payment of participating employers' contributions to the Kansas public  
10 employees retirement system may be made regardless of when the liability  
11 was incurred.

12 Educable deaf-blind and severely  
13 handicapped children's programs  
14 aid (652-00-1000-0630).....\$110,000  
15 School district juvenile detention facilities and Flint Hills job  
16 corps center grants (652-00-1000-0290).....\$4,771,500  
17 *Provided*, That any unencumbered balance in the school district juvenile  
18 detention facilities and Flint Hills job corps center grants account in excess  
19 of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018:  
20 *Provided further*; That expenditures shall be made from the school district  
21 juvenile detention facilities and Flint Hills job corps center grants account  
22 for grants to school districts in amounts determined pursuant to and in  
23 accordance with the provisions of K.S.A. 72-8187, and amendments  
24 thereto.

25 Governor's teaching excellence  
26 scholarships and  
27 awards (652-00-1000-0770).....\$327,500  
28 *Provided*, That any unencumbered balance in the governor's teaching  
29 excellence scholarships and awards account in excess of \$100 as of June  
30 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*;  
31 That all expenditures from the governor's teaching excellence scholarships  
32 and awards account for teaching excellence scholarships shall be made in  
33 accordance with K.S.A. 72-1398, and amendments thereto: *And provided*  
34 *further*; That each such grant shall be required to be matched on a \$1 for \$1  
35 basis from nonstate sources: *And provided further*; That award of each such  
36 grant shall be conditioned upon the recipient entering into an agreement  
37 requiring the grant to be repaid if the recipient fails to complete the course  
38 of training under the national board for professional teaching standards  
39 certification program: *And provided further*; That all moneys received by  
40 the department of education for repayment of grants for governor's  
41 teaching excellence scholarships shall be deposited in the state treasury  
42 and credited to the governor's teaching excellence scholarships program  
43 repayment fund (652-00-7221-7200).

- 1 (b) There is appropriated for the above agency from the following  
2 special revenue fund or funds for the fiscal year ending June 30, 2018, all  
3 moneys now or hereafter lawfully credited to and available in such fund or  
4 funds, except that expenditures other than refunds authorized by law and  
5 transfers to other state agencies shall not exceed the following:
- 6 State school district finance
  - 7 fund (652-00-7393-7000).....No limit
  - 8 School district capital improvements
  - 9 fund (652-00-2880-2880).....No limit
  - 10 *Provided*, That expenditures from the school district capital improvements
  - 11 fund shall be made only for the payment of general obligation bonds
  - 12 approved by voters under the authority of K.S.A. 72-6761, and
  - 13 amendments thereto.
  - 14 Mineral production education
  - 15 fund (652-00-7669-7669).....No limit
  - 16 School district capital outlay state aid
  - 17 fund.....No limit
  - 18 Conversion of materials and equipment
  - 19 fund.....No limit
  - 20 State safety fund (652-00-2538-2030).....No limit
  - 21 School bus safety fund (652-00-2532-2300).....No limit
  - 22 Motorcycle safety fund (652-00-2633-2050).....No limit
  - 23 Federal indirect cost reimbursement
  - 24 fund (652-00-2312-2200).....No limit
  - 25 Teacher and administrator fee
  - 26 fund (652-00-2728-2700).....No limit
  - 27 Food assistance –
  - 28 federal fund (652-00-3230-3020).....No limit
  - 29 Food assistance – school breakfast program –
  - 30 federal fund (652-00-3529-3490).....No limit
  - 31 Food assistance – national school lunch program –
  - 32 federal fund (652-00-3530-3500).....No limit
  - 33 Food assistance – child and adult care food program – federal
  - 34 fund (652-00-3531-3510).....No limit
  - 35 Community-based child abuse prevention – federal
  - 36 fund (652-00-3319-7400).....No limit
  - 37 Family and children investment
  - 38 fund (652-00-7375).....No limit
  - 39 Elementary and secondary school aid – federal
  - 40 fund (652-00-3233-3040).....No limit
  - 41 Educationally deprived children – state operations –
  - 42 federal fund (652-00-3131-3130).....No limit
  - 43 Elementary and secondary school –

1	educationally deprived children –	
2	LEA's fund (652-00-3532-3520).....	No limit
3	ESEA chapter II – state operations –	
4	federal fund (652-00-3132-3140).....	No limit
5	Education of handicapped children fund –	
6	federal (652-00-3234-3050).....	No limit
7	Education of handicapped children	
8	fund – state operations –	
9	federal fund (652-00-3534-3540).....	No limit
10	Education of handicapped children fund – preschool – federal	
11	fund (652-00-3535-3550).....	No limit
12	Education of handicapped children	
13	fund – preschool state operations –	
14	federal (652-00-3536-3560).....	No limit
15	Elementary and secondary school	
16	aid – federal fund – migrant	
17	education fund (652-00-3537-3570).....	No limit
18	Elementary and secondary school aid –	
19	federal fund – migrant education –	
20	state operations (652-00-3538-3580).....	No limit
21	Vocational education title II –	
22	federal fund (652-00-3539-3590).....	No limit
23	Vocational education title II –	
24	federal fund –	
25	state operations (652-00-3540-3600).....	No limit
26	Educational research grants and projects	
27	fund (652-00-3592-3070).....	No limit
28	Drug abuse fund – department of education –	
29	federal (652-00-3795-3100).....	No limit
30	Drug abuse funds – federal – state operations	
31	fund (652-00-3799-3110).....	No limit
32	Inservice education workshop	
33	fee fund (652-00-2230-2010).....	No limit
34	<i>Provided</i> , That expenditures may be made from the inservice education	
35	workshop fee fund for operating expenditures, including official	
36	hospitality, incurred for inservice workshops and conferences: <i>Provided</i>	
37	<i>further</i> , That the state board of education is hereby authorized to fix,	
38	charge and collect fees for inservice workshops and conferences: <i>And</i>	
39	<i>provided further</i> , That such fees shall be fixed in order to recover all or	
40	part of such operating expenditures incurred for inservice workshops and	
41	conferences: <i>And provided further</i> , That all fees received for inservice	
42	workshops and conferences shall be deposited in the state treasury in	
43	accordance with the provisions of K.S.A. 75-4215, and amendments	

1	thereto, and shall be credited to the inservice education workshop fee fund.	
2	Private donations, gifts, grants and bequests	
3	fund (652-00-7307-5000).....	No limit
4	Reimbursement for services	
5	fund (652-00-3056-3200).....	No limit
6	Communities in schools program	
7	fund (652-00-2221-2400).....	No limit
8	Governor's teaching excellence scholarships program repayment	
9	fund (652-00-7221-7200).....	No limit
10	<i>Provided</i> , That all expenditures from the governor's teaching excellence	
11	scholarships program repayment fund shall be made in accordance with	
12	K.S.A. 72-1398, and amendments thereto: <i>Provided further</i> , That each	
13	such grant shall be required to be matched on a \$1 for \$1 basis from	
14	nonstate sources: <i>And provided further</i> , That award of each such grant shall	
15	be conditioned upon the recipient entering into an agreement requiring the	
16	grant to be repaid if the recipient fails to complete the course of training	
17	under the national board for professional teaching standards certification	
18	program: <i>And provided further</i> , That all moneys received by the	
19	department of education for repayment of grants made under the	
20	governor's teaching excellence scholarships program shall be deposited in	
21	the state treasury in accordance with the provisions of K.S.A. 75-4215, and	
22	amendments thereto, and shall be credited to the governor's teaching	
23	excellence scholarships program repayment fund.	
24	Elementary and secondary school aid –	
25	federal fund – reading first – state	
26	operations (652-00-3525-3850).....	No limit
27	State grants for improving teacher quality –	
28	federal fund (652-00-3526-3860).....	No limit
29	State grants for improving teacher	
30	quality – federal fund – state	
31	operations (652-00-3527-3870).....	No limit
32	21st century community learning centers –	
33	federal fund (652-00-3519-3890).....	No limit
34	State assessments –	
35	federal fund (652-00-3520-3800).....	No limit
36	Rural and low-income schools program –	
37	federal fund (652-00-3521-3810).....	No limit
38	TANF children's programs – federal	
39	fund (652-00-3323-0530).....	No limit
40	ESSA – student support	
41	academic enrichment –	
42	federal fund.....	No limit
43	Language assistance state grants –	

1 federal fund (652-00-3522-3820).....No limit  
2 Service clearing fund (652-00-2869-2800).....No limit  
3 Helping schools license plate program  
4 fund (652-00-2606-2600).....No limit  
5 General state aid transportation  
6 weighting – state highway  
7 fund (652-00-2222-2222).....No limit  
8 *Provided*, That on July 1, 2017, October 1, 2017, January 1, 2018, and  
9 April 1, 2018, the director of accounts and reports shall transfer  
10 \$24,150,000 from the state highway fund of the department of  
11 transportation to the general state aid transportation weighting – state  
12 highway fund of the department of education.  
13 Special education transportation  
14 weighting – state highway  
15 fund (652-00-2223-2223).....No limit  
16 *Provided*, That on July 1, 2017, October 1, 2017, January 1, 2018, and  
17 April 1, 2018, the director of accounts and reports shall transfer  
18 \$2,500,000 from the state highway fund of the department of  
19 transportation to the special education transportation weighting – state  
20 highway fund of the department of education.  
21 Career and technical education  
22 transportation – state highway  
23 fund (652-00-2139-2139).....No limit  
24 *Provided*, That on July 1, 2017, the director of accounts and reports shall  
25 transfer \$650,000 from the state highway fund of the department of  
26 transportation to the career and technical education transportation – state  
27 highway fund of the department of education.  
28 Educational technology coordinator  
29 fund (652-00-2157-2157).....No limit  
30 *Provided*, That expenditures shall be made by the above agency for the  
31 fiscal year ending June 30, 2018, from the educational technology  
32 coordinator fund of the department of education to provide data on the  
33 number of school districts served and cost savings for those districts in  
34 fiscal year 2018 in order to assess the cost effectiveness of the position of  
35 educational technology coordinator.  
36 **{School district extraordinary declining**  
37 **enrollment fund.....\$2,593,452}**  
38 (c) There is appropriated for the above agency from the children's  
39 initiatives fund for the fiscal year ending June 30, 2018, the following:  
40 Pre-K program.....\$4,799,812  
41 Parent education program.....\$7,237,635  
42 *Provided*, That expenditures from the parent education program account  
43 for each such grant shall be matched by the school district in an amount

1 which is equal to not less than 65% of the grant.

2 (d) On July 1, 2017, or as soon thereafter as moneys are available,  
3 notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and  
4 amendments thereto, or any other statute, the director of accounts and  
5 reports shall transfer \$50,000 from the family and children trust account of  
6 the family and children investment fund of the Kansas department for  
7 children and families to the communities in schools program fund of the  
8 department of education.

9 (e) On March 30, 2018, or as soon thereafter as moneys are available,  
10 notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments  
11 thereto, or any other statute, the director of accounts and reports shall  
12 transfer \$550,000 from the state safety fund to the state general fund:  
13 *Provided*, That the transfer of such amount shall be in addition to any  
14 other transfer from the state safety fund to the state general fund as  
15 prescribed by law: *Provided further*, That the amount transferred from the  
16 state safety fund to the state general fund pursuant to this subsection is to  
17 reimburse the state general fund for accounting, auditing, budgeting, legal,  
18 payroll, personnel and purchasing services and any other governmental  
19 services that are performed on behalf of the department of education by  
20 other state agencies that receive appropriations from the state general fund  
21 to provide such services.

22 (f) On June 30, 2018, or as soon thereafter as moneys are available,  
23 notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments  
24 thereto, or any other statute, the director of accounts and reports shall  
25 transfer \$550,000 from the state safety fund to the state general fund:  
26 *Provided*, That the transfer of such amount shall be in addition to any other  
27 transfer from the state safety fund to the state general fund as prescribed  
28 by law: *Provided further*, That the amount transferred from the state safety  
29 fund to the state general fund pursuant to this subsection is to reimburse  
30 the state general fund for accounting, auditing, budgeting, legal, payroll,  
31 personnel and purchasing services and any other governmental services  
32 that are performed on behalf of the department of education by other state  
33 agencies that receive appropriations from the state general fund to provide  
34 such services.

35 (g) On July 1, 2017, and quarterly thereafter, the director of accounts  
36 and reports shall transfer \$56,250 from the state highway fund of the  
37 department of transportation to the school bus safety fund of the  
38 department of education.

39 (h) On July 1, 2017, the director of accounts and reports shall transfer  
40 an amount certified by the commissioner of education from the motorcycle  
41 safety fund of the department of education to the motorcycle safety fund of  
42 the state board of regents: *Provided*, That the amount to be transferred  
43 shall be determined by the commissioner of education based on the



1 amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and  
2 amendments thereto.

3 (i) There is appropriated for the above agency from the expanded  
4 lottery act revenues fund for the fiscal year ending June 30, 2018, the  
5 following:

6 KPERS – non-school employer  
7 contribution.....\$35,430,948

8 (j) On July 1, 2017, or as soon thereafter as moneys are available, the  
9 director of accounts and reports shall transfer \$89,323 from the USAC E-  
10 rate program federal fund of the state board of regents to the education  
11 technology coordinator fund of the department of education: *Provided*,  
12 That the department of education shall provide information and data  
13 regarding the number of school districts served and cost savings attained  
14 by such school districts in order to assess the cost effectiveness of having  
15 this education technology coordinator position: *Provided further*, That such  
16 information and data shall be available by the department of education by  
17 the end of the fiscal year 2018.

18 Sec. 2.

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, 2019, the following:

22 Operating expenditures (including official  
23 hospitality) (652-00-1000-0053).....\$12,585,839

24 *Provided*, That any unencumbered balance in the operating expenditures  
25 (including official hospitality) account in excess of \$100 as of June 30,  
26 2018, is hereby reappropriated for fiscal year 2019.

27 Special education services

28 aid (652-00-1000-0700).....\$447,980,455

29 *Provided*, That any unencumbered balance in the special education  
30 services aid account in excess of \$100 as of June 30, 2018, is hereby  
31 reappropriated for fiscal year 2019: *Provided further*, That expenditures  
32 shall not be made from the special education services aid account for the  
33 provision of instruction for any homebound or hospitalized child unless  
34 the categorization of such child as exceptional is conjoined with the  
35 categorization of the child within one or more of the other categories of  
36 exceptionality: *And provided further*, That expenditures shall be made from  
37 this account for grants to school districts in amounts determined pursuant  
38 to and in accordance with the provisions of K.S.A. 72-983, and  
39 amendments thereto: *And provided further*, That expenditures shall be  
40 made from the amount remaining in this account, after deduction of the  
41 expenditures specified in the foregoing proviso, for payments to school  
42 districts in amounts determined pursuant to and in accordance with the  
43 provisions of K.S.A. 72-978, and amendments thereto.

1	State foundation aid (652-00-1000-0820).....	\$2,039,398,457
2	<i>Provided</i> , That any unencumbered balance in the <del>general</del> state {state	
3	<b>foundation</b> } aid account in excess of \$100 as of June 30, 2018, is hereby	
4	reappropriated for fiscal year 2019.	
5	Supplemental state aid (652-00-1000-0840).....	\$486,109,284
6	<i>Provided</i> , That any unencumbered balance in the supplemental <del>general</del>	
7	state aid account in excess of \$100 as of June 30, 2018, is hereby	
8	reappropriated for fiscal year 2019.	
9	Mentor teacher (1000-0440).....	\$800,000
10	<del>Local excellence state aid</del> .....	<del>\$2,593,452</del>
11	Professional development.....	\$1,700,000
12	Information technology education	
13	opportunities (652-00-1000-0600).....	\$500,000
14	Kansas reading success	
15	program (652-00-1000-0070).....	\$2,100,000
16	Discretionary grants (652-00-1000-0400).....	\$322,457
17	<i>Provided</i> , That the above agency shall make expenditures from the	
18	discretionary grants account during the fiscal year 2019, in the amount not	
19	less than \$125,000 for after school programs for middle school students in	
20	the sixth, seventh and eighth grades: <i>Provided further</i> , That the after school	
21	programs may also include fifth and ninth grade students, if they attend a	
22	junior high: <i>And provided further</i> , That such discretionary grants shall be	
23	awarded to after school programs that operate for a minimum of two hours	
24	a day, every day that school is in session, and a minimum of six hours a	
25	day for a minimum of five weeks during the summer: <i>And provided</i>	
26	<i>further</i> , That the discretionary grants awarded to after school programs	
27	shall require a \$1 for \$1 local match: <i>And provided further</i> , That the	
28	aggregate amount of discretionary grants awarded to any one after school	
29	program shall not exceed \$25,000.	
30	School food assistance (652-00-1000-0320).....	\$2,510,486
31	School safety hotline (652-00-1000-0230).....	\$10,000
32	KPERS – employer contributions –	
33	USDs.....	\$421,856,124
34	KPERS – employer	
35	contributions (652-00-1000-0100).....	\$31,538,101
36	<i>Provided</i> , That any unencumbered balance in the KPERS – employer	
37	contributions account in excess of \$100 as of June 30, 2018, is hereby	
38	reappropriated for fiscal year 2019: <i>Provided further</i> , That all expenditures	
39	from the KPERS – employer contributions account shall be for payment of	
40	participating employers' contributions to the Kansas public employees	
41	retirement system as provided in K.S.A. 74-4939, and amendments	
42	thereto: <i>And provided further</i> , That expenditures from this account for the	
43	payment of participating employers' contributions to the Kansas public	

1 employees retirement system may be made regardless of when the liability  
2 was incurred.

3 Educable deaf-blind and severely  
4 handicapped children's programs  
5 aid (652-00-1000-0630).....\$110,000  
6 School district juvenile detention  
7 facilities and Flint Hills  
8 job corps center  
9 grants (652-00-1000-0290).....\$4,771,500

10 *Provided*, That any unencumbered balance in the school district juvenile  
11 detention facilities and Flint Hills job corps center grants account in excess  
12 of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019:  
13 *Provided further*, That expenditures shall be made from the school district  
14 juvenile detention facilities and Flint Hills job corps center grants account  
15 for grants to school districts in amounts determined pursuant to and in  
16 accordance with the provisions of K.S.A. 72-8187, and amendments  
17 thereto.

18 Governor's teaching excellence  
19 scholarships and  
20 awards (652-00-1000-0770).....\$327,500

21 *Provided*, That any unencumbered balance in the governor's teaching  
22 excellence scholarships and awards account in excess of \$100 as of June  
23 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*,  
24 That all expenditures from the governor's teaching excellence scholarships  
25 and awards account for teaching excellence scholarships shall be made in  
26 accordance with K.S.A. 72-1398, and amendments thereto: *And provided*  
27 *further*, That each such grant shall be required to be matched on a \$1 for \$1  
28 basis from nonstate sources: *And provided further*, That award of each such  
29 grant shall be conditioned upon the recipient entering into an agreement  
30 requiring the grant to be repaid if the recipient fails to complete the course  
31 of training under the national board for professional teaching standards  
32 certification program: *And provided further*, That all moneys received by  
33 the department of education for repayment of grants for governor's  
34 teaching excellence scholarships shall be deposited in the state treasury  
35 and credited to the governor's teaching excellence scholarships program  
36 repayment fund (652-00-7221-7200).

37 (b) There is appropriated for the above agency from the following  
38 special revenue fund or funds for the fiscal year ending June 30, 2019, all  
39 moneys now or hereafter lawfully credited to and available in such fund or  
40 funds, except that expenditures other than refunds authorized by law and  
41 transfers to other state agencies shall not exceed the following:

42 State school district finance  
43 fund (652-00-7393-7000).....No limit

1	School district capital improvements	
2	fund (652-00-2880-2880).....	No limit
3	<i>Provided</i> , That expenditures from the school district capital improvements	
4	fund shall be made only for the payment of general obligation bonds	
5	approved by voters under the authority of K.S.A. 72-6761, and	
6	amendments thereto.	
7	Mineral production education	
8	fund (652-00-7669-7669).....	No limit
9	School district capital outlay state aid	
10	fund.....	No limit
11	Conversion of materials and equipment	
12	fund.....	No limit
13	State safety fund (652-00-2538-2030).....	No limit
14	School bus safety fund (652-00-2532-2300).....	No limit
15	Motorcycle safety fund (652-00-2633-2050).....	No limit
16	Federal indirect cost reimbursement	
17	fund (652-00-2312-2200).....	No limit
18	Teacher and administrator fee	
19	fund (652-00-2728-2700).....	No limit
20	Food assistance –	
21	federal fund (652-00-3230-3020).....	No limit
22	Food assistance – school breakfast program –	
23	federal fund (652-00-3529-3490).....	No limit
24	Food assistance – national school lunch program –	
25	federal fund (652-00-3530-3500).....	No limit
26	Food assistance – child and	
27	adult care food program –	
28	federal fund (652-00-3531-3510).....	No limit
29	Community-based child	
30	abuse prevention –	
31	federal fund (652-00-3319-7400).....	No limit
32	Family and children investment	
33	fund (652-00-7375).....	No limit
34	Elementary and secondary school aid –	
35	federal fund (652-00-3233-3040).....	No limit
36	Educationally deprived children – state operations –	
37	federal fund (652-00-3131-3130).....	No limit
38	Elementary and secondary school –	
39	educationally deprived children –	
40	LEA's fund (652-00-3532-3520).....	No limit
41	ESEA chapter II – state operations –	
42	federal fund (652-00-3132-3140).....	No limit
43	Education of handicapped children fund –	

1	federal (652-00-3234-3050).....	No limit
2	Education of handicapped children	
3	fund – state operations –	
4	federal fund (652-00-3534-3540).....	No limit
5	Education of handicapped children	
6	fund – preschool – federal	
7	fund (652-00-3535-3550).....	No limit
8	Education of handicapped children	
9	fund – preschool state operations –	
10	federal (652-00-3536-3560).....	No limit
11	Elementary and secondary school	
12	aid – federal fund – migrant	
13	education fund (652-00-3537-3570).....	No limit
14	Elementary and secondary school aid –	
15	federal fund – migrant education –	
16	state operations (652-00-3538-3580) .....	No limit
17	Vocational education title II –	
18	federal fund (652-00-3539-3590).....	No limit
19	Vocational education title II –	
20	federal fund – state	
21	operations (652-00-3540-3600) .....	No limit
22	Educational research grants and projects	
23	fund (652-00-3592-3070).....	No limit
24	Drug abuse fund – department of education –	
25	federal (652-00-3795-3100).....	No limit
26	Drug abuse funds – federal – state operations	
27	fund (652-00-3799-3110).....	No limit
28	Inservice education workshop	
29	fee fund (652-00-2230-2010).....	No limit
30	<i>Provided</i> , That expenditures may be made from the inservice education	
31	workshop fee fund for operating expenditures, including official	
32	hospitality, incurred for inservice workshops and conferences: <i>Provided</i>	
33	<i>further</i> , That the state board of education is hereby authorized to fix,	
34	charge and collect fees for inservice workshops and conferences: <i>And</i>	
35	<i>provided further</i> , That such fees shall be fixed in order to recover all or	
36	part of such operating expenditures incurred for inservice workshops and	
37	conferences: <i>And provided further</i> , That all fees received for inservice	
38	workshops and conferences shall be deposited in the state treasury in	
39	accordance with the provisions of K.S.A. 75-4215, and amendments	
40	thereto, and shall be credited to the inservice education workshop fee fund.	
41	Private donations, gifts, grants and bequests	
42	fund (652-00-7307-5000).....	No limit
43	Reimbursement for services	

1	fund (652-00-3056-3200).....	No limit	
2	Communities in schools program		
3	fund (652-00-2221-2400).....	No limit	
4	Governor's teaching excellence scholarships program repayment		
5	fund (652-00-7221-7200).....	No limit	
6	<i>Provided</i> , That all expenditures from the governor's teaching excellence		
7	scholarships program repayment fund shall be made in accordance with		
8	K.S.A. 72-1398, and amendments thereto: <i>Provided further</i> , That each		
9	such grant shall be required to be matched on a \$1 for \$1 basis from		
10	nonstate sources: <i>And provided further</i> , That award of each such grant shall		
11	be conditioned upon the recipient entering into an agreement requiring the		
12	grant to be repaid if the recipient fails to complete the course of training		
13	under the national board for professional teaching standards certification		
14	program: <i>And provided further</i> , That all moneys received by the		
15	department of education for repayment of grants made under the		
16	governor's teaching excellence scholarships program shall be deposited in		
17	the state treasury in accordance with the provisions of K.S.A. 75-4215, and		
18	amendments thereto, and shall be credited to the governor's teaching		
19	excellence scholarships program repayment fund.		
20	State grants for improving teacher quality –		
21	federal fund (652-00-3526-3860).....	No limit	
22	State grants for improving		
23	teacher quality – federal fund –		
24	state operations (652-00-3527-3870).....	No limit	
25	21st century community l		
26	earning centers – federal		
27	fund (652-00-3519-3890).....	No limit	
28	State assessments –		
29	federal fund (652-00-3520-3800).....	No limit	
30	Rural and low-income schools program –		
31	federal fund (652-00-3521-3810).....	No limit	
32	TANF children's programs – federal		
33	fund (652-00-3323-0530).....	No limit	
34	ESSA – student support		
35	academic enrichment –		
36	federal fund.....	No limit	
37	Language assistance state grants –		
38	federal fund (652-00-3522-3820).....	No limit	
39	Service clearing fund (652-00-2869-2800).....		No limit
40	Helping schools		
41	license plate program		
42	fund (652-00-2606-2600).....	No limit	
43	General state aid transportation		

1 weighting – state highway  
2 fund (652-00-2222-2222).....No limit  
3 *Provided*, That on July 1, 2018, October 1, 2018, January 1, 2019, and  
4 April 1, 2019, the director of accounts and reports shall transfer  
5 \$24,150,000 from the state highway fund of the department of  
6 transportation to the general state aid transportation weighting – state  
7 highway fund of the department of education.  
8 Special education transportation  
9 weighting – state highway  
10 fund (652-00-2223-2223).....No limit  
11 *Provided*, That on July 1, 2018, October 1, 2018, January 1, 2019, and  
12 April 1, 2019, the director of accounts and reports shall transfer  
13 \$2,500,000 from the state highway fund of the department of  
14 transportation to the special education transportation weighting – state  
15 highway fund of the department of education.  
16 Career and technical education  
17 transportation – state highway  
18 fund (652-00-2139-2139).....No limit  
19 *Provided*, That on July 1, 2018, the director of accounts and reports shall  
20 transfer \$650,000 from the state highway fund of the department of  
21 transportation to the career and technical education transportation – state  
22 highway fund of the department of education.  
23 Educational technology coordinator  
24 fund (652-00-2157-2157).....No limit  
25 *Provided*, That expenditures shall be made by the above agency for the  
26 fiscal year ending June 30, 2019, from the educational technology  
27 coordinator fund of the department of education to provide data on the  
28 number of school districts served and cost savings for those districts in  
29 fiscal year 2019 in order to assess the cost effectiveness of the position of  
30 educational technology coordinator.  
31 (c) There is appropriated for the above agency from the children's  
32 initiatives fund for the fiscal year ending June 30, 2019, the following:  
33 Pre-K program.....\$4,799,812  
34 Parent education program.....\$7,237,635  
35 *Provided*, That expenditures from the parent education program account  
36 for each such grant shall be matched by the school district in an amount  
37 which is equal to not less than 65% of the grant.  
38 (d) On July 1, 2018, or as soon thereafter as moneys are available,  
39 notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and  
40 amendments thereto, or any other statute, the director of accounts and  
41 reports shall transfer \$50,000 from the family and children trust account of  
42 the family and children investment fund of the Kansas department for  
43 children and families to the communities in schools program fund of the

1 department of education.

2 (e) On March 30, 2019, or as soon thereafter as moneys are available,  
3 notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments  
4 thereto, or any other statute, the director of accounts and reports shall  
5 transfer \$550,000 from the state safety fund to the state general fund:  
6 *Provided*, That the transfer of such amount shall be in addition to any  
7 other transfer from the state safety fund to the state general fund as  
8 prescribed by law: *Provided further*, That the amount transferred from the  
9 state safety fund to the state general fund pursuant to this subsection is to  
10 reimburse the state general fund for accounting, auditing, budgeting, legal,  
11 payroll, personnel and purchasing services and any other governmental  
12 services that are performed on behalf of the department of education by  
13 other state agencies that receive appropriations from the state general fund  
14 to provide such services.

15 (f) On June 30, 2019, or as soon thereafter as moneys are available,  
16 notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments  
17 thereto, or any other statute, the director of accounts and reports shall  
18 transfer \$550,000 from the state safety fund to the state general fund:  
19 *Provided*, That the transfer of such amount shall be in addition to any other  
20 transfer from the state safety fund to the state general fund as prescribed  
21 by law: *Provided further*, That the amount transferred from the state safety  
22 fund to the state general fund pursuant to this subsection is to reimburse  
23 the state general fund for accounting, auditing, budgeting, legal, payroll,  
24 personnel and purchasing services and any other governmental services  
25 that are performed on behalf of the department of education by other state  
26 agencies that receive appropriations from the state general fund to provide  
27 such services.

28 (g) On July 1, 2018, and quarterly thereafter, the director of accounts  
29 and reports shall transfer \$56,250 from the state highway fund of the  
30 department of transportation to the school bus safety fund of the  
31 department of education.

32 (h) On July 1, 2018, the director of accounts and reports shall transfer  
33 an amount certified by the commissioner of education from the motorcycle  
34 safety fund of the department of education to the motorcycle safety fund of  
35 the state board of regents: *Provided*, That the amount to be transferred  
36 shall be determined by the commissioner of education based on the  
37 amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and  
38 amendments thereto.

39 (i) There is appropriated for the above agency from the expanded  
40 lottery act revenues fund for the fiscal year ending June 30, 2019, the  
41 following:

42 KPERS – non-school employer  
43 contribution.....\$35,430,948



1 (j) On July 1, 2018, or as soon thereafter as moneys are available, the  
2 director of accounts and reports shall transfer \$89,323 from the USAC E-  
3 rate program federal fund of the state board of regents to the education  
4 technology coordinator fund of the department of education: *Provided*,  
5 That the department of education shall provide information and data  
6 regarding the number of school districts served and cost savings attained  
7 by such school districts in order to assess the cost effectiveness of having  
8 this education technology coordinator position: *Provided further*; That such  
9 information and data shall be available by the department of education by  
10 the end of the fiscal year 2019.

11 New Sec. 3. Sections 3 through—49 {45, 99 and 100}, and  
12 amendments thereto, shall be known and may be cited as the Kansas  
13 school equity and enhancement act.

14 New Sec. 4. As used in the Kansas school equity and enhancement  
15 act, section 3 et seq., and amendments thereto:

16 (a) "Adjusted enrollment" means the enrollment of a school district  
17 adjusted by adding the following weightings, if any, to the enrollment of  
18 the school district: At-risk student weighting; career technical education  
19 weighting; **{cost-of-living weighting;}** declining enrollment weighting;  
20 enrollment weighting; high-density at-risk student weighting; bilingual  
21 weighting; school facilities weighting; ancillary school facilities  
22 weighting; special education and related services weighting; and  
23 transportation weighting.

24 (b) "Ancillary school facilities weighting" means an addend  
25 component assigned to the enrollment of school districts pursuant to  
26 section—34 {30}, and amendments thereto, on the basis of costs attributable  
27 to commencing operation of one or more new school facilities by such  
28 school districts.

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

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

37 (d) "At-risk student weighting" means an addend component assigned  
38 to the enrollment of school districts pursuant to section—27(a) {23(a)}, and  
39 amendments thereto, on the basis of costs attributable to the maintenance  
40 of at-risk educational programs by such school districts.

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

1 (1) For school year 2017-2018, \$4,006;  
2 (2) for school year 2018-2019, \$4,128; and  
3 (3) for school year 2019-2020, and each school year thereafter, the  
4 BASE aid shall be the BASE aid amount for the immediately preceding  
5 school year plus an amount equal to the percentage increase in the  
6 consumer price index for all urban consumers in the midwest region as  
7 published by the bureau of labor statistics of the United States department  
8 of labor during the second preceding school year.

9 (f) "Bilingual weighting" means an addend component assigned to  
10 the enrollment of school districts pursuant to section—26 {22}, and  
11 amendments thereto, on the basis of costs attributable to the maintenance  
12 of bilingual educational programs by such school districts.

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

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

16 (i) "Categorical fund" means and includes the following funds of a  
17 school district: Adult education fund; adult supplementary education fund;  
18 at-risk education fund; bilingual education fund; career and postsecondary  
19 education fund; driver training fund; educational excellence grant program  
20 fund; extraordinary school program fund; food service fund; parent  
21 education program fund; preschool-aged at-risk education fund;  
22 professional development fund; special education fund; and summer  
23 program fund.

24 **{(j) "Cost-of-living weighting" means an addend component**  
25 **assigned to the foundation enrollment of school districts pursuant to**  
26 **section 99, and amendments thereto, on the basis of costs attributable**  
27 **to the cost of living in such school districts.}**

28 ~~{(k)}~~ "Current school year" means the school year during which  
29 state foundation aid is determined by the state board under section 6, and  
30 amendments thereto.

31 ~~{(l)}~~ "Declining enrollment weighting" means an addend  
32 component assigned to the enrollment of school districts pursuant to  
33 section—35 {31}, and amendments thereto, on the basis of costs attributable  
34 to the declining enrollment of such school districts.

35 ~~{(m)}~~ "Enrollment" means:

36 (1) The number of students regularly enrolled in kindergarten and  
37 ~~grades one through 12~~ in the school district on September 20 of the  
38 preceding school year ~~plus the number of preschool-aged at-risk students~~  
39 ~~regularly enrolled in the school district on September 20 of the current~~  
40 ~~school year~~, except a student who is a foreign exchange student shall not  
41 be counted unless such student is regularly enrolled in the school district  
42 on September 20 and attending kindergarten or any of the grades one  
43 through 12 maintained by the school district for at least one semester or

1 two quarters, or the equivalent thereof.

2 (2) If the enrollment in a school district in the preceding school year  
3 has decreased from enrollment in the second preceding school year, the  
4 enrollment of the school district in the current school year means the sum  
5 of:

6 (A) The enrollment in the second preceding school year, excluding  
7 students under paragraph (2)(B), minus enrollment in the preceding school  
8 year of preschool-aged at-risk students, if any, plus enrollment in the  
9 current school year of preschool-aged at-risk students, if any; and

10 (B) the adjusted enrollment in the second preceding school year of  
11 any students participating in the tax credit for low income students  
12 scholarship program pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and  
13 amendments thereto, in the preceding school year, if any, plus the adjusted  
14 enrollment in the preceding school year of preschool-aged at-risk students  
15 who are participating in the tax credit for low income students scholarship  
16 program pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and amendments  
17 thereto, in the current school year, if any.

18 **{(3) For any school district that received federal impact aid for**  
19 **the preceding school year, if the enrollment in such school district in**  
20 **the preceding school year has decreased from enrollment in the second**  
21 **preceding school year, the enrollment of the school district in the**  
22 **current school year means whichever is the greater of:**

23 (A) The enrollment determined under subsection (l)(2); or

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

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

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

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

36 ~~(3)~~(4) For school year 2017-2018, the enrollment determined  
37 under paragraph (1) or (2), except students regularly enrolled in  
38 kindergarten and preschool-aged at-risk students regularly enrolled in  
39 the school district shall be counted based on enrollment in the current  
40 school year.}

41 ~~(m)~~{(n)} "February 20" has its usual meaning, except that in any year  
42 in which February 20 is not a day on which school is maintained, it means  
43 the first day after February 20 on which school is maintained.

1       ~~(n)~~**{(o)}** "Federal impact aid" means an amount equal to the federally  
2 qualified percentage of the amount of moneys a school district receives in  
3 the 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 shall be  
7 determined by the state board in accordance with terms and conditions  
8 imposed under the provisions of the public law and rules and regulations  
9 thereunder.

10       ~~(o)~~**{(p)}** "General fund" means the fund of a school district from  
11 which operating expenses are paid and in which is deposited all amounts  
12 of state foundation aid provided under this act, payments under K.S.A. 72-  
13 7105a, and amendments thereto, payments of federal funds made available  
14 under the provisions of title I of public law 874, except amounts received  
15 for assistance in cases of major disaster and amounts received under the  
16 low-rent housing program and such other moneys as are provided by law.

17       ~~(p)~~**{(q)}** "General fund budget" means the amount budgeted for  
18 operating expenses in the general fund of a school district.

19       ~~(q)~~**{(r)}** "Enrollment weighting" means an added component assigned  
20 to the enrollment of school districts pursuant to section~~-25~~ **{21}**, and  
21 amendments thereto, on the basis of costs attributable to maintenance of  
22 educational programs by such school districts.

23       ~~(r)~~**{(s)}** "High-density at-risk student weighting" means an addend  
24 component assigned to the enrollment of school districts pursuant to  
25 section~~-27(b)~~ **{23(b)}**, and amendments thereto, on the basis of costs  
26 attributable to the maintenance of at-risk educational programs by such  
27 school districts.

28       ~~(s)~~**{(t)}** "Juvenile detention facility" means the same as such term is  
29 defined in K.S.A. 72-8187, and amendments thereto.

30       ~~(t)~~**{(u)}** "Local foundation aid" means the sum of the following  
31 amounts:

32       (1) An amount equal to any unexpended and unencumbered balance  
33 remaining in the general fund of the school district, except moneys  
34 received by the school district and authorized to be expended for the  
35 purposes specified in section~~-43~~ **{39}**, and amendments thereto;

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

39       (3) an amount equal to the amount deposited in the general fund in  
40 the current school year from moneys received in such school year by the  
41 school district under the provisions of K.S.A. 72-1046a(a), and  
42 amendments thereto;

43       (4) an amount equal to the amount deposited in the general fund in

1 the current school year from moneys received in such school year by the  
2 school district pursuant to contracts made and entered into under authority  
3 of K.S.A. 72-6757, and amendments thereto;

4 (5) an amount equal to the amount credited to the general fund in the  
5 current school year from moneys distributed in such school year to the  
6 school district under the provisions of articles 17 and 34 of chapter 12 of  
7 the Kansas Statutes Annotated, and amendments thereto, and under the  
8 provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes  
9 Annotated, and amendments thereto;

10 (6) an amount equal to the amount of payments received by the  
11 school district under the provisions of K.S.A. 72-979, and amendments  
12 thereto;

13 (7) an amount equal to the amount of any grant received by the  
14 school district under the provisions of K.S.A. 72-983, and amendments  
15 thereto; and

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

18 ~~(u)~~**{(v)}** "Operating expenses" means the total expenditures and  
19 lawful transfers from the general fund of a school district during a school  
20 year for all purposes, except expenditures for the purposes specified in  
21 section-~~43~~ **{39}**, and amendments thereto.

22 ~~(v)~~**{(w)}** "Preceding school year" means the school year immediately  
23 before the current school year.

24 ~~(w)~~**{(x)}** "Preschool-aged at-risk student" means an at-risk student  
25 who has attained the age of four years, is under the age of eligibility for  
26 attendance at kindergarten, and has been selected by the state board in  
27 accordance with guidelines governing the selection of students for  
28 participation in head start programs.

29 ~~(x)~~**{(y)}** "Preschool-aged exceptional children" means exceptional  
30 children, except gifted children, who have attained the age of three years  
31 but are under the age of eligibility for attendance at kindergarten. The  
32 terms "exceptional children" and "gifted children" have the same meaning  
33 as those terms are defined in K.S.A. 72-962, and amendments thereto.

34 ~~(y)~~**{(z)}** "Psychiatric residential treatment facility" means the same as  
35 such term is defined in K.S.A. 72-8187, and amendments thereto.

36 ~~(z)~~**{(aa)}** "School district" means a school district organized under the  
37 laws of this state that is maintaining public school for a school term in  
38 accordance with the provisions of K.S.A. 72-1106, and amendments  
39 thereto.

40 ~~(aa)~~**{(bb)}** "School facilities weighting" means an added component  
41 assigned to the enrollment of school districts pursuant to section-~~32~~ **{28}**,  
42 and amendments thereto, on the basis of costs attributable to commencing  
43 operation of one or more new school facilities by such school districts.

1       ~~(bb)~~**{(cc)}** "School year" means the 12-month period ending June 30.

2       ~~(ee)~~**{(dd)}** "September 20" has its usual meaning, except that in any  
3 year in which September 20 is not a day on which school is maintained, it  
4 means the first day after September 20 on which school is maintained.

5       ~~(dd)~~**{(ee)}** "Special education and related services weighting" means  
6 an addend component assigned to the enrollment of school districts  
7 pursuant to section ~~33~~ **{29}**, and amendments thereto, on the basis of costs  
8 attributable to the maintenance of special education and related services by  
9 such school districts.

10       ~~(ee)~~**{(ff)}** "State board" means the state board of education.

11       ~~(ff)~~**{(gg)}** "State foundation aid" means the amount of aid distributed  
12 to school district as determined by the state board pursuant to section 6,  
13 and amendments thereto.

14       ~~(gg)~~**{(hh)}** (1) "Student" means any person who is regularly enrolled  
15 in a school district and attending kindergarten or any of the grades one  
16 through 12 maintained by the school district or who is regularly enrolled in  
17 a school district and attending kindergarten or any of the grades one  
18 through 12 in another school district in accordance with an agreement  
19 entered into under authority of K.S.A. 72-8233, and amendments thereto,  
20 or who is regularly enrolled in a school district and attending special  
21 education services provided for preschool-aged exceptional children by the  
22 school district.

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

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

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

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

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

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

35       ~~(D)~~**{(C)}** A student in attendance part-time shall be counted as that  
36 proportion of one student (to the nearest  $\frac{1}{10}$ ) that the student's attendance  
37 bears to full-time attendance.

38       ~~(E)~~**{(D)}** A student enrolled in and attending an institution of  
39 postsecondary education that is authorized under the laws of this state to  
40 award academic degrees shall be counted as one student if the student's  
41 postsecondary education enrollment and attendance together with the  
42 student's attendance in either of the grades 11 or 12 is at least  $\frac{5}{6}$  time,  
43 otherwise the student shall be counted as that proportion of one student (to

1 the nearest  $\frac{1}{10}$ ) that the total time of the student's postsecondary education  
2 attendance and attendance in grades 11 or 12, as applicable, bears to full-  
3 time attendance.

4 ~~(F)~~**{(E)}** A student enrolled in and attending a technical college, a  
5 career technical education program of a community college or other  
6 approved career technical education program shall be counted as one  
7 student, if the student's career technical education attendance together with  
8 the student's attendance in any of grades nine through 12 is at least  $\frac{5}{6}$  time,  
9 otherwise the student shall be counted as that proportion of one student (to  
10 the nearest  $\frac{1}{10}$ ) that the total time of the student's career technical  
11 education attendance and attendance in any of grades nine through 12  
12 bears to full-time attendance.

13 ~~(G)~~**{(F)}** A student enrolled in a school district and attending a non-  
14 virtual school and also attending a virtual school shall be counted as that  
15 proportion of one student (to the nearest  $\frac{1}{10}$ ) that the student's attendance  
16 at the non-virtual school bears to full-time attendance.

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

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

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

24 (B) except as provided in ~~subsection (ii)(2)~~ **{paragraph (2)}**, an  
25 individual confined in and receiving educational services provided for by a  
26 school district at a juvenile detention facility; and

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

30 (4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et  
31 seq., and amendments thereto, shall be counted in accordance with the  
32 provisions of K.S.A. 2016 Supp. 72-3715, and amendments thereto.

33 ~~(hh)~~**{(ii)}** "Total foundation aid" means an amount equal to the  
34 product obtained by multiplying the BASE aid by the adjusted enrollment  
35 of a school district.

36 ~~(ii)~~**{(jj)}** "Transportation weighting" means an addend component  
37 assigned to the enrollment of school districts pursuant to section ~~24~~ **{20}**,  
38 and amendments thereto, on the basis of costs attributable to the provision  
39 or furnishing of transportation.

40 ~~(jj)~~**{(kk)}** "Virtual school" means the same as such term is defined in  
41 K.S.A. 2016 Supp. 72-3712, and amendments thereto.

42 New Sec. 5. (a) The state school district finance fund, established by  
43 K.S.A. 1991 Supp. 72-7081, prior to its repeal, is hereby continued in

1 existence and shall consist of: (1) All moneys credited to such fund under  
2 K.S.A. 2016 Supp. 72-6463 through 72-6481, prior to their expiration; and  
3 (2) all amounts transferred to such fund under sections 8, 14, 15, ~~34 and 35~~  
4 **{30, 31 and 99}**, and amendments thereto.

5 (b) The state school district finance fund shall be used for the purpose  
6 of school district finance and for no other governmental purpose. It is the  
7 intent of the legislature that the fund shall remain intact and inviolate for  
8 such purpose, and moneys in the fund shall not be subject to the provisions  
9 of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

10 (c) Amounts in the state school district finance fund shall be allocated  
11 and distributed to school districts as a portion of state foundation aid  
12 provided for under this act.

13 New Sec. 6. In each school year, the state board shall determine the  
14 amount of state foundation aid for each school district for such school  
15 year. The state board shall determine the amount of the school district's  
16 local foundation aid for the school year. If the amount of the school  
17 district's local foundation aid is greater than the amount of total foundation  
18 aid determined for the school district for the school year, the school district  
19 shall not receive state foundation aid in any amount. If the amount of the  
20 school district's local foundation aid is less than the amount of total  
21 foundation aid determined for the school district for the school year, the  
22 state board shall subtract the amount of the school district's local  
23 foundation aid from the amount of total foundation aid. The remainder is  
24 the amount of state foundation aid the school district shall receive for the  
25 school year.

26 New Sec. 7. (a) The distribution of state foundation aid under this act  
27 shall be made in accordance with appropriation acts each year as provided  
28 in this section.

29 (b) (1) In the months of July through May of each school year, the  
30 state board shall determine the amount of state foundation aid that will be  
31 required by each school district to maintain operations in each such month.  
32 In making such determination, the state board shall take into consideration  
33 the school district's access to local foundation aid and the obligations of  
34 the general fund that must be satisfied during the month. The amount  
35 determined by the state board under this provision is the amount of state  
36 foundation aid that will be distributed to the school district in the months  
37 of July through May.

38 (2) In the month of June of each school year, payment shall be made  
39 of the full amount of the state foundation aid determined for the school  
40 year less the sum of the monthly payments made in the months of July  
41 through May pursuant to subsection (b)(1).

42 (c) Payments of state foundation aid shall be distributed to school  
43 districts once each month on the dates prescribed by the state board. The



1 state board shall certify to the director of accounts and reports the amount  
2 due as state foundation aid to each school district in each of the months of  
3 July through June. Such certification, and the amount of state foundation  
4 aid payable from the state general fund, shall be approved by the director  
5 of the budget. The director of accounts and reports shall draw warrants on  
6 the state treasurer payable to the school district treasurer of each school  
7 district, pursuant to vouchers approved by the state board. Upon receipt of  
8 such warrant, each school district treasurer shall deposit the amount of  
9 state foundation aid in the general fund of the school district, except that  
10 an amount equal to the amount of federal impact aid not included in the  
11 local foundation aid of a school district may be disposed of as provided in  
12 section ~~41(a)~~ **{37(a)}**, and amendments thereto.

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

22 New Sec. 8. In the event any school district is paid more than it is  
23 entitled to receive under any distribution made under this act or under any  
24 statute repealed by this act, the state board shall notify the school district  
25 of the amount of such overpayment, and such school district shall remit the  
26 same to the state board. The state board shall remit any moneys so  
27 received to the state treasurer in accordance with the provisions of K.S.A.  
28 75-4215, and amendments thereto. Upon receipt of each such remittance,  
29 the state treasurer shall deposit the entire amount in the state treasury to  
30 the credit of the state school district finance fund. If any school district  
31 fails to remit, the state board shall deduct the excess amounts paid from  
32 future payments becoming due to the school district. In the event any  
33 school district is paid less than the amount it is to receive under any  
34 distribution made under this act, the state board shall pay the additional  
35 amount due at any time within the school year in which the underpayment  
36 was made or within 60 days after the end of such school year.

37 New Sec. 9. On or before October 10 of each school year, the clerk or  
38 superintendent of each school district shall certify under oath to the state  
39 board a report showing the total enrollment of the school district by grades  
40 maintained in the schools of the school district and such other reports as  
41 the state board may require. Each such report shall show postsecondary  
42 education enrollment, career technical education enrollment, special  
43 education enrollment, bilingual education enrollment, at-risk student

1 enrollment and virtual school enrollment in such detail and form as is  
2 specified by the state board. Upon receipt of such reports, the state board  
3 shall examine the reports and if the state board finds any errors in any such  
4 report, the state board shall consult with the school district officer  
5 furnishing the report and make any necessary corrections in the report. On  
6 or before August 25 of each year, each such clerk or superintendent shall  
7 also certify to the state board a copy of the budget adopted by the school  
8 district.

9 New Sec. 10. (a) If the state board determines that the enrollment of a  
10 school district in the preceding school year decreased from the enrollment  
11 in the second preceding school year and that a disaster contributed to such  
12 decrease, the enrollment of such school district in the second school year  
13 following the school year in which the enrollment of the school district  
14 was first affected by the disaster shall be the greater of:

15 (1) The enrollment of preschool-aged at-risk students, if any, plus the  
16 average of the enrollment for the current and the preceding three school  
17 years, excluding the enrollment of preschool-aged at-risk students in each  
18 such year; or

19 (2) the enrollment of the school district, as defined in section 4, and  
20 amendments thereto.

21 (b) As used in this section, "disaster" means the occurrence of  
22 widespread or severe damage, injury or loss of life or property resulting  
23 from flood, earthquake, tornado, wind, storm, drought, blight or  
24 infestation.

25 New Sec. 11. (a) Each school year, the state board shall:

26 ~~(1) Determine the number of students enrolled in each school district~~  
27 ~~on September 20 of the preceding school year;~~

28 ~~(2) determine the number of military students enrolled in each school~~  
29 ~~district on September 20 of the preceding school year who were not~~  
30 ~~enrolled in such school district on February 20 of the same school year;~~

31 ~~(3) determine the number of military students enrolled in each school~~  
32 ~~district on February 20 of the preceding school year who were not enrolled~~  
33 ~~in such school district on September 20 of the same school year; and~~

34 ~~(4) subtract the number determined under subsection (a)(2) from the~~  
35 ~~number determined under subsection (a)(3);~~

36 ~~(b) (1) If the number obtained under subsection (a)(4) is 25 or more,~~  
37 ~~an amount equal to the number obtained under subsection (a)(4) shall be~~  
38 ~~added to the number determined under subsection (a)(1). The sum is the~~  
39 ~~enrollment of the school district; or~~

40 ~~(2) if the number obtained under subsection (a)(4) is at least 1% of~~  
41 ~~the number determined under subsection (a)(1), an amount equal to the~~  
42 ~~number obtained under subsection (a)(4) shall be added to the number~~  
43 ~~determined under subsection (a)(1). The sum is the enrollment of the~~

1 school district.

2 **{(1) Determine the number of students enrolled in each school**  
3 **district on September 20; and**

4 **(2) determine the number of military students enrolled in each**  
5 **school district on February 20, who were not enrolled on the**  
6 **preceding September 20.**

7 **(b) If the number obtained under subsection (a)(2) is 25 or more,**  
8 **or such number is at least 1% of the number determined under**  
9 **subsection (a)(1), an amount equal to the number obtained under**  
10 **subsection (a)(2) shall be added to the number determined under**  
11 **subsection (a)(1). The resulting sum is the enrollment of the school**  
12 **district.}**

13 (c) The state board shall recompute the adjusted enrollment of the  
14 school district and the general fund budget of the school district based on  
15 the enrollment as determined under this section.

16 (d) School districts desiring to determine enrollment under this  
17 section shall submit any documentation or information required by the  
18 state board.

19 (e) As used in this section, the term "military student" means a person  
20 who is a dependent of a full-time active duty member of the military  
21 service or a dependent of a member of any of the United States military  
22 reserve forces who has been ordered to active duty under 10 U.S.C. §§  
23 12301, 12302 or 12304, or ordered to full-time active duty for a period of  
24 more than 30 consecutive days under 32 U.S.C. §§ 502(f) or 512 for the  
25 purposes of mobilizing for war, international peacekeeping missions,  
26 national emergency or homeland defense activities.

27 New Sec. 12. Whenever a new school district has been established or  
28 the boundaries of a school district have been changed, the state board shall  
29 make appropriate revisions concerning the affected school districts as may  
30 be necessary for the purposes of this act to reflect such establishment of a  
31 school district or changes in boundaries. Such revisions shall be based on  
32 the most reliable data obtainable from the superintendent of the school  
33 district and the county clerk.

34 New Sec. 13. (a) (1) For the purposes of this act, the total foundation  
35 aid for any school district formed by consolidation in accordance with the  
36 statutory provisions contained in article 87 of chapter 72 of the Kansas  
37 Statutes Annotated, and amendments thereto, shall be computed by the  
38 state board by determining the amount of the total foundation aid each of  
39 the former school districts that comprise the consolidated school district  
40 received in the school year preceding the date the consolidation was  
41 completed, and calculating the sum of such amounts. The sum is the total  
42 foundation aid of the consolidated school district for the school year in  
43 which the consolidation was completed.

1 (2) If any of the former school districts had an enrollment of less than  
2 150 students in the school year preceding the consolidation, the total  
3 foundation aid of the newly consolidated school district for the two school  
4 years following the school year in which the consolidation was completed  
5 shall be the greater of: (A) The amount received in the school year in  
6 which the consolidation was completed; or (B) the amount the school  
7 district would receive under this act.

8 (3) If all of the former school districts had an enrollment of at least  
9 150 students, but any had less than 200 students in the school year  
10 preceding the consolidation, the total foundation aid of the newly  
11 consolidated school district for the three school years following the school  
12 year in which the consolidation was completed shall be the greater of: (A)  
13 The amount received in the school year in which the consolidation was  
14 completed; or (B) the amount the school district would receive under this  
15 act.

16 (4) If all of the former school districts had an enrollment of 200 or  
17 more students in the school year preceding the consolidation, the total  
18 foundation aid of the newly consolidated school district for the four school  
19 years following the school year in which the consolidation was completed  
20 shall be the greater of: (A) The amount received in the school year in  
21 which the consolidation was completed; or (B) the amount the school  
22 district would receive under this act.

23 (5) If the consolidation involved the consolidation of three or more  
24 school districts, regardless of the number of students enrolled in the school  
25 districts, the total foundation aid of the newly consolidated school district  
26 for the four school years following the school year in which the  
27 consolidation was completed shall be the greater of: (A) The amount  
28 received in the school year in which the consolidation was completed; or  
29 (B) the amount the school district would receive under this act.

30 (b) (1) The provisions of this subsection shall apply to school districts  
31 that have been enlarged by the attachment of territory pursuant to the  
32 procedure established in article 73 of chapter 72 of the Kansas Statutes  
33 Annotated, and amendments thereto.

34 (2) For the purposes of this act, the total foundation aid for any  
35 school district to which this subsection applies shall be computed by the  
36 state board of education as follows: (A) Determine the amount of the total  
37 foundation aid each of the former school districts that comprise the  
38 enlarged school district received in the school year preceding the date the  
39 attachment was completed; and (B) add the amounts determined under  
40 subparagraph (A). The sum is the total foundation aid of the enlarged  
41 school district for the school year in which the attachment is completed.

42 (3) If any of the former school districts had an enrollment of less than  
43 150 students in the school year preceding the attachment, the total

1 foundation aid of the enlarged school district for the two school years  
2 following the school year in which the attachment was completed shall be  
3 the greater of: (A) The amount received in the school year in which the  
4 attachment was completed; or (B) the amount the school district would  
5 receive under this act.

6 (4) If all of the former school districts had an enrollment of at least  
7 150 students, but any had less than 200 students in the school year  
8 preceding the attachment, the total foundation aid of the enlarged school  
9 district for the three school years following the school year in which the  
10 attachment was completed shall be the greater of: (A) The amount  
11 received in the school year in which the attachment was completed; or (B)  
12 the amount the school district would receive under this act.

13 (5) If all of the former school districts had an enrollment of 200 or  
14 more students in the school year preceding the attachment, the total  
15 foundation aid of the enlarged school district for the four school years  
16 following the school year in which the attachment was completed shall be  
17 the greater of: (A) The amount received in the school year in which the  
18 attachment was completed; or (B) the amount the school district would  
19 receive under this act.

20 (6) If three or more school districts, regardless of the number of  
21 students enrolled in the school districts, are disorganized and attached to  
22 a single school district, the total foundation aid of the enlarged school  
23 district for the four school years following the school year in which the  
24 attachment was completed shall be the greater of: (A) The amount  
25 received in the school year in which the attachment was completed; or (B)  
26 the amount the school district would receive under this act.

27 (7) Except as specifically provided by this paragraph for the  
28 allocation of total foundation aid among school districts, the provisions of  
29 paragraphs (1) through (6) shall be applicable to school districts to which  
30 this paragraph applies. If a school district is disorganized in accordance  
31 with article 73 of chapter 72 of the Kansas Statutes Annotated, and  
32 amendments thereto, and the territory of such school district is attached to  
33 more than one school district, the total foundation aid for each school  
34 district to which any territory from the disorganized school district is  
35 attached, shall be computed by the state board as follows: (A) Determine  
36 the amount of total foundation aid received by the former school district in  
37 the school year preceding the date the disorganization and attachment was  
38 completed; (B) determine the amount of total foundation aid received by  
39 the enlarged school district in the school year preceding the date the  
40 disorganization and attachment was completed; (C) determine the assessed  
41 valuation of the former school district in the school year preceding the date  
42 the disorganization and attachment was completed; (D) determine the  
43 assessed valuation of the territory attached to each enlarged school district;

1 (E) allocate the amount of the total foundation aid received by the former  
2 school district in the school year preceding the date the disorganization  
3 and attachment was completed to each of the enlarged school districts in  
4 the same proportion the assessed valuation of the territory attached to each  
5 school district bears to the assessed valuation of the former school district;  
6 and (F) add the amounts determined under subparagraphs (B) and (E). The  
7 sum is the total foundation aid of the enlarged school district for the school  
8 year in which the attachment is completed.

9 New Sec. 14. (a) The board of education of each school district shall  
10 levy an ad valorem tax upon the taxable tangible property of the school  
11 district in the school years specified in subsection (b) for the purpose of:

12 (1) Financing that portion of the school district's general fund budget  
13 that is not financed from any other source provided by law;

14 (2) paying a portion of the costs of operating and maintaining public  
15 schools in partial fulfillment of the constitutional obligation of the  
16 legislature to finance the educational interests of the state; and

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

23 (b) The tax required under subsection (a) shall be levied at a rate of  
24 20 mills in the school years 2017-2018 and 2018-2019.

25 (c) The proceeds from the tax levied by a district under authority of  
26 this section, except the proceeds of such tax levied for the purpose  
27 described in subsection (a)(3), shall be remitted to the state treasurer in  
28 accordance with the provisions of K.S.A. 75-4215, and amendments  
29 thereto. Upon receipt of each such remittance, the state treasurer shall  
30 deposit the entire amount in the state treasury to the credit of the state  
31 school district finance fund.

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

34 New Sec. 15. (a) In each school year, the board of education of a  
35 school district may adopt, by resolution, a local ~~foundation~~ **{option}**  
36 budget that does not exceed the state prescribed percentage.

37 (b) Subject to the limitations of subsection (a), in each school year,  
38 the board of education of a school district may adopt, by resolution, a local  
39 ~~foundation~~ **{option}** budget in an amount that does not exceed:

40 (1) The amount that the board was authorized to adopt under any  
41 resolution adopted pursuant to K.S.A. 2016 Supp. 72-6471, prior to its  
42 expiration; or

43 (2) the state-wide average for the preceding school year as

1 determined by the state board pursuant to subsection (i).

2 The adoption of a resolution pursuant to this section shall require a  
3 majority vote of the members of the board. Such resolution shall be  
4 effective upon adoption and shall require no other procedure, authorization  
5 or approval.

6 (c) If the board of a school district desires to increase its local  
7 ~~foundation~~ **{option}** budget authority above the amount authorized under  
8 subsection (b), the board may adopt, by resolution, such budget in an  
9 amount not to exceed the state prescribed percentage. The adoption of a  
10 resolution pursuant to this subsection shall require a majority vote of the  
11 members of the board. The resolution shall be published at least once in a  
12 newspaper having general circulation in the school district. The resolution  
13 shall be published in substantial compliance with the following form:

14 Unified School District No. \_\_\_\_\_,  
15 \_\_\_\_\_ County, Kansas.

16 RESOLUTION

17 Be It Resolved that:

18 The board of education of the above-named school district shall be  
19 authorized to adopt a local ~~foundation~~ **{option}** budget in each school year  
20 in an amount not to exceed \_\_\_\_% of the amount of total foundation aid.  
21 The local ~~foundation~~ **{option}** budget authorized by this resolution may be  
22 adopted, unless a petition in opposition to the same, signed by not less than  
23 5% of the qualified electors of the school district, is filed with the county  
24 election officer of the home county of the school district within 30 days  
25 after publication of this resolution. If a petition is filed, the county election  
26 officer shall submit the question of whether adoption of the local  
27 ~~foundation~~ **{option}** budget shall be authorized to the electors of the  
28 school district at an election called for the purpose or at the next general  
29 election, as is specified by the board of education of the school district.

30 CERTIFICATE

31 This is to certify that the above resolution was duly adopted by the  
32 board of education of unified school district No. \_\_\_\_\_, \_\_\_\_\_ County,  
33 Kansas, on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

34 \_\_\_\_\_  
35 Clerk of the board of education.

36 All of the blanks in the resolution shall be filled appropriately. If a  
37 sufficient petition is not filed, the board may adopt a local ~~foundation~~  
38 **{option}** budget. If a sufficient petition is filed, the board may notify the  
39 county election officer of the date of an election to be held to submit the  
40 question of whether adoption of a local ~~foundation~~ **{option}** budget shall  
41 be authorized. Any such election shall be noticed, called and held in the  
42 manner provided by K.S.A. 10-120, and amendments thereto. If the board  
43 fails to notify the county election officer within 30 days after a sufficient

1 petition is filed, the resolution shall be deemed abandoned and no like  
2 resolution shall be adopted by the board within the nine months following  
3 publication of the resolution.

4 (d) Unless specifically stated otherwise in the resolution, the authority  
5 to adopt a local ~~foundation~~ **{option}** budget shall be continuous and  
6 permanent. The board of any school district that is authorized to adopt a  
7 local ~~foundation~~ **{option}** budget may choose not to adopt such a budget  
8 or may adopt a budget in an amount less than the amount authorized. If the  
9 board of any school district whose authority to adopt a local ~~foundation~~  
10 **{option}** budget is not continuous and permanent refrains from adopting a  
11 local ~~foundation~~ **{option}** budget, the authority of such school district to  
12 adopt a local ~~foundation~~ **{option}** budget shall not be extended by such  
13 refrainment beyond the period specified in the resolution authorizing  
14 adoption of such budget.

15 (e) The board of any school district may initiate procedures to renew  
16 or increase the authority to adopt a local ~~foundation~~ **{option}** budget at any  
17 time during a school year after the tax levied pursuant to section 19, and  
18 amendments thereto, is certified to the county clerk under any existing  
19 authorization.

20 (f) The board of any school district authorized to adopt a local  
21 ~~foundation~~ **{option}** budget prior to July 1, 2017, under a resolution that  
22 authorized the adoption of such budget in accordance with the provisions  
23 of K.S.A. 2016 Supp. 72-6471, prior to its expiration, may continue to  
24 operate under such resolution for the period of time specified in the  
25 resolution or may abandon the resolution and operate under the provisions  
26 of this section. Any such school district shall operate under the provisions  
27 of this section after the period of time specified in any previously adopted  
28 resolution has expired.

29 (g) Any resolution adopted pursuant to this section may revoke or  
30 repeal any resolution previously adopted by the board. If the resolution  
31 does not revoke or repeal previously adopted resolutions, all resolutions  
32 that are in effect shall expire on the same date. The maximum amount of  
33 the local ~~foundation~~ **{option}** budget of a school district under all  
34 resolutions in effect shall not exceed the state prescribed percentage in any  
35 school year.

36 (h) (1) There is hereby established in each school district that adopts a  
37 local ~~foundation~~ **{option}** budget a supplemental general fund, which shall  
38 consist of all amounts deposited therein or credited thereto according to  
39 law.

40 (2) Subject to the limitations imposed under subsection (h)(3),  
41 amounts in the supplemental general fund may be expended for any  
42 purpose for which expenditures from the general fund are authorized or  
43 may be transferred to any categorical fund of the school district. Amounts



1 in the supplemental general fund attributable to any percentage over 25%  
2 of total foundation aid determined for the current school year may be  
3 transferred to the capital improvements fund of the school district and the  
4 capital outlay fund of the school district if such transfers are specified in  
5 the resolution authorizing the adoption of a local ~~foundation~~ **{option}**  
6 budget in excess of 25%.

7 (3) Amounts in the supplemental general fund may not be expended  
8 for the purpose of making payments under any lease-purchase agreement  
9 involving the acquisition of land or buildings that is entered into pursuant  
10 to the provisions of K.S.A. 72-8225, and amendments thereto.

11 (4) (A) Except as provided in subsection (h)(4)(B), any unexpended  
12 moneys remaining in the supplemental general fund of a school district at  
13 the conclusion of any school year in which a local ~~foundation~~ **{option}**  
14 budget is adopted shall be maintained in such fund.

15 (B) If the school district received supplemental state aid in the school  
16 year, the state board shall determine the ratio of the amount of  
17 supplemental general state aid received to the amount of the local  
18 ~~foundation~~ **{option}** budget of the school district for the school year and  
19 multiply the total amount of the unexpended moneys remaining by such  
20 ratio. An amount equal to the amount of the product shall be transferred to  
21 the general fund of the school district or remitted to the state treasurer in  
22 accordance with the provisions of K.S.A. 75-4215, and amendments  
23 thereto. Upon receipt of any such remittance, the state treasurer shall  
24 deposit the same in the state treasury to the credit of the state school  
25 district finance fund.

26 (i) Each year, the state board shall determine the statewide average  
27 percentage of local ~~foundation~~ **{option}** budgets legally adopted by school  
28 districts for the preceding school year.

29 (j) The provisions of this section shall be subject to the provisions of  
30 section 16, and amendments thereto.

31 (k) As used in this section:

32 (1) "Authorized to adopt a local ~~foundation~~ **{option}** budget" means  
33 that a school district has adopted a resolution pursuant to subsection (c).

34 (2) "State prescribed percentage" means 33% of the total foundation  
35 aid of the school district in the current school year.

36 (3) "Total foundation aid" shall have the meaning provided in section  
37 4, and amendments thereto.

38 New Sec. 16. (a) (1) The provisions of this subsection shall apply in  
39 any school year in which the amount of BASE aid is \$4,490 or less.

40 (2) The board of education of a school district may adopt a local  
41 ~~foundation~~ **{option}** budget that does not exceed the local ~~foundation~~  
42 **{option}** budget calculated as if the BASE aid was \$4,490, or that does not  
43 exceed the local ~~foundation~~ **{option}** budget as calculated pursuant to

1 section 15, and amendments thereto, whichever is greater.

2 (b) The board of education of a school district may adopt a local  
3 ~~foundation~~ **{option}** budget that does not exceed the local~~—foundation~~  
4 **{option}** budget calculated as if the school district received state aid for  
5 special education and related services equal to the amount of state aid for  
6 special education and related services received in school year 2008-2009,  
7 or that does not exceed the local~~—foundation~~ **{option}** budget as calculated  
8 pursuant to section 15, and amendments thereto, whichever is greater.

9 (c) The board of any school district may exercise the authority  
10 granted under subsection (a) or (b) or both subsections (a) and (b).

11 (d) To the extent that the provisions of section 15, and amendments  
12 thereto, conflict with this section, this section shall control.

13 New Sec. 17. (a) In each school year, each school district that has  
14 adopted a local~~—foundation~~ **{option}** budget is eligible to receive  
15 supplemental state aid. Except as provided by section 18, and amendments  
16 thereto, supplemental state aid shall be determined by the state board as  
17 provided in subsection (b).

18 (b) The state board shall:

19 (1) (A) For school year 2017-2018, determine the amount of the  
20 assessed valuation per student in the preceding school year of each school  
21 district; and

22 (B) for school year 2018-2019 and each school year thereafter,  
23 determine the average assessed valuation per student of each school  
24 district by adding the assessed valuation per student for each of the three  
25 immediately preceding school years and dividing the resulting sum by  
26 three;

27 (2) rank the school districts from low to high on the basis of the  
28 amounts of assessed valuation per student determined under subsection (b)  
29 (1);

30 (3) identify the amount of the assessed valuation per student located  
31 at the 81.2 percentile of the amounts ranked under subsection (b)(2);

32 (4) divide the assessed valuation per student of the school district as  
33 determined under subsection (b)(1) by the amount identified under  
34 subsection (b)(3); and

35 (5) (A) if the quotient obtained under subsection (b)(4) equals or  
36 exceeds one, the school district shall not receive supplemental state aid; or

37 (B) if the quotient obtained under subsection (b)(4) is less than one,  
38 subtract the quotient obtained under subsection (b)(4) from one, and  
39 multiply the difference by the amount of the local~~—foundation~~ **{option}**  
40 budget of the school district for the immediately preceding school year.  
41 The resulting product is the amount of supplemental state aid the school  
42 district is to receive for the school year.

43 (c) Payments of supplemental state aid shall be distributed to school

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

8 (d) For the purposes of determining the total amount of state moneys  
9 paid to school districts, all moneys appropriated as supplemental state aid  
10 shall be deemed to be state moneys for educational and support services  
11 for school districts.

12 New Sec. 18. (a) (1) For the purposes of determining the amount of  
13 supplemental state aid, the state board shall determine the ranking of each  
14 of the former school districts of which the school district is composed as  
15 required by section 17(b)(2), and amendments thereto, for the school year  
16 prior to the effectuation of the consolidation or attachment.

17 (2) For the school year in which the consolidation or attachment is  
18 effectuated and the next succeeding two school years, the ranking of the  
19 school district for the purposes of section 17(b)(2), and amendments  
20 thereto, shall be the ranking of the school district receiving the highest  
21 amount of supplemental state aid determined under subsection (a)(1).

22 (b) The provisions of this section shall apply to school districts that  
23 have consolidated or disorganized on and after July 1, 2004.

24 (c) As used in this section, "school district" means:

25 (1) Any school district formed by consolidation in accordance with  
26 article 87 of chapter 72 of the Kansas Statutes Annotated, and amendments  
27 thereto; or

28 (2) any school district formed by disorganization and attachment in  
29 accordance with article 73 of chapter 72 of the Kansas Statutes Annotated,  
30 and amendments thereto, if all the territory which comprised a  
31 disorganized school district is attached to a single school district.

32 New Sec. 19. (a) In each school year, the board of each school district  
33 that has adopted a local-~~foundation~~ **{option}** budget may levy an ad  
34 valorem tax on the taxable tangible property of the school district for the  
35 purposes of:

36 (1) Financing that portion of the school district's local-~~foundation~~  
37 **{option}** budget that is not financed from any other source provided by  
38 law;

39 (2) paying a portion of the principal and interest on bonds issued by  
40 cities under authority of K.S.A. 12-1774, and amendments thereto, for the  
41 financing of redevelopment projects upon property located within the  
42 school district; and

43 (3) funding transfers to the capital improvement fund of the school

1 district and the capital outlay fund of the school district if such transfers  
2 are specified in the resolution authorizing the adoption of a local  
3 ~~foundation~~ {option} budget in excess of 25% of the total foundation aid  
4 determined for the current school year.

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

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

14 ~~New Sec. 20. (a) In each school year, the board of education of a~~  
15 ~~school district may adopt, by resolution, a local excellence budget that~~  
16 ~~does not exceed such school district's local excellence authority, as~~  
17 ~~determined under subsection (f).~~

18 ~~(b) A resolution adopting a local excellence budget shall require a~~  
19 ~~majority vote of the members of the board, and shall be effective upon~~  
20 ~~adoption and shall require no other procedure, authorization or approval. A~~  
21 ~~resolution to adopt a local excellence budget shall be published at least~~  
22 ~~once in a newspaper having general circulation in the school district. The~~  
23 ~~resolution shall be published in substantial compliance with the following~~  
24 ~~form:~~

25 Unified School District No. \_\_\_\_\_,  
26 \_\_\_\_\_ County, Kansas.

27 RESOLUTION

28 Be It Resolved that:

29 ~~The board of education of the above-named school district shall be~~  
30 ~~authorized to adopt a local excellence budget in each school year in an~~  
31 ~~amount not to exceed \$ \_\_\_\_\_. The local excellence budget authorized~~  
32 ~~by this resolution may be adopted, unless a petition in opposition to the~~  
33 ~~same, signed by not less than 5% of the qualified electors of the school~~  
34 ~~district, is filed with the county election officer of the home county of the~~  
35 ~~school district within 30 days after publication of this resolution. If a~~  
36 ~~petition is filed, the county election officer shall submit the question of~~  
37 ~~whether adoption of the local excellence budget shall be authorized to the~~  
38 ~~electors of the school district at an election called for the purpose or at the~~  
39 ~~next general election, as is specified by the board of education of the~~  
40 ~~school district.~~

41 CERTIFICATE

42 This is to certify that the above resolution was duly adopted by the  
43 board of education of unified School District No. \_\_\_\_\_, \_\_\_\_\_ County,

1 Kansas, on the \_\_\_\_\_ day of \_\_\_\_\_,

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 Clerk of the board of education.

5 All of the blanks in the resolution shall be filled as is appropriate. If a  
6 sufficient petition is not filed, the board may adopt a local excellence  
7 budget. If a sufficient petition is filed, the board may notify the county  
8 election officer of the date of an election to be held to submit the question  
9 of whether adoption of a local excellence budget shall be authorized. Any  
10 such election shall be noticed, called and held in the manner provided by  
11 K.S.A. 10-120, and amendments thereto. If the board fails to notify the  
12 county election officer within 30 days after a sufficient petition is filed, the  
13 resolution shall be deemed abandoned and no like resolution shall be  
14 adopted by the board within the nine months following publication of the  
15 resolution.

16 (e) Unless specifically stated otherwise in the resolution, the authority  
17 to adopt a local excellence budget shall be continuous and permanent. The  
18 board of education may choose not to adopt such a local excellence budget  
19 or may adopt a local excellence budget in an amount less than the amount  
20 authorized. If the board, whose authority to adopt a local excellence  
21 budget is not continuous and permanent, refrains from adopting a local  
22 excellence budget, the authority of such board to adopt a local excellence  
23 budget shall not be extended by such refrainment beyond the period  
24 specified in the resolution authorizing adoption of such local excellence  
25 budget.

26 (d) The board of education may initiate procedures to renew or  
27 increase the authority to adopt a local excellence budget at any time during  
28 a school year after the tax levied pursuant to section 21, and amendments  
29 thereto, is certified to the county clerk under any existing authorization.

30 (e) Any resolution adopted pursuant to this section may revoke or  
31 repeal any resolution previously adopted by the board. If the resolution  
32 does not revoke or repeal previously adopted resolutions, all resolutions  
33 which are in effect shall expire on the same date. The maximum amount of  
34 the local excellence budget of a school district under all resolutions in  
35 effect shall not exceed the limitation set forth in subsection (a) in any  
36 school year.

37 (f) The local excellence authority for a school district shall be  
38 determined as follows:

39 (1) Subtract the full-time equivalent enrollment of at-risk students in  
40 the school district from the enrollment of the school district;

41 (2) multiply the difference determined under subsection (f)(1) by  
42 0.456 and further multiply the resulting product by 133% of the BASE aid;

43 (3) multiply the enrollment of the school district by 33% of the BASE  
aid amount used to determine the school district's local foundation budget

1 authority for the current school year; and

2 ~~(4) subtract the product determined under subsection (f)(3) from the~~  
3 ~~product determined under subsection (f)(2). The resulting difference is the~~  
4 ~~local excellence authority for the school district for the current school year,~~  
5 ~~except in no event shall the local excellence authority exceed an amount~~  
6 ~~equal to 5% of the general fund budget of the school district.~~

7 ~~New Sec. 21. (a) The board of education of each school district that~~  
8 ~~has adopted a local excellence budget pursuant to section 20, and~~  
9 ~~amendments thereto, may levy an ad valorem tax on the taxable tangible~~  
10 ~~property of the school district for the purposes of:~~

11 ~~(1) Financing that portion of the school district's local excellence~~  
12 ~~budget that is not financed from any other source provided by law; and~~

13 ~~(2) paying a portion of the principal and interest on bonds issued by~~  
14 ~~cities under authority of K.S.A. 12-1774, and amendments thereto, for the~~  
15 ~~financing of redevelopment projects upon property located within the~~  
16 ~~school district.~~

17 ~~(b) The proceeds from the tax levied by a school district under~~  
18 ~~authority of this section, except the proceeds of such tax levied for the~~  
19 ~~purpose described in subsection (a)(2), shall be deposited in the general~~  
20 ~~fund of the school district.~~

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

23 ~~New Sec. 22. (a) Each school district that levies a tax pursuant to~~  
24 ~~section 21, and amendments thereto, shall receive local excellence state~~  
25 ~~aid in an amount determined by the state board of education as follows:~~

26 ~~(1) Determine the amount of the assessed valuation per student of~~  
27 ~~each school district in the state for the preceding school year;~~

28 ~~(2) determine the average appraised value of single family residences~~  
29 ~~for the preceding calendar year for each school district;~~

30 ~~(3) multiply the amounts determined under subsections (a)(1) and (a)~~  
31 ~~(2) for each school district;~~

32 ~~(4) calculate the square root of the product calculated under~~  
33 ~~subsection (a)(3) for each school district;~~

34 ~~(5) round the amount determined under subsection (a)(4) to the~~  
35 ~~nearest \$1,000. The rounded amount is the excellence equalization base of~~  
36 ~~a school district for the purposes of this subsection;~~

37 ~~(6) determine the median excellence equalization base of all school~~  
38 ~~districts;~~

39 ~~(7) prepare a schedule of dollar amounts using the amount of the~~  
40 ~~median excellence equalization base of all school districts as the point of~~  
41 ~~beginning. The schedule of dollar amounts shall range upward in equal~~  
42 ~~\$1,000 intervals from the point of beginning to and including an amount~~  
43 ~~that is equal to the amount of the excellence equalization base of the~~

1 school district with the highest excellence equalization base of all school  
2 districts and shall range downward in equal \$1,000 intervals from the point  
3 of beginning to and including an amount that is equal to the amount of the  
4 excellence equalization base of the school district with the lowest  
5 excellence equalization base of all school districts;

6 (8)—determine a state aid percentage factor for each school district by  
7 assigning a state aid computation percentage to the amount of the median  
8 excellence equalization base shown on the schedule, decreasing the state  
9 aid computation percentage assigned to the amount of the median  
10 excellence equalization base by one percentage point for each \$1,000  
11 interval above the amount of the median excellence equalization base, and  
12 increasing the state aid computation percentage assigned to the amount of  
13 the median excellence equalization base by one percentage point for each  
14 \$1,000 interval below the amount of the median excellence equalization  
15 base. The state aid percentage factor of a school district is the percentage  
16 assigned to the schedule amount that is equal to the amount of the  
17 excellence equalization base of the school district, except that the state aid  
18 percentage factor of a school district shall not exceed 100%. The state aid  
19 computation percentage is 25%;

20 (9)—determine the amount levied by each school district pursuant to  
21 section 21, and amendments thereto; and

22 (10)—multiply the amount computed under subsection (a)(9) by the  
23 applicable state aid percentage factor. The resulting product is the amount  
24 of local excellence state aid the school district is to receive for the school  
25 year.

26 (b)—Payments of local excellence state aid shall be made to school  
27 districts at times determined by the state board of education. The state  
28 board of education shall certify to the director of accounts and reports the  
29 amount due each school district, and the director of accounts and reports  
30 shall draw a warrant on the state treasury payable to the treasurer of the  
31 school district. Upon receipt of the warrant, the treasurer of the school  
32 district shall credit the amount thereof to the general fund of the school  
33 district to be used for the purposes of such fund.

34 New Sec. 23. The legislature hereby declares that the intent of  
35 sections 20 through 22, and amendments thereto, is to provide moneys for  
36 educational opportunities beyond what is necessary to satisfy the  
37 educational goal set forth in K.S.A. 2016 Supp. 72-1127(e), and  
38 amendments thereto. All moneys deposited in or otherwise credited to the  
39 general fund of a school district pursuant to sections 21 and 22, and  
40 amendments thereto, shall be expended by a school district solely for the  
41 provision of educational opportunities that exceed the curriculum  
42 standards established by the state board pursuant to section 45, and  
43 amendments thereto.

1 New Sec.-24. {20.} (a) The transportation weighting of each school  
2 district shall be determined by the state board as follows:

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

6 (2) determine the sum of: (A) The number of students who were  
7 included in the enrollment of the school district in the preceding school  
8 year who resided less than  $2\frac{1}{2}$  miles by the usually traveled road from the  
9 school building such students attended and for whom transportation was  
10 made available by the school district; and (B) the number of nonresident  
11 students who were included in the enrollment of the school district for the  
12 preceding school year and for whom transportation was made available by  
13 the school district;

14 (3) determine the number of students who were included in the  
15 enrollment of the district in the preceding school year who resided  $2\frac{1}{2}$   
16 miles or more by the usually traveled road from the school building such  
17 students attended and for whom transportation was made available by the  
18 school district;

19 (4) multiply the number of students determined under subsection (a)  
20 (3) by 2.8;

21 (5) divide the amount determined under subsection (a)(2) by the  
22 product obtained under subsection (a)(4);

23 (6) add one to the quotient obtained under subsection (a)(5);

24 (7) multiply the sum obtained under subsection (a)(6) by the amount  
25 determined under subsection (a)(3);

26 (8) divide the amount determined under subsection (a)(1) by the  
27 product obtained under subsection (a)(7). The resulting quotient is the per-  
28 student cost of transportation;

29 (9) on a density-cost graph, plot the per-student cost of transportation  
30 for each school district;

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

32 (11) locate the index of density for the school district on the base line  
33 of the density-cost graph and from the point on the curve of best fit  
34 directly above this point of index of density follow a line parallel to the  
35 base line to the point of intersection with the vertical line, which point is  
36 the formula per-student cost of transportation of the school district;

37 (12) divide the formula per-student cost of transportation of the  
38 school district by the BASE aid; and

39 (13) multiply the quotient obtained under subsection (a)(12) by the  
40 number of students who are included in the enrollment of the school  
41 district, are residing  $2\frac{1}{2}$  miles or more by the usually traveled road to the  
42 school building they attend, and for whom transportation is being made  
43 available by, and at the expense of, the district.



1 (b) (1) For school years 2017-2018 through 2021-2022, the  
2 transportation weighting of the school district shall be either the product  
3 determined under subsection (a)(13), or that portion of such school  
4 district's general state aid for school year 2016-2017 that was attributable  
5 to the school district's transportation weighting, whichever is greater.

6 (2) For school year 2022-2023, and each school year thereafter, the  
7 transportation weighting of the school district shall be the product  
8 determined under subsection (a)(13).

9 (c) For the purpose of providing accurate and reliable data on student  
10 transportation, the state board is authorized to adopt rules and regulations  
11 prescribing procedures that school districts shall follow in reporting  
12 pertinent information, including uniform reporting of expenditures for  
13 transportation.

14 (d) As used in this section:

15 (1) "Curve of best fit" means the curve on a density-cost graph drawn  
16 so the sum of the distances squared from such line to each of the points  
17 plotted on the graph is the least possible.

18 (2) "Density-cost graph" means a drawing having: (A) A horizontal or  
19 base line divided into equal intervals of density, beginning with zero on the  
20 left; and (B) a scale for per-student cost of transportation to be shown on a  
21 line perpendicular to the base line at the left end thereof, such scale to  
22 begin with zero dollars at the base line ascending by equal per-student cost  
23 intervals.

24 (3) "Index of density" means the number of students who are  
25 included in the enrollment of a school district in the current school year,  
26 are residing the designated distance or more by the usually traveled road  
27 from the school building they attend, and for whom transportation is being  
28 made available on regular school routes by the school district, divided by  
29 the number of square miles of territory in the school district.

30 ~~New Sec. 25.~~ **{21.}** The enrollment weighting of each school district  
31 shall be determined by the state board as follows:

32 (a) For school districts with an enrollment of fewer than 100 students,  
33 multiply the enrollment of the school district by 1.014331. The resulting  
34 product is the enrollment weighting of the school district;

35 (b) for school districts with an enrollment of at least 100 students, but  
36 fewer than 300 students:

37 (1) Subtract 100 from the enrollment of the school district;

38 (2) multiply the difference obtained under subsection (b)(1) by 9.655;

39 (3) subtract the product obtained under subsection (b)(2) from 7,337;

40 (4) divide the difference obtained under subsection (b)(3) by 3,642.4;

41 (5) subtract one from the quotient obtained under subsection (b)(4);

42 and

43 (6) multiply the difference obtained under subsection (b)(5) by the

1 enrollment of the school district. The resulting product is the enrollment  
2 weighting of the school district;

3 (c) for school districts with an enrollment of at least 300 students, but  
4 fewer than 1,622 students:

5 (1) Subtract 300 from the enrollment of the school district;

6 (2) multiply the difference obtained under subsection (c)(1) by  
7 1.2375;

8 (3) subtract the product obtained under subsection (c)(2) from 5,406;

9 (4) divide the difference obtained under subsection (c)(3) by 3,642.4;

10 (5) subtract one from the quotient obtained under subsection (c)(4);  
11 and

12 (6) multiply the difference obtained under subsection (c)(5) by the  
13 enrollment of the school district. The resulting product is the enrollment  
14 weighting of the school district; and

15 (d) For school districts with an enrollment of at least 1,622 students,  
16 multiply the enrollment of the school district by 0.03504. The resulting  
17 product is the enrollment weighting of the school district.

18 ~~New Sec. 26.~~ **{22.}** The bilingual weighting of each school district  
19 shall be determined by the state board as follows:

20 (a) Determine the full-time equivalent enrollment in approved  
21 programs of bilingual education during the preceding school year and  
22 multiply such enrollment by 0.361;

23 (b) determine the number of students enrolled in approved programs  
24 of bilingual education during the preceding school year and multiply such  
25 enrollment by 0.185; and

26 (c) the bilingual weighting shall be either the amount determined  
27 under subsection (a) or (b), whichever is greater.

28 ~~New Sec. 27.~~ **{23.}** (a) The at-risk student weighting of each school  
29 district shall be determined by the state board as follows:

30 (1) Determine the number of at-risk students included in the  
31 enrollment of the school district; and

32 (2) for a school district with an enrollment that consists of 10% or  
33 more at-risk students, multiply the number determined under subsection  
34 (a)(1) by 0.484. The resulting sum is the at-risk student weighting of the  
35 school district; or

36 (3) for a school district with an enrollment that consists of less than  
37 10% at-risk students, multiply the number of students equal to 10% of  
38 such school district's enrollment by ~~0.456~~ **{0.484}**. The resulting sum is the  
39 at-risk student weighting of the school district. A school district whose at-  
40 risk student weighting is determined pursuant to this paragraph shall  
41 submit a report to the state board in such form and manner as required by  
42 the state board that identifies those students enrolled in such school district  
43 who are receiving at-risk program services and the criteria each such

1 student satisfies in order to receive at-risk program services. The state  
2 board shall adopt rules and regulations that establish the criteria for  
3 eligibility for at-risk program services. The provisions of this paragraph  
4 shall only apply to those school districts that offer instruction in  
5 kindergarten and grades one through 12.

6 (b) The high-density at-risk student weighting of each school district  
7 shall be determined by the state board as follows:

8 (1) If the enrollment of the school district is at least 35% at-risk  
9 students, but less than 50% at-risk students:

10 (A) Subtract 35% from the percentage of at-risk students included in  
11 the enrollment of the school district;

12 (B) multiply the difference determined under subsection (b)(1)(A) by  
13 0.7; and

14 (C) multiply the product determined under subsection (b)(1)(B) by  
15 the number of at-risk students included in the enrollment of the school  
16 district. The resulting product is the high-density at-risk student weighting  
17 of the school district; or

18 (2) if the enrollment of the school district is 50% or more at-risk  
19 students, multiply the number of at-risk students included in the  
20 enrollment of the school district by 0.105. The resulting product is the  
21 high-density at-risk student weighting of the school district.

22 ~~New Sec.-28. {24.}~~ (a) If a student submits an application for free  
23 meals under the national school lunch act on or before the date on which  
24 the enrollment of the school district is calculated and it is later determined  
25 by the school district or the department of education that the student  
26 should not have been eligible for free meals, the school district or the  
27 department shall notify the state board of such determination. Except as  
28 provided in subsection (b), upon receipt of such notice, the state board  
29 shall recompute the adjusted enrollment of the school district and the  
30 general fund budget of the school district based on the adjusted enrollment  
31 of the school district excluding the at-risk student weighting and high  
32 density at-risk student weighting, if any, assigned to such student.

33 (b) If a student becomes ineligible to receive free meals under the  
34 national school lunch act for failure to submit, in a timely manner, any  
35 documentation necessary for verification of eligibility as required by the  
36 national school lunch act, but subsequently submits such documentation,  
37 such student shall not be excluded from the calculation of the adjusted  
38 enrollment of the school district if the school district forwards a copy of  
39 such documentation to the state board no later than January 14 of the  
40 school year.

41 ~~New Sec.-29. {25.}~~ (a) There is hereby established in every school  
42 district an at-risk education fund, which shall consist of all moneys  
43 deposited therein or transferred thereto according to law. The expenses of a

1 school district directly attributable to providing at-risk student assistance  
2 or programs shall be paid from the at-risk education fund.

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

12 (c) Expenditures from the at-risk education fund of a school district  
13 shall only be made for the following purposes:

14 (1) At-risk educational programs approved by the state board;

15 (2) personnel providing educational services in conjunction with such  
16 programs;

17 (3) services contracted for by the school district to provide at-risk  
18 educational programs; or

19 (4) assistance or programs provided for ~~at-risk~~ students who are  
20 identified as at-risk pursuant to policies and procedures adopted by the  
21 state board.

22 (d) Each year the board of education of each school district shall  
23 prepare and submit to the state board a report on the at-risk student  
24 assistance or programs provided by the school district. Such report shall  
25 include the number of at-risk students who were served or provided  
26 assistance, the type of service provided, the research upon which the  
27 school district relied in determining that a need for service or assistance  
28 existed, the results of providing such service or assistance and any other  
29 information required by the state board.

30 (e) In order to achieve uniform reporting of the number of students  
31 provided service or assistance by school districts in at-risk student  
32 programs, school districts shall report the number of students served or  
33 assisted in the manner required by the state board.

34 ~~New Sec. 30. {26.}~~ (a) There is hereby established in every school  
35 district a preschool-aged at-risk education fund, which shall consist of all  
36 moneys deposited therein or transferred thereto according to law. The  
37 expenses of a school district directly attributable to providing preschool-  
38 aged at-risk assistance or programs shall be paid from the preschool-aged  
39 at-risk education fund.

40 (b) Any balance remaining in the preschool-aged at-risk education  
41 fund at the end of the budget year shall be carried forward into the  
42 preschool-aged at-risk education fund for succeeding budget years. Such  
43 fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-

1 2937, and amendments thereto. In preparing the budget of such school  
2 district, the amounts credited to and the amount on hand in the preschool-  
3 aged at-risk education fund, and the amount expended therefrom shall be  
4 included in the annual budget for the information of the residents of the  
5 school district. Interest earned on the investment of moneys in any such  
6 fund shall be credited to that fund.

7 (c) Each year the board of each school district shall prepare and  
8 submit to the state board a report on the preschool-aged at-risk student  
9 assistance or programs provided by the school district. Such report shall  
10 include the number of students who were served or provided assistance,  
11 the type of service provided, the research upon which the school district  
12 relied in determining that a need for service or assistance existed, the  
13 results of providing such service or assistance and any other information  
14 required by the state board.

15 ~~New Sec. 31. {27.}~~ (a) The career technical education weighting of  
16 each school district shall be determined by the state board by multiplying  
17 the full-time equivalent enrollment in approved career technical education  
18 programs during the preceding school year by 0.5. The resulting product is  
19 the career technical education weighting of the school district.

20 (b) The provisions of this section shall expire on July 1, 2018.

21 ~~New Sec. 32. {28.}~~ (a) For each school year in which the school  
22 facilities weighting may be assigned to the enrollment of the school  
23 district, such weighting of such school district shall be determined by the  
24 state board as follows:

25 (1) Determine the number of students included in the enrollment of  
26 the school district who are attending a new school facility;

27 (2) multiply the number of students determined under subsection (a)  
28 (1) by 0.25. The resulting product is the school facilities weighting of the  
29 school district.

30 (b) The school facilities weighting may be assigned to the enrollment  
31 of a school district only if:

32 (1) The school district adopted a local ~~foundation~~ **{option}** budget for  
33 school year 2014-2015 in an amount equal to at least 25% of the amount  
34 of the state financial aid determined for the school district in such school  
35 year pursuant to K.S.A. 72-6433, prior to its repeal;

36 (2) the contractual bond obligations incurred by the school district  
37 were approved by the electors of the school district at an election held on  
38 or before July 1, 2015; and

39 (3) (A) the school district commences operation of a new school  
40 facility and the construction of such facility was financed primarily with  
41 such contractual bond obligations; or

42 (B) the school district commences operation of a new school facility  
43 and the construction of such facility was financed primarily with federal

1 funds and such facility is located on a military reservation.

2 (c) The school facilities weighting may be assigned to the enrollment  
3 of the school district only in the school year in which operation of a new  
4 school facility is commenced and in the next succeeding school year.

5 New Sec.—~~33.~~ **{29.}** The special education and related services  
6 weighting of each school district shall be determined by the state board as  
7 follows:

8 (a) Add the amount of payments received by the school district under  
9 the provisions of K.S.A. 72-979, and amendments thereto, to the amount  
10 of any grants received by the school district under the provisions of K.S.A.  
11 72-983, and amendments thereto; and

12 (2) divide the sum obtained under subsection (a) by the BASE aid.  
13 The resulting quotient is the special education and related services  
14 weighting of the school district.

15 New Sec.—~~34.~~ **{30.}** (a) (1) The board of education of a school district  
16 to which the provisions of this section apply may levy an ad valorem tax  
17 on the taxable tangible property of the school district each year for a  
18 period of time not to exceed two years in an amount not to exceed the  
19 amount authorized by the state board of tax appeals under this subsection  
20 for the purpose of financing the costs incurred by the state that are directly  
21 attributable to assignment of ancillary school facilities weighting to the  
22 enrollment of the school district. The state board of tax appeals may  
23 authorize the school district to make a levy that will produce an amount  
24 that is not greater than the difference between the amount of costs directly  
25 attributable to commencing operation of one or more new school facilities  
26 and the amount that is financed from any other source provided by law for  
27 such purpose. If the school district is not eligible, or will be ineligible, for  
28 ancillary school facilities weighting in any one or more years during the  
29 two-year period for which the school district is authorized to levy a tax  
30 under this subsection, the state board of tax appeals may authorize the  
31 school district to make a levy, in such year or years of ineligibility, that  
32 will produce an amount that is not greater than the actual amount of costs  
33 attributable to commencing operation of the facility or facilities.

34 (2) The state board of tax appeals shall certify to the state board the  
35 amount authorized to be produced by the levy of a tax under this  
36 subsection.

37 (3) The state board of tax appeals may adopt rules and regulations  
38 necessary to effectuate the provisions of this subsection, including rules  
39 and regulations relating to the evidence required in support of a school  
40 district's claim that the costs attributable to commencing operation of one  
41 or more new school facilities are in excess of the amount that is financed  
42 from any other source provided by law for such purpose.

43 (b) The board of education of a school district that has levied an ad

1 valorem tax on the taxable tangible property of the school district each  
2 year for a period of two years under authority of subsection (a) may  
3 continue to levy such tax under authority of this subsection each year for  
4 an additional period of time not to exceed six years in an amount not to  
5 exceed the amount computed by the state board as provided in this  
6 subsection if the board of the school district determines that the costs  
7 attributable to commencing operation of one or more new school facilities  
8 are significantly greater than the costs attributable to the operation of other  
9 school facilities in the school district. The tax authorized under this  
10 subsection may be levied at a rate that will produce an amount that is not  
11 greater than the amount computed by the state board as provided in this  
12 subsection. In computing such amount, the state board shall:

13 (1) Determine the amount produced by the tax levied by the school  
14 district under authority of subsection (a) in the second year for which such  
15 tax was levied and add to such amount the amount of state foundation aid  
16 directly attributable to ancillary school facilities weighting that was  
17 received by the school district in the same year;

18 (2) compute 90% of the amount of the sum obtained under subsection  
19 (b)(1), which computed amount is the amount the school district may levy  
20 in the first year of the six-year period for which the school district may  
21 levy a tax under authority of this subsection;

22 (3) compute 75% of the amount of the sum obtained under subsection  
23 (b)(1), which computed amount is the amount the school district may levy  
24 in the second year of the six-year period for which the school district may  
25 levy a tax under authority of this subsection;

26 (4) compute 60% of the amount of the sum obtained under subsection  
27 (b)(1), which computed amount is the amount the school district may levy  
28 in the third year of the six-year period for which the school district may  
29 levy a tax under authority of this subsection;

30 (5) compute 45% of the amount of the sum obtained under subsection  
31 (b)(1), which computed amount is the amount the school district may levy  
32 in the fourth year of the six-year period for which the school district may  
33 levy a tax under authority of this subsection;

34 (6) compute 30% of the amount of the sum obtained under subsection  
35 (b)(1), which computed amount is the amount the school district may levy  
36 in the fifth year of the six-year period for which the school district may  
37 levy a tax under authority of this subsection; and

38 (7) compute 15% of the amount of the sum obtained under subsection  
39 (b)(1), which computed amount is the amount the school district may levy  
40 in the sixth year of the six-year period for which the school district may  
41 levy a tax under authority of this subsection.

42 In determining the amount produced by the tax levied by the school  
43 district under authority of subsection (a), the state board shall include any

1 moneys apportioned to the ancillary school facilities fund of the school  
2 district from taxes levied under the provisions of K.S.A. 79-5101 et seq.  
3 and 79-5118 et seq., and amendments thereto.

4 (c) The proceeds from any tax levied by a school district under  
5 authority of this section shall be remitted to the state treasurer in  
6 accordance with the provisions of K.S.A. 75-4215, and amendments  
7 thereto. Upon receipt of each such remittance, the state treasurer shall  
8 deposit the entire amount in the state treasury to the credit of the state  
9 school district finance fund.

10 (d) The ancillary school facilities weighting may be assigned to the  
11 enrollment of a school district only if the school district has levied a tax  
12 under the authority of subsection (a), and remitted the proceeds from such  
13 tax to the state treasurer. The ancillary school facilities weighting of each  
14 school district shall be determined in each school year in which such  
15 weighting may be assigned to the enrollment of the school district as  
16 follows:

17 (1) Add the amount to be produced by a tax levy as authorized under  
18 subsection (a) and certified to the state board by the state board of tax  
19 appeals to the amount computed under subsection (b) to be produced by a  
20 tax levy, if any; and

21 (2) divide the sum obtained under subsection (d)(1) by the BASE aid.  
22 The resulting quotient is the ancillary school facilities weighting of the  
23 school district.

24 (e) The provisions of this section apply to any school district that:

25 (1) Commenced operation of one or more new school facilities in the  
26 school year preceding the current school year or has commenced or will  
27 commence operation of one or more new school facilities in the current  
28 school year;

29 (2) adopted a local ~~foundation~~ **{option}** budget; and

30 (3) is experiencing extraordinary enrollment growth as determined by  
31 the state board.

32 ~~New Sec. 35.~~ **{31.}** (a) (1) (A) The board of education of a school  
33 district may levy an ad valorem tax on the taxable tangible property of the  
34 school district each year for a period of time not to exceed two years,  
35 unless authority to make such levy is renewed by the state board of tax  
36 appeals, in an amount not to exceed the amount authorized by the state  
37 board of tax appeals under this section for the purpose of financing the  
38 costs incurred by the state that are directly attributable to assignment of  
39 declining enrollment weighting to the enrollment of the school district.  
40 The state board of tax appeals may authorize the school district to make a  
41 levy that will produce an amount that is not greater than the amount of  
42 revenues lost as a result of the declining enrollment of the school district.  
43 Such amount shall not exceed 5% of the general fund budget of the school



1 district in the school year in which the school district applies to the state  
2 board of tax appeals for authority to make a levy pursuant to this  
3 subsection. The state board of tax appeals may renew the authority to  
4 make such levy for periods of time not to exceed two years.

5 (B) For school year 2017-2018, as an alternative to the authority  
6 provided in subsection (a)(1)(A), if a school district was authorized to  
7 make a levy pursuant to K.S.A. 72-6451, prior to its repeal, in school year  
8 2006-2007, such school district shall remain authorized to make a levy at a  
9 rate necessary to generate revenue equal to  $\frac{1}{2}$  of the amount that was  
10 generated in school year 2007-2008.

11 (2) The state board of tax appeals shall certify to the state board the  
12 amount authorized to be produced by the levy of a tax under this section.

13 (3) The state board shall prescribe guidelines for the data that school  
14 districts shall include in cases before the state board of tax appeals  
15 pursuant to this section. The state board shall provide to the state board of  
16 tax appeals such school data and information requested by the state board  
17 of tax appeals and any other information deemed necessary by the state  
18 board.

19 (b) There is hereby established in every school district a declining  
20 enrollment fund, which shall consist of all moneys deposited therein or  
21 transferred thereto according to law. The proceeds from the tax levied by a  
22 school district under authority of this section shall be credited to the  
23 declining enrollment fund of the school district. The proceeds from the tax  
24 levied by a school district credited to the declining enrollment fund shall  
25 be remitted to the state treasurer in accordance with the provisions of  
26 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
27 remittance, the state treasurer shall deposit the entire amount in the state  
28 treasury to the credit of the state school district finance fund.

29 (c) In determining the amount produced by the tax levied by the  
30 school district under authority of this section, the state board shall include  
31 any moneys apportioned to the declining enrollment fund of the school  
32 district from taxes levied under the provisions of K.S.A. 79-5101 et seq.  
33 and 79-5118 et seq., and amendments thereto.

34 (d) The declining enrollment weighting of a school district shall be  
35 determined by the state board in each school year in which such weighting  
36 may be assigned to the enrollment of the school district. The state board  
37 shall divide the amount certified under subsection (a)(2) by the BASE aid.  
38 The resulting quotient is the declining enrollment weighting of the school  
39 district.

40 (e) As used in this section:

41 (1) "Declining enrollment" means an enrollment that has declined in  
42 amount from that of the second preceding school year.

43 (2) "School district" means a school district that: (A) Has a declining

1 enrollment; and (B) has adopted a local ~~foundation~~ **{option}** budget in an  
2 amount that equals at least 31% of the total foundation aid for the school  
3 district at the time the school district applies to the state board of tax  
4 appeals for authority to make a levy pursuant to this section.

5 (f) The provisions of this section shall expire on July 1, 2018.

6 ~~New Sec. 36.~~ **{32.}** For the purpose of determining the general fund  
7 budget of a school district, weightings shall not be assigned to a student  
8 enrolled in and attending KAMS. Moneys in the general fund that are  
9 attributable to a student enrolled in and attending KAMS shall not be  
10 included in the computation of the local ~~foundation~~ **{option}** budget of the  
11 school district.

12 ~~New Sec. 37.~~ **{33.}** (a) There is hereby established in every school  
13 district a career and postsecondary education fund, which shall consist of  
14 all moneys deposited therein or transferred thereto according to law. All  
15 moneys received by a school district for any course or program authorized  
16 and approved under the provisions of article 44 of chapter 72 of the  
17 Kansas Statutes Annotated, and amendments thereto, except for courses  
18 and programs conducted in an area vocational school, shall be credited to  
19 the career and postsecondary education fund. All moneys received by the  
20 school district from tuition, fees or charges or from any other source for  
21 career technical education courses or programs, except for courses and  
22 programs conducted in an area vocational school, shall be credited to the  
23 career and postsecondary education fund. All moneys received by the  
24 school district from tuition, fees or charges or from any other source for  
25 postsecondary education courses or programs shall be credited to the  
26 career and postsecondary education fund.

27 (b) Expenditures made by a school district that are directly  
28 attributable to the following shall be paid from the career and  
29 postsecondary education fund:

- 30 (1) Career technical education;
- 31 (2) postsecondary education courses; and
- 32 (3) courses provided through distance-learning technology.

33 (c) Any balance remaining in the career and postsecondary education  
34 fund at the end of the budget year shall be carried forward into the career  
35 and postsecondary education fund for succeeding budget years. Such fund  
36 shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937,  
37 and amendments thereto. In preparing the budget of such school district,  
38 the amounts credited to and the amount on hand in the career and  
39 postsecondary education fund, and the amount expended therefrom shall  
40 be included in the annual budget for the information of the residents of the  
41 school district.

42 ~~New Sec. 38.~~ **{34.}** There is hereby established in every school  
43 district a driver training fund, which shall consist of all moneys deposited

1 therein or transferred thereto according to law. All moneys received by the  
2 school district from distributions made from the state safety fund and the  
3 motorcycle safety fund and from tuition, fees or charges for driver training  
4 courses shall be credited to the driver training fund. The expenses of a  
5 school district directly attributable to driver training shall be paid from the  
6 driver training fund.

7 ~~New Sec.—39.~~ **{35.}** There is hereby established in every school  
8 district a food service fund, which shall consist of all moneys deposited  
9 therein or transferred thereto according to law. All moneys received by the  
10 school district for food service and from charges for food service shall be  
11 credited to the food service fund. The expenses of a school district  
12 attributable to food service shall be paid from the food service fund.

13 ~~New Sec.—40.~~ **{36.}** There is hereby established in every school  
14 district a contingency reserve fund, which shall consist of all moneys  
15 deposited therein or transferred thereto according to law. The fund shall be  
16 maintained for payment of expenses of a school district attributable to  
17 financial contingencies as determined by the board.

18 ~~New Sec.—41.~~ **{37.}** (a) Except as otherwise provided in this section,  
19 any revenues of a school district, not required by law to be deposited in or  
20 credited to a specific fund, shall be deposited in or credited to any  
21 categorical fund of the school district or to the capital outlay fund of the  
22 school district.

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

27 (c) (1) At the discretion of the board and subject to subsection (c)(2),  
28 any revenues specified in subsections (a) and (b) may be deposited in or  
29 credited to the general fund of the school district in any school year for  
30 which the allotment system authorized under K.S.A. 75-3722, and  
31 amendments thereto, has been inaugurated and applied to appropriations  
32 made for state foundation aid, or in any school year for which any portion  
33 of the appropriations made for state foundation aid are lapsed by an act of  
34 the legislature.

35 (2) In no event may the amount of revenues deposited in or credited  
36 to the general fund of the school district under authority of subsection (c)  
37 (1) exceed an amount equal to the amount of the reduction in state  
38 foundation aid paid to the school district determined by the state board to  
39 be the result of application of the allotment system to the appropriations  
40 made for state foundation aid or of the lapse of any portion thereof by an  
41 act of the legislature.

42 (d) At the discretion of the board, revenues received by the school  
43 district from the federal government as the school district's share of the

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

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

10 New Sec.—~~42.~~ **{38.}** (a) Any lawful transfer of moneys from the  
11 general fund of a school district to any other fund shall be an operating  
12 expense in the year the transfer is made. The board of education of a  
13 school district may transfer moneys from the general fund to any  
14 categorical fund of the school district in any school year.

15 (b) The board may transfer moneys from the general fund to the  
16 contingency reserve fund of the school district, subject to any limitations  
17 imposed upon the amount authorized to be maintained in the contingency  
18 reserve fund.

19 (c) The board may transfer moneys from the general fund to the:

- 20 (1) Capital outlay fund;
- 21 (2) special reserve fund;
- 22 (3) special liability expense fund; and
- 23 (4) textbook and student materials revolving fund.

24 (d) In each school year, the board may transfer to its general fund  
25 from any fund to which transfers from the general fund are authorized an  
26 amount not to exceed an amount equal to the amount transferred from the  
27 general fund to any such fund in the same school year.

28 New Sec.—~~43.~~ **{39.}** Expenditures of a school district for the following  
29 purposes are not operating expenses:

30 (a) Payments to another school district in an adjustment of rights as  
31 provided in K.S.A. 72-6776, and amendments thereto, or upon transfer of  
32 territory as provided in K.S.A. 72-7105, 72-7106 or 72-7107, and  
33 amendments thereto, if paid from any fund other than the general fund;

34 (b) payments to another school district under K.S.A. 72-7105a, and  
35 amendments thereto;

36 (c) the maintenance of student activities that are reimbursed;

37 (d) expenditures from any lawfully authorized fund of a school  
38 district other than its general fund;

39 (e) the provision of educational services for students residing at the  
40 Flint Hills job corps center, students housed at a psychiatric residential  
41 treatment facility or students confined in a juvenile detention facility for  
42 which the school district is reimbursed by a grant of state moneys as  
43 provided in K.S.A. 72-8187, and amendments thereto; and

1 (f) programs financed, in part or in whole, by federal funds that may  
2 be expended although not included in the budget of the school district,  
3 excluding funds received under the provisions of title I of public law 874,  
4 but not including in such exclusion amounts received for assistance in  
5 cases of major disaster and amounts received under the low-rent housing  
6 program, to the extent of the federal funds to be provided.

7 New Sec.-44: {40.} If in any school year a school district expends an  
8 amount for operating expenses that exceeds its general fund budget, the  
9 state board shall determine the excess and deduct the same from amounts  
10 of state foundation aid payable to the school district during the next  
11 succeeding school year.

12 New Sec.-45: {41.} (a) In order to accomplish the mission for Kansas  
13 education, the state board shall design and adopt a school district  
14 accreditation system based upon improvement in performance that reflects  
15 the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and  
16 amendments thereto, and is measurable. On or before January 15, 2018,  
17 and each January 15 thereafter, the state board shall prepare and submit a  
18 report on the school district accreditation system to the governor and the  
19 legislature.

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

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

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

41 (e) Whenever the state board determines that a school district has  
42 failed either to meet the accreditation requirements established by rules  
43 and regulations or standards adopted by the state board or provide

1 curriculum based on state standards and courses required by state law, the  
2 state board shall so notify the school district. Such notice shall specify the  
3 accreditation requirements that the school district has failed to meet and  
4 the curriculum that it has failed to provide. Upon receipt of such notice,  
5 the board of education of such school district is encouraged to reallocate  
6 the resources of the school district to remedy all deficiencies identified by  
7 the state board.

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

23 ~~New Sec. 46. {42.}~~ (a) On or before January 15 of each year, the state  
24 department of education shall prepare and submit reports on school district  
25 funding for each school district to the governor and the legislature.

26 (b) Each report shall contain the information described in subsection  
27 (c) for the school district in terms of actual dollar amounts for the  
28 immediately preceding school year, actual dollar amounts for the current  
29 school year and budgeted dollar amounts for the immediately succeeding  
30 school year.

31 (c) Each report shall contain the following information for the school  
32 district:

- 33 (1) Full-time equivalent enrollment;
- 34 (2) total general and supplemental general funds, including a showing  
35 of funding provided by federal sources, state sources and local sources,  
36 and total funds per student;
- 37 (3) total capital outlay funds, including a showing of such funding  
38 provided by federal sources, state sources and local sources, and capital  
39 outlay funds per student;
- 40 (4) total bond and interest funds, including a showing of such funding  
41 provided by federal sources, state sources and local sources, and bond and  
42 interest funds per student;
- 43 (5) total of all other funds not described in paragraphs (2), (3) and (4),

1 excluding fund transfers, including a showing of such funding provided by  
2 federal sources, state sources and local sources, and total funds per  
3 student;

4 (6) general fund moneys attributable to the following:

5 (A) BASE aid;

6 (B) enrollment weighting;

7 (C) school facilities weighting;

8 (D) transportation weighting;

9 (E) at-risk student weighting;

10 (F) preschool-aged at-risk student weighting;

11 (G) high-density at-risk student weighting;

12 (H) career technical education weighting;

13 (I) special education and related services weighting;

14 (J) bilingual weighting;

15 (K) ancillary school facilities weighting;

16 (L) declining enrollment weighting; and

17 (M) virtual school state aid; and

18 (7) total expenditures from each of the following funds:

19 (A) At-risk education fund;

20 (B) preschool-aged at-risk education fund;

21 (C) bilingual education fund;

22 (D) career and postsecondary education fund;

23 (E) special education fund;

24 (F) virtual school fund; and

25 (G) special retirement contributions fund.

26 New Sec. ~~47.~~ {43.} The legislative post audit committee shall direct  
27 the legislative division of post audit to conduct the following performance  
28 audits in the fiscal year specified:

29 (a) A performance audit of transportation services funding. The audit  
30 should include a comparison of the amount of transportation services  
31 funding school districts receive to the cost of providing transportation  
32 services. This performance audit shall be conducted during fiscal year  
33 2018, and the final audit report shall be submitted to the legislature on or  
34 before January 15, 2018.

35 (b) A performance audit of at-risk education funding. The audit  
36 should evaluate the method of counting students for at-risk education  
37 funding, the level of the at-risk student weighting and high-density at-risk  
38 student weighting under the act and how school districts are expending  
39 moneys provided for at-risk education. This performance audit shall be  
40 conducted during fiscal year 2020, and the final audit report shall be  
41 submitted to the legislature on or before January 15, 2020.

42 (c) A performance audit of bilingual education funding. The audit  
43 should evaluate the method of counting students for bilingual education

1 funding, the level of the bilingual weighting under the act and how school  
2 districts are expending moneys provided for bilingual education. This  
3 performance audit shall be conducted during fiscal year 2023, and the final  
4 audit report shall be submitted to the legislature on or before January 15,  
5 2023.

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

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

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

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

15 (4) the effectiveness of each virtual school program with respect to  
16 student performance and outcomes.

17 The audit shall be conducted during fiscal year 2024, and the final audit  
18 report shall be submitted to the legislature on or before January 15, 2024.

19 (e) (1) A performance audit to provide a reasonable estimate of the  
20 cost of providing educational opportunities for every public school student  
21 in Kansas to achieve the performance outcome standards adopted by the  
22 state board of education. This performance audit shall be conducted three  
23 times as follows:

24 (A) During fiscal year 2019, and the final report submitted to the  
25 legislature on or before January 15, 2019;

26 (B) during fiscal year 2022, and the final report submitted to the  
27 legislature on or before January 15, 2022; and

28 (C) during fiscal year 2025, and the final report submitted to the  
29 legislature on or before January 15, 2025.

30 (2) Each performance audit required under this subsection shall:

31 (A) Include reasonable estimates of the costs of providing specialized  
32 education services as required by law, including, but not limited to, special  
33 education and related services, bilingual education and at-risk programs;  
34 and

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

38 (3) In conducting each performance audit required under this  
39 subsection:

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

43 (B) subject to the limitations of the division of legislative post audit



1 budget and appropriations therefor, the legislative post auditor may enter  
2 into contracts with consultants as the post auditor deems necessary.

3 (f) A performance audit to identify best practices in successful  
4 schools. The audit should include a comparison of the educational methods  
5 and other practices of demographically similar school districts that achieve  
6 significantly different student outcomes based on performance outcome  
7 standards adopted by the state board of education. This performance audit  
8 shall be conducted during fiscal year 2021, and the final audit report shall  
9 be submitted to the legislature on or before January 15, 2021. The audit  
10 shall be conducted a second time during fiscal year 2026, and the final  
11 audit report shall be submitted to the legislature on or before January 15,  
12 2026.

13 ~~New Sec. 48.~~ **{44.}** The state board may adopt rules and regulations  
14 for the administration of this act, including the classification of  
15 expenditures of school districts to ensure uniform reporting of operating  
16 expenses.

17 ~~New Sec. 49.~~ **{45.}** The provisions of the Kansas school equity and  
18 enhancement act, section 3 et seq., and amendments thereto, shall not be  
19 severable. If any provision of the Kansas school equity and enhancement  
20 act, section 3 et seq., and amendments thereto, is held to be invalid or  
21 unconstitutional by court order, all provisions of the Kansas school equity  
22 and enhancement act, section 3 et seq., and amendments thereto, shall be  
23 null and void.

24 ~~New Sec. 50.~~ **{46.}** (a) The state department of education shall  
25 conduct a study of the cost of career technical education programs offered  
26 by school districts, including, but not limited to, the following:

27 (1) The career technical education programs offered by school  
28 districts;

29 (2) the costs associated with offering such programs, including  
30 salaries and wages, materials, equipment and facilities; and

31 (3) the coordination between school districts, community colleges  
32 and technical colleges in offering such programs.

33 (b) On or before January 15, 2018, the state department of education  
34 shall prepare a report on its findings and shall make recommendations on  
35 amendments to the Kansas school equity and enhancement act, section 3 et  
36 seq., and amendments thereto, for the financing of career technical  
37 education programs using a tiered technical education model or other  
38 funding model. The report shall be submitted to the governor and the  
39 legislature.

40 (c) The provisions of this section shall expire on July 1, 2018.

41 ~~New Sec. 51.~~ **{47.}** (a) There is hereby established in the state  
42 treasury the school district capital outlay state aid fund. Such fund shall  
43 consist of all moneys transferred thereto under the provisions of subsection

1 (d).

2 (b) Each school district that levies a tax pursuant to K.S.A. 72-8801  
3 et seq., and amendments thereto, shall receive payment from the school  
4 district capital outlay state aid fund in an amount determined by the state  
5 board of education as provided in this section.

6 (c) The state board shall:

7 (1) Determine the amount of the assessed valuation per student of  
8 each school district in the state for the preceding school year and round  
9 such amount to the nearest \$1,000. The rounded amount is the assessed  
10 valuation per student of a school district for the purposes of this  
11 subsection;

12 (2) determine the median assessed valuation per student of all school  
13 districts;

14 (3) prepare a schedule of dollar amounts using the amount of the  
15 median assessed valuation per student of all school districts as the point of  
16 beginning. The schedule of dollar amounts shall range upward in equal  
17 \$1,000 intervals from the point of beginning to and including an amount  
18 that is equal to the amount of the assessed valuation per student of the  
19 school district with the highest assessed valuation per student of all school  
20 districts and shall range downward in equal \$1,000 intervals from the point  
21 of beginning to and including an amount that is equal to the amount of the  
22 assessed valuation per student of the school district with the lowest  
23 assessed valuation per student of all school districts;

24 (4) determine a state aid percentage factor for each school district by  
25 assigning a state aid computation percentage to the amount of the median  
26 assessed valuation per student shown on the schedule, decreasing the state  
27 aid computation percentage assigned to the amount of the median assessed  
28 valuation per student by one percentage point for each \$1,000 interval  
29 above the amount of the median assessed valuation per student, and  
30 increasing the state aid computation percentage assigned to the amount of  
31 the median assessed valuation per student by one percentage point for each  
32 \$1,000 interval below the amount of the median assessed valuation per  
33 student. The state aid percentage factor of a school district is the  
34 percentage assigned to the schedule amount that is equal to the amount of  
35 the assessed valuation per student of the school district, except that the  
36 state aid percentage factor of a school district shall not exceed 100%. The  
37 state aid computation percentage is 25%;

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

40 (6) multiply the amount computed under subsection (c)(5), but not to  
41 exceed 8 mills, by the applicable state aid percentage factor. The resulting  
42 product is the amount of payment the school district is to receive from the  
43 school district capital outlay state aid fund in the school year.

1 (d) The state board shall certify to the director of accounts and reports  
2 the amount of school district capital outlay state aid determined under the  
3 provisions of subsection (c), and an amount equal thereto shall be  
4 transferred by the director from the state general fund to the school district  
5 capital outlay state aid fund for distribution to school districts. All transfers  
6 made in accordance with the provisions of this subsection shall be  
7 considered to be demand transfers from the state general fund.

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

17 ~~New Sec. 52. (a) Upon the request of a parent or legal guardian of a~~  
18 ~~student who has been diagnosed with an autism spectrum disorder, a~~  
19 ~~school district shall provide applied behavior analysis therapy for such~~  
20 ~~student to the extent such therapy is ordered by a licensed physician,~~  
21 ~~licensed psychologist or licensed specialist clinical social worker, provided~~  
22 ~~there is a licensed clinician providing such therapy who is located within~~  
23 ~~the territory of the school district. If such student has an individualized~~  
24 ~~education program (IEP), then the provision of such therapy shall not~~  
25 ~~directly conflict with any of the provisions of the IEP of such student, and~~  
26 ~~shall not be required for the provision of free appropriate public education~~  
27 ~~as required by any federal or state law.~~

28 ~~(b) A school district may submit an application to the state board of~~  
29 ~~education for state aid to be expended by the school district for the~~  
30 ~~provision of applied behavior analysis therapy pursuant to subsection (a).~~  
31 ~~Such application shall be submitted in such form and manner as prescribed~~  
32 ~~by the state board, and shall include a description of the school district's~~  
33 ~~need for such state aid. The state board shall review all submitted~~  
34 ~~applications and to the extent moneys are available may approve such~~  
35 ~~application. All payments of such state aid approved by the state board~~  
36 ~~shall be paid from the ABA therapy state aid fund.~~

37 ~~(c) There is hereby established in the state treasury the ABA therapy~~  
38 ~~state aid fund which shall be administered by the state department of~~  
39 ~~education. All expenditures from the ABA therapy state aid fund shall be~~  
40 ~~used for the payment of state aid as approved by the state board pursuant~~  
41 ~~to this section, and shall be made in accordance with appropriation acts~~  
42 ~~upon warrants of the director of accounts and reports issued pursuant to~~  
43 ~~vouchers approved by the state board, or the state board's designee. Upon~~

1 receipt of the warrant, the treasurer of the school district shall credit the  
2 amount thereof to the general fund of the school district.

3 ~~(d) On July 1, 2018, and each July 1 thereafter, the state board of~~  
4 ~~education shall determine the aggregate enrollment of students in school~~  
5 ~~districts in this state for the immediately preceding school year and~~  
6 ~~multiply such aggregate enrollment by \$4. The state board shall certify to~~  
7 ~~the director of accounts and reports the resulting amount. Upon receipt of~~  
8 ~~such certification or as soon as moneys are available, an amount equal to~~  
9 ~~the amount certified by the state board shall be transferred by the director~~  
10 ~~from the state general fund to the ABA therapy state aid fund. All transfers~~  
11 ~~made in accordance with the provisions of this subsection shall be~~  
12 ~~considered to be demand transfers from the state general fund.~~

13 ~~(e) For purposes of this section, the terms "autism spectrum disorder"~~  
14 ~~and "applied behavior analysis" mean the same as those terms are defined~~  
15 ~~in K.S.A. 2016 Supp. 40-2-194, and amendments thereto.~~

16 ~~(f) The provisions of this section shall be effective on and after July~~  
17 ~~1, 2018.~~

18 ~~Sec. 53. {48.}~~ K.S.A. 2016 Supp. 10-1116a is hereby amended to read  
19 as follows: 10-1116a. The limitations on expenditures imposed under the  
20 cash-basis law shall not apply to:

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

41 (b) Expenditures in any month by school districts which are in excess  
42 of current revenues if the deficit or shortage in revenues is caused by, or a  
43 result of, the payment of state aid after the date prescribed for the payment

1 of state aid during such month under ~~K.S.A. 2016 Supp. 72-6466~~ *section*  
2 *7*, and amendments thereto.

3 ~~Sec. 54.~~ **{49.}** K.S.A. 2016 Supp. 12-1677 is hereby amended to read  
4 as follows: 12-1677. (a) Except as otherwise required by state or federal  
5 law, all moneys earned and collected from investments by counties, area  
6 vocational-technical schools and quasi-municipal corporations authorized  
7 in this act shall be credited to the general fund of such county, area  
8 vocational-technical school or quasi-municipal corporation by the treasurer  
9 thereof, and all moneys earned and collected from investments by school  
10 districts authorized in this act shall be credited ~~to the general fund of the~~  
11 ~~school district~~ *in accordance with the provisions of section 41, and*  
12 *amendments thereto.*

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

18 ~~Sec. 55.~~ **{50.}** K.S.A. 2016 Supp. 12-1770a is hereby amended to  
19 read as follows: 12-1770a. As used in this act, the following words and  
20 phrases shall have the following meanings unless a different meaning  
21 clearly appears from the content:

22 (a) "Auto race track facility" means: (1) An auto race track facility  
23 and facilities directly related and necessary to the operation of an auto race  
24 track facility, including, but not limited to, grandstands, suites and viewing  
25 areas, concessions, souvenir facilities, catering facilities, visitor and retail  
26 centers, signage and temporary hospitality facilities, but excluding (2)  
27 hotels, motels, restaurants and retail facilities, not directly related to or  
28 necessary to the operation of such facility.

29 (b) "Base year assessed valuation" means the assessed valuation of all  
30 real property within the boundaries of a redevelopment district on the date  
31 the redevelopment district was established.

32 (c) "Blighted area" means an area which:

33 (1) Because of the presence of a majority of the following factors,  
34 substantially impairs or arrests the development and growth of the  
35 municipality or constitutes an economic or social liability or is a menace to  
36 the public health, safety, morals or welfare in its present condition and use:

37 (A) A substantial number of deteriorated or deteriorating structures;

38 (B) predominance of defective or inadequate street layout;

39 (C) unsanitary or unsafe conditions;

40 (D) deterioration of site improvements;

41 (E) tax or special assessment delinquency exceeding the fair market  
42 value of the real property;

43 (F) defective or unusual conditions of title including, but not limited

- 1 to, cloudy or defective titles, multiple or unknown ownership interests to  
2 the property;
- 3 (G) improper subdivision or obsolete platting or land uses;
- 4 (H) the existence of conditions which endanger life or property by  
5 fire or other causes; or
- 6 (I) conditions which create economic obsolescence;
- 7 (2) has been identified by any state or federal environmental agency  
8 as being environmentally contaminated to an extent that requires a  
9 remedial investigation; feasibility study and remediation or other similar  
10 state or federal action;
- 11 (3) a majority of the property is a 100-year floodplain area; or
- 12 (4) previously was found by resolution of the governing body to be a  
13 slum or a blighted area under K.S.A. 17-4742 et seq., and amendments  
14 thereto.
- 15 (d) "Conservation area" means any improved area comprising 15% or  
16 less of the land area within the corporate limits of a city in which 50% or  
17 more of the structures in the area have an age of 35 years or more, which  
18 area is not yet blighted, but may become a blighted area due to the  
19 existence of a combination of two or more of the following factors:
- 20 (1) Dilapidation, obsolescence or deterioration of the structures;
- 21 (2) illegal use of individual structures;
- 22 (3) the presence of structures below minimum code standards;
- 23 (4) building abandonment;
- 24 (5) excessive vacancies;
- 25 (6) overcrowding of structures and community facilities; or
- 26 (7) inadequate utilities and infrastructure.
- 27 (e) "De minimus" means an amount less than 15% of the land area  
28 within a redevelopment district.
- 29 (f) "Developer" means any person, firm, corporation, partnership or  
30 limited liability company, other than a city and other than an agency,  
31 political subdivision or instrumentality of the state or a county when  
32 relating to a bioscience development district.
- 33 (g) "Eligible area" means a blighted area, conservation area,  
34 enterprise zone, intermodal transportation area, major tourism area or a  
35 major commercial entertainment and tourism area, bioscience  
36 development area or a building or buildings which are 65 years of age or  
37 older and any contiguous vacant or condemned lots.
- 38 (h) "Enterprise zone" means an area within a city that was designated  
39 as an enterprise zone prior to July 1, 1992, pursuant to K.S.A. 12-17,107  
40 through 12-17,113, and amendments thereto, prior to its repeal and the  
41 conservation, development or redevelopment of the area is necessary to  
42 promote the general and economic welfare of such city.
- 43 (i) "Environmental increment" means the increment determined

1 pursuant to K.S.A. 12-1771a(b), and amendments thereto.

2 (j) "Environmentally contaminated area" means an area of land  
3 having contaminated groundwater or soil which is deemed  
4 environmentally contaminated by the department of health and  
5 environment or the United States environmental protection agency.

6 (k) (1) "Feasibility study" means:

7 (A) A study which shows whether a redevelopment project's or  
8 bioscience development project's benefits and tax increment revenue and  
9 other available revenues under K.S.A. 12-1774(a)(1), and amendments  
10 thereto, are expected to exceed or be sufficient to pay for the  
11 redevelopment or bioscience development project costs; and

12 (B) the effect, if any, the redevelopment project costs or bioscience  
13 development project will have on any outstanding special obligation bonds  
14 payable from the revenues described in K.S.A. 12-1774(a)(1)(D), and  
15 amendments thereto.

16 (2) For a redevelopment project or bioscience project financed by  
17 bonds payable from revenues described in K.S.A. 12-1774(a)(1)(D), and  
18 amendments thereto, the feasibility study must also include:

19 (A) A statement of how the taxes obtained from the project will  
20 contribute significantly to the economic development of the jurisdiction in  
21 which the project is located;

22 (B) a statement concerning whether a portion of the local sales and  
23 use taxes are pledged to other uses and are unavailable as revenue for the  
24 redevelopment project. If a portion of local sales and use taxes is so  
25 committed, the applicant shall describe the following:

26 (i) The percentage of sales and use taxes collected that are so  
27 committed; and

28 (ii) the date or dates on which the local sales and use taxes pledged to  
29 other uses can be pledged for repayment of special obligation bonds;

30 (C) an anticipated principal and interest payment schedule on the  
31 bonds;

32 (D) following approval of the redevelopment plan, the feasibility  
33 study shall be supplemented to include a copy of the minutes of the  
34 governing body meeting or meetings of any city whose bonding authority  
35 will be utilized in the project, evidencing that a redevelopment plan has  
36 been created, discussed, and adopted by the city in a regularly scheduled  
37 open public meeting; and

38 (E) the failure to include all information enumerated in this  
39 subsection in the feasibility study for a redevelopment or bioscience  
40 project shall not affect the validity of bonds issued pursuant to this act.

41 (l) "Major tourism area" means an area for which the secretary has  
42 made a finding the capital improvements costing not less than  
43 \$100,000,000 will be built in the state to construct an auto race track

1 facility.

2 (m) "Real property taxes" means all taxes levied on an ad valorem  
3 basis upon land and improvements thereon, except that when relating to a  
4 bioscience development district, as defined in this section, "real property  
5 taxes" does not include property taxes levied ~~for schools, by school~~  
6 ~~districts~~ pursuant to ~~K.S.A. 2016 Supp. 72-6470~~ *section 14*, and  
7 amendments thereto.

8 (n) "Redevelopment project area" means an area designated by a city  
9 within a redevelopment district or, if the redevelopment district is  
10 established for an intermodal transportation area, an area designated by a  
11 city within or outside of the redevelopment district.

12 (o) "Redevelopment project costs" means: (1) Those costs necessary  
13 to implement a redevelopment project plan or a bioscience development  
14 project plan, including costs incurred for:

15 (A) Acquisition of property within the redevelopment project area;

16 (B) payment of relocation assistance pursuant to a relocation  
17 assistance plan as provided in K.S.A. 12-1777, and amendments thereto;

18 (C) site preparation including utility relocations;

19 (D) sanitary and storm sewers and lift stations;

20 (E) drainage conduits, channels, levees and river walk canal facilities;

21 (F) street grading, paving, graveling, macadamizing, curbing,  
22 guttering and surfacing;

23 (G) street light fixtures, connection and facilities;

24 (H) underground gas, water, heating and electrical services and  
25 connections located within the public right-of-way;

26 (I) sidewalks and pedestrian underpasses or overpasses;

27 (J) drives and driveway approaches located within the public right-of-  
28 way;

29 (K) water mains and extensions;

30 (L) plazas and arcades;

31 (M) major multi-sport athletic complex;

32 (N) museum facility;

33 (O) parking facilities including multilevel parking facilities;

34 (P) landscaping and plantings, fountains, shelters, benches,  
35 sculptures, lighting, decorations and similar amenities;

36 (Q) related expenses to redevelop and finance the redevelopment  
37 project;

38 (R) for purposes of an incubator project, such costs shall also include  
39 wet lab equipment including hoods, lab tables, heavy water equipment and  
40 all such other equipment found to be necessary or appropriate for a  
41 commercial incubator wet lab facility by the city in its resolution  
42 establishing such redevelopment district or a bioscience development  
43 district;



1 (S) costs for the acquisition of land for and the construction and  
2 installation of publicly-owned infrastructure improvements which serve an  
3 intermodal transportation area and are located outside of a redevelopment  
4 district; and

5 (T) costs for infrastructure located outside the redevelopment district  
6 but contiguous to any portion of the redevelopment district and such  
7 infrastructure is necessary for the implementation of the redevelopment  
8 plan as determined by the city.

9 (2) Redevelopment project costs shall not include: (A) Costs incurred  
10 in connection with the construction of buildings or other structures to be  
11 owned by or leased to a developer, however, the "redevelopment project  
12 costs" shall include costs incurred in connection with the construction of  
13 buildings or other structures to be owned or leased to a developer which  
14 includes an auto race track facility or a multilevel parking facility.

15 (B) In addition, for a redevelopment project financed with special  
16 obligation bonds payable from the revenues described in K.S.A. 12-  
17 1774(a)(1)(D), and amendments thereto, redevelopment project costs shall  
18 not include:

19 (i) Fees and commissions paid to developers, real estate agents,  
20 financial advisors or any other consultants who represent the developers or  
21 any other businesses considering locating in or located in a redevelopment  
22 district;

23 (ii) salaries for local government employees;

24 (iii) moving expenses for employees of the businesses locating within  
25 the redevelopment district;

26 (iv) property taxes for businesses that locate in the redevelopment  
27 district;

28 (v) lobbying costs;

29 (vi) a bond origination fee charged by the city pursuant to K.S.A. 12-  
30 1742, and amendments thereto;

31 (vii) any personal property, as defined in K.S.A. 79-102, and  
32 amendments thereto; and

33 (viii) travel, entertainment and hospitality.

34 (p) "Redevelopment district" means the specific area declared to be  
35 an eligible area in which the city may develop one or more redevelopment  
36 projects.

37 (q) "Redevelopment district plan" or "district plan" means the  
38 preliminary plan that identifies all of the proposed redevelopment project  
39 areas and identifies in a general manner all of the buildings, facilities and  
40 improvements in each that are proposed to be constructed or improved in  
41 each redevelopment project area or, if the redevelopment district is  
42 established for an intermodal transportation area, in or outside of the  
43 redevelopment district.

1 (r) "Redevelopment project" means the approved project to  
2 implement a project plan for the development of the established  
3 redevelopment district.

4 (s) "Redevelopment project plan" means the plan adopted by a  
5 municipality for the development of a redevelopment project or projects  
6 which conforms with K.S.A. 12-1772, and amendments thereto, in a  
7 redevelopment district.

8 (t) "Substantial change" means, as applicable, a change wherein the  
9 proposed plan or plans differ substantially from the intended purpose for  
10 which the district plan or project plan was approved.

11 (u) "Tax increment" means that amount of real property taxes  
12 collected from real property located within the redevelopment district that  
13 is in excess of the amount of real property taxes which is collected from  
14 the base year assessed valuation.

15 (v) "Taxing subdivision" means the county, city, unified school  
16 district and any other taxing subdivision levying real property taxes, the  
17 territory or jurisdiction of which includes any currently existing or  
18 subsequently created redevelopment district including a bioscience  
19 development district.

20 (w) "River walk canal facilities" means a canal and related water  
21 features which flows through a redevelopment district and facilities related  
22 or contiguous thereto, including, but not limited to pedestrian walkways  
23 and promenades, landscaping and parking facilities.

24 (x) "Major commercial entertainment and tourism area" may include,  
25 but not be limited to, a major multi-sport athletic complex.

26 (y) "Major multi-sport athletic complex" means an athletic complex  
27 that is utilized for the training of athletes, the practice of athletic teams, the  
28 playing of athletic games or the hosting of events. Such project may  
29 include playing fields, parking lots and other developments including  
30 grandstands, suites and viewing areas, concessions, souvenir facilities,  
31 catering facilities, visitor centers, signage and temporary hospitality  
32 facilities, but excluding hotels, motels, restaurants and retail facilities, not  
33 directly related to or necessary to the operation of such facility.

34 (z) "Bioscience" means the use of compositions, methods and  
35 organisms in cellular and molecular research, development and  
36 manufacturing processes for such diverse areas as pharmaceuticals,  
37 medical therapeutics, medical diagnostics, medical devices, medical  
38 instruments, biochemistry, microbiology, veterinary medicine, plant  
39 biology, agriculture, industrial environmental and homeland security  
40 applications of bioscience and future developments in the biosciences.  
41 Bioscience includes biotechnology and life sciences.

42 (aa) "Bioscience development area" means an area that:

43 (1) Is or shall be owned, operated, or leased by, or otherwise under

- 1 the control of the Kansas bioscience authority;
- 2 (2) is or shall be used and maintained by a bioscience company; or
- 3 (3) includes a bioscience facility.
- 4 (bb) "Bioscience development district" means the specific area,
- 5 created under K.S.A. 12-1771, and amendments thereto, where one or
- 6 more bioscience development projects may be undertaken.
- 7 (cc) "Bioscience development project" means an approved project to
- 8 implement a project plan in a bioscience development district.
- 9 (dd) "Bioscience development project plan" means the plan adopted
- 10 by the authority for a bioscience development project pursuant to K.S.A.
- 11 12-1772, and amendments thereto, in a bioscience development district.
- 12 (ee) "Bioscience facility" means real property and all improvements
- 13 thereof used to conduct bioscience research, including, without limitation,
- 14 laboratory space, incubator space, office space and any and all facilities
- 15 directly related and necessary to the operation of a bioscience facility.
- 16 (ff) "Bioscience project area" means an area designated by the
- 17 authority within a bioscience development district.
- 18 (gg) "Biotechnology" means those fields focusing on technological
- 19 developments in such areas as molecular biology, genetic engineering,
- 20 genomics, proteomics, physiomics, nanotechnology, biodefense,
- 21 biocomputing, bioinformatics and future developments associated with
- 22 biotechnology.
- 23 (hh) "Board" means the board of directors of the Kansas bioscience
- 24 authority.
- 25 (ii) "Life sciences" means the areas of medical sciences,
- 26 pharmaceutical sciences, biological sciences, zoology, botany, horticulture,
- 27 ecology, toxicology, organic chemistry, physical chemistry, physiology and
- 28 any future advances associated with life sciences.
- 29 (jj) "Revenue increase" means that amount of real property taxes
- 30 collected from real property located within the bioscience development
- 31 district that is in excess of the amount of real property taxes which is
- 32 collected from the base year assessed valuation.
- 33 (kk) "Taxpayer" means a person, corporation, limited liability
- 34 company, S corporation, partnership, registered limited liability
- 35 partnership, foundation, association, nonprofit entity, sole proprietorship,
- 36 business trust, group or other entity that is subject to the Kansas income
- 37 tax act, K.S.A. 79-3201 et seq., and amendments thereto.
- 38 (ll) "Floodplain increment" means the increment determined pursuant
- 39 to K.S.A. 2016 Supp. 12-1771e(b), and amendments thereto.
- 40 (mm) "100-year floodplain area" means an area of land existing in a
- 41 100-year floodplain as determined by either an engineering study of a
- 42 Kansas certified engineer or by the United States federal emergency
- 43 management agency.

1 (nn) "Major motorsports complex" means a complex in Shawnee  
2 county that is utilized for the hosting of competitions involving motor  
3 vehicles, including, but not limited to, automobiles, motorcycles or other  
4 self-propelled vehicles other than a motorized bicycle or motorized  
5 wheelchair. Such project may include racetracks, all facilities directly  
6 related and necessary to the operation of a motorsports complex,  
7 including, but not limited to, parking lots, grandstands, suites and viewing  
8 areas, concessions, souvenir facilities, catering facilities, visitor and retail  
9 centers, signage and temporary hospitality facilities, but excluding hotels,  
10 motels, restaurants and retail facilities not directly related to or necessary  
11 to the operation of such facility.

12 (oo) "Intermodal transportation area" means an area of not less than  
13 800 acres to be developed primarily to handle the transfer, storage and  
14 distribution of freight through railway and trucking operations.

15 (pp) "Museum facility" means a separate newly-constructed museum  
16 building and facilities directly related and necessary to the operation  
17 thereof, including gift shops and restaurant facilities, but excluding hotels,  
18 motels, restaurants and retail facilities not directly related to or necessary  
19 to the operation of such facility. The museum facility shall be owned by  
20 the state, a city, county, other political subdivision of the state or a non-  
21 profit corporation, shall be managed by the state, a city, county, other  
22 political subdivision of the state or a non-profit corporation and may not  
23 be leased to any developer and shall not be located within any retail or  
24 commercial building.

25 Sec. ~~56.~~ **{51.}** K.S.A. 2016 Supp. 12-1775a is hereby amended to  
26 read as follows: 12-1775a. (a) Prior to December 31, 1996, the governing  
27 body of each city which, pursuant to K.S.A. 12-1771, and amendments  
28 thereto, has established a redevelopment district prior to July 1, 1996, shall  
29 certify to the director of accounts and reports the amount equal to the  
30 amount of revenue realized from ad valorem taxes imposed pursuant to  
31 ~~K.S.A. 2016 Supp. 72-6470~~ *section 14*, and amendments thereto, within  
32 such redevelopment district. Prior to February 1, 1997, and annually on  
33 that date thereafter, the governing body of each such city shall certify to  
34 the director of accounts and reports an amount equal to the amount by  
35 which revenues realized from such ad valorem taxes imposed in such  
36 redevelopment district are estimated to be reduced for the ensuing calendar  
37 year due to legislative changes in the statewide school finance formula.  
38 Prior to March 1 of each year, the director of accounts and reports shall  
39 certify to the state treasurer each amount certified by the governing bodies  
40 of cities under this section for the ensuing calendar year and shall transfer  
41 from the state general fund to the city tax increment financing revenue  
42 fund the aggregate of all amounts so certified. Prior to April 15 of each  
43 year, the state treasurer shall pay from the city tax increment financing

1 revenue fund to each city certifying an amount to the director of accounts  
2 and reports under this section for the ensuing calendar year the amount so  
3 certified.

4 (b) There is hereby created the tax increment financing revenue  
5 replacement fund which shall be administered by the state treasurer. All  
6 expenditures from the tax increment financing revenue replacement fund  
7 shall be made in accordance with appropriations acts upon warrants of the  
8 director of accounts and reports issued pursuant to vouchers approved by  
9 the state treasurer or a person or persons designated by the state treasurer.

10 Sec. ~~57~~. **{52.}** K.S.A. 2016 Supp. 12-1776a is hereby amended to  
11 read as follows: 12-1776a. (a) As used in this section:

12 (1) "School district" means any school district in which is located a  
13 redevelopment district for which bonds have been issued pursuant to  
14 K.S.A. 12-1770 et seq., and amendments thereto.

15 (2) "Base year assessed valuation," "redevelopment district" and  
16 "redevelopment project" shall have the meanings ascribed thereto by  
17 K.S.A. 12-1770a, and amendments thereto.

18 (b) No later than November 1 of each year, the county clerk of each  
19 county shall certify to the state board of education the assessed valuation  
20 of any school district located within a redevelopment district in such  
21 county. For the purposes of this section and for determining the amount of  
22 state aid for school districts under *section 17 and* K.S.A. 75-2319, and  
23 amendments thereto, the base year assessed valuation of property within  
24 the boundaries of a redevelopment district shall be used when determining  
25 the assessed valuation of a school district until the bonds issued pursuant  
26 to K.S.A. 12-1770 et seq., and amendments thereto, to finance  
27 redevelopment projects in the redevelopment district have been retired.

28 Sec. ~~58~~. **{53.}** K.S.A. 2016 Supp. 72-978 is hereby amended to read  
29 as follows: 72-978. (a) Each year, the state board of education shall  
30 determine the amount of state aid for the provision of special education  
31 and related services each school district shall receive for the ensuing  
32 school year. The amount of such state aid shall be computed by the state  
33 board as provided in this section. The state board shall:

34 (1) Determine the total amount of general fund and local ~~option~~  
35 *foundation* budgets of all school districts;

36 (2) subtract from the amount determined in subsection (a)(1) the total  
37 amount attributable to assignment of transportation weighting, ~~program~~  
38 ~~weighting~~ **{bilingual weighting, career technical education weighting}**,  
39 special education weighting and at-risk ~~pupil student~~ weighting, ~~as those~~  
40 ~~weightings were calculated under the school district finance and quality~~  
41 ~~performance act, prior to its repeal,~~ to the enrollment of all school districts;

42 (3) divide the remainder obtained in subsection (a)(2) by the total  
43 number of full-time equivalent pupils enrolled in all school districts on

1 September 20;

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

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

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

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

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

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

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

18 (11) multiply the remainder obtained under subsection (a)(10) by  
19 92%.

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

23 (b) Each school district shall ~~be entitled to~~ receive:

24 (1) Reimbursement for actual travel allowances paid to special  
25 teachers at not to exceed the rate specified under K.S.A. 75-3203, and  
26 amendments thereto, for each mile actually traveled during the school year  
27 in connection with duties in providing special education or related services  
28 for exceptional children; Such reimbursement shall be computed by the  
29 state board by ascertaining the actual travel allowances paid to special  
30 teachers by the school district for the school year and shall be in an  
31 amount equal to 80% of such actual travel allowances;

32 (2) reimbursement in an amount equal to 80% of the actual travel  
33 expenses incurred for providing transportation for exceptional children to  
34 special education or related services;

35 (3) reimbursement in an amount equal to 80% of the actual expenses  
36 incurred for the maintenance of an exceptional child at some place other  
37 than the residence of such child for the purpose of providing special  
38 education or related services; Such reimbursement shall not exceed \$600  
39 per exceptional child per school year; and

40 (4) (A) ~~except for those school districts entitled to~~ that receive  
41 reimbursement under subsection (c) or (d), after subtracting the amounts of  
42 reimbursement under subsections (a)(1), (a)(2) and (a)(3) from the total  
43 amount appropriated for special education and related services under this

1 act, an amount which bears the same proportion to the remaining amount  
2 appropriated as the number of full-time equivalent special teachers who  
3 are qualified to provide special education or related services to exceptional  
4 children and are employed by the school district for approved special  
5 education or related services bears to the total number of such qualified  
6 full-time equivalent special teachers employed by all school districts for  
7 approved special education or related services.

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

12 (C) For purposes of this subsection (b)(4), a special teacher, qualified  
13 to assist in the provision of special education and related services to  
14 exceptional children, who assists in providing special education and  
15 related services to exceptional children at either the state school for the  
16 blind or the state school for the deaf and whose services are paid for by a  
17 school district pursuant to K.S.A. 76-1006 or 76-1102, and amendments  
18 thereto, shall be considered a special teacher of such school district.

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

30 (d) Each contracting school district which has paid amounts for the  
31 provision of special education and related services as a member of a  
32 cooperative shall ~~be entitled to receive reimbursement under subsection (b)~~  
33 (4). The amount of such reimbursement for the *school* district shall be the  
34 amount which bears the same relation to the aggregate amount available  
35 for reimbursement for the provision of special education and related  
36 services by the cooperative, as the amount paid by such *school* district in  
37 the current school year for provision of such special education and related  
38 services bears to the aggregate of all amounts paid by all contracting  
39 school districts in the current school year by such cooperative for  
40 provision of such special education and related services.

41 (e) No time spent by a special teacher in connection with duties  
42 performed under a contract entered into by the Kansas juvenile  
43 correctional complex, ~~the Atehison juvenile correctional facility,~~ the

1 Larned juvenile correctional facility; or the Topeka juvenile correctional  
2 facility and a school district for the provision of special education services  
3 by such state institution shall be counted in making computations under  
4 this section.

5 (f) There is hereby established in every school district a fund which  
6 shall be called the special education fund, which fund shall consist of all  
7 moneys deposited therein or transferred thereto according to law.  
8 Notwithstanding any other provision of law, all moneys received by the  
9 school district from whatever source for special education shall be credited  
10 to the special education fund established by this section, except that: (1)  
11 Amounts of payments received by a school district under K.S.A. 72-979,  
12 and amendments thereto, and amounts of grants, if any, received by a  
13 school district under K.S.A. 72-983, and amendments thereto, shall be  
14 deposited in the general fund of the district and transferred to the special  
15 education fund; and (2) moneys received by a school district pursuant to  
16 lawful agreements made under K.S.A. 72-968, and amendments thereto,  
17 shall be credited to the special education fund established under the  
18 agreements.

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

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

25 ~~Sec. 59.~~ **{54.}** K.S.A. 2016 Supp. 72-1046b is hereby amended to  
26 read as follows: 72-1046b. (a) As used in this section:

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

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

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

40 (b) The board of education of any school district may allow any pupil  
41 who is not a resident of the district to enroll in and attend school in such  
42 district. The board of education of such district may furnish or provide  
43 transportation to any non-resident pupil who is enrolled in and attending



1 school in the district pursuant to this section. If the district agrees to  
2 furnish or provide transportation to a non-resident pupil, such  
3 transportation shall be furnished or provided until the end of the school  
4 year. Prior to providing or furnishing transportation to a non-resident  
5 pupil, the district shall notify the board of education of the district in  
6 which the pupil resides that transportation will be furnished or provided.

7 (c) Pupils attending school in a school district in which the pupil does  
8 not reside pursuant to this section shall be counted as regularly enrolled in  
9 and attending school in the district where the pupil is enrolled for the  
10 purpose of computations under the ~~classroom learning assuring student~~  
11 ~~success act, K.S.A. 2016 Supp. 72-6463 et seq. Kansas school equity and~~  
12 ~~enhancement act, section 3 et seq.~~, and amendments thereto, *except*  
13 *computation of transportation weighting under such act*, and for the  
14 purposes of the statutory provisions contained in article 83 of chapter 72 of  
15 the Kansas Statutes Annotated, and amendments thereto. Such non-  
16 resident pupil shall not be charged for the costs of attendance at school.

17 ~~(d) Any pupil who was not a resident of the district in school year~~  
18 ~~2014-2015, but was allowed to enroll in and attend school in such district~~  
19 ~~in school year 2014-2015 by the board of education of such district and~~  
20 ~~any member of the family of such pupil regardless of whether such family~~  
21 ~~member enrolled in and attended school in such district in school year~~  
22 ~~2014-2015, shall be allowed to enroll in and attend school in such district~~  
23 ~~in school years 2015-2016 and 2016-2017 regardless of whether such~~  
24 ~~pupil or family member of such pupil is a resident of the district in either~~  
25 ~~school year, provided such pupil or such pupil's family member is in~~  
26 ~~compliance with any attendance and behavior policies of the district. If~~  
27 ~~transportation was furnished or provided to such pupil in school year~~  
28 ~~2014-2015 by the district, then transportation shall be furnished or~~  
29 ~~provided by the district to such pupil and any family member of such pupil~~  
30 ~~in school years 2015-2016 and 2016-2017, provided there is no change in~~  
31 ~~such pupil's residence and no requirement for the district to furnish~~  
32 ~~transportation to any additional residence.~~

33 Sec. ~~60.~~ **{55.}** K.S.A. 2016 Supp. 72-1398 is hereby amended to read  
34 as follows: 72-1398. (a) The national board for professional teaching  
35 standards certification incentive program is hereby established for the  
36 purpose of rewarding teachers who have attained certification from the  
37 national board. Teachers who have attained certification from the national  
38 board shall be issued a master teacher's license by the state board of  
39 education. A master teacher's license shall be valid for 10 years and  
40 renewable thereafter every 10 years through compliance with continuing  
41 education and professional development requirements prescribed by the  
42 state board. Teachers who have attained certification from the national  
43 board and who are employed by a school district shall be paid an incentive

1 bonus in the amount of \$1,000 each school year that the teacher remains  
2 employed by a school district and retains a valid master teacher's license.

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

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

23 (d) Moneys received by a board of education under this section shall  
24 be deposited in the general fund of the school district and shall be  
25 considered reimbursements to the district for the purpose of the ~~classroom~~  
26 ~~learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas*  
27 *school equity and enhancement act, section 3* et seq., and amendments  
28 thereto, and may be expended whether the same have been budgeted or  
29 not.

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

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

43 Sec. ~~61~~. {56.} K.S.A. 2016 Supp. 72-1414 is hereby amended to read

1 as follows: 72-1414. (a) On or before January 1, 2001, the state board of  
2 education shall adopt rules and regulations for the administration of  
3 mentor teacher programs and shall:

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

6 (2) evaluate and approve mentor teacher programs;

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

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

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

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

16 (b) Subject to the availability of appropriations for mentor teacher  
17 programs maintained by school districts, and within the limits of any such  
18 appropriations, the state board of education shall determine the amount of  
19 grants to be awarded school districts by multiplying an amount not to  
20 exceed \$1,000 by the number of mentor teachers participating in the  
21 program maintained by a school district. The product is the amount of the  
22 grant to be awarded to the district. Upon receipt of a grant of state moneys  
23 for maintenance of a mentor teacher program, the amount of the grant shall  
24 be deposited in the general fund of the school district. Moneys deposited in  
25 the general fund of a school district under this subsection shall be  
26 considered reimbursements for the purpose of the ~~classroom learning~~  
27 ~~assuring student success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas school*  
28 *equity and enhancement act, section 3 et seq.*, and amendments thereto.  
29 The full amount of the grant shall be allocated among the mentor teachers  
30 employed by the school district so as to provide a mentor teacher with an  
31 annual stipend in an amount not to exceed \$1,000. Such annual stipend  
32 shall be over and above the regular salary to which the mentor teacher is  
33 entitled for the school year.

34 ~~Sec. 62. {57.}~~ K.S.A. 2016 Supp. 72-1923 is hereby amended to read  
35 as follows: 72-1923. (a) Except as provided in K.S.A. 2016 Supp. 72-  
36 1925, and amendments thereto, the board of education of any school  
37 district may apply to the state board for a grant of authority to operate such  
38 school district as a public innovative district. The application shall be  
39 submitted in the form and manner prescribed by the state board, and shall  
40 be submitted not later than December 1 of the school year preceding the  
41 school year in which the school district intends to operate as a public  
42 innovative district.

43 (b) The application shall include the following:

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

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

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

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

9 (c) (1) Within 90 days from the date such application is submitted, the  
10 state board shall review the application to determine compliance with this  
11 section, and shall approve or deny such application on or before the  
12 conclusion of such 90-day period. If the application is determined to be in  
13 compliance with this section, the state board shall approve such  
14 application and grant the school district authority to operate as a public  
15 innovative district. Notification of such approval shall be sent to the board  
16 of education of such school district within 10 days after such decision.

17 (2) If the state board determines such application is not in compliance  
18 with either this section, or K.S.A. 2016 Supp. 72-1925, and amendments  
19 thereto, the state board shall deny such application. Notification of such  
20 denial shall be sent to the board of education of such school district within  
21 10 days after such decision and shall specify the reasons therefor. Within  
22 30 days from the date such notification is sent, the board of education of  
23 such school district may submit a request to the state board for  
24 reconsideration of the application and may submit an amended application  
25 with such request. The state board shall act on the request for  
26 reconsideration within 60 days of receipt of such request.

27 (d) A public innovative district shall:

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

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

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

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

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

39 (e) (1) Except as otherwise provided in K.S.A. 2016 Supp. 72-1921  
40 through 72-1930, and amendments thereto, or as required by the board of  
41 education of the public innovative district, a public innovative district shall  
42 be exempt from all laws and rules and regulations that are applicable to  
43 school districts.

1 (2) A public innovative district shall be subject to the special  
2 education for exceptional children act, the virtual school act, the ~~classroom~~  
3 ~~learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas*  
4 *school equity and enhancement act, section 3* et seq., and amendments  
5 thereto, the provisions of K.S.A. 72-8801 et seq., and amendments thereto,  
6 all laws governing the issuance of general obligation bonds by school  
7 districts, the provisions of K.S.A. 74-4901 et seq., and amendments  
8 thereto, and all laws governing the election of members of the board of  
9 education, the open meetings act as provided in K.S.A. 75-4317 et seq.,  
10 and amendments thereto, and the open records act as provided in K.S.A.  
11 45-215 et seq., and amendments thereto.

12 Sec. ~~63.~~ **{58.}** K.S.A. 2016 Supp. 72-3712 is hereby amended to read  
13 as follows: 72-3712. As used in the virtual school act:

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

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

26 (c) Except as provided by the virtual school act, words and phrases  
27 shall have the meanings ascribed thereto in ~~K.S.A. 2016 Supp. 72-6464~~  
28 *section 4*, and amendments thereto.

29 Sec. ~~64.~~ **{59.}** K.S.A. 2016 Supp. 72-3715 is hereby amended to read  
30 as follows: 72-3715. (a) In order to be included in the full-time equivalent  
31 enrollment of a virtual school, a ~~pupil~~ *student* shall be in attendance at the  
32 virtual school on: (1) A single school day on or before September 19 of  
33 each school year; and (2) on a single school day on or after September 20,  
34 but before October 4 of each school year.

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

38 (1) Determine the number of hours the ~~pupil~~ *student* was in  
39 attendance on a single school day on or before September 19 of each  
40 school year;

41 (2) determine the number of hours the ~~pupil~~ *student* was in attendance  
42 on a single school day on or after September 20, but before October 4 of  
43 each school year;

1 (3) add the numbers obtained under ~~paragraphs subsections (b)(1) and~~  
2 ~~(b)(2)~~;

3 (4) divide the sum obtained under ~~paragraph subsection (b)(3)~~ by 12.  
4 The quotient is the full-time equivalent enrollment of the ~~pupil student~~.

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

12 (d) Subject to the availability of appropriations and within the limits  
13 of any such appropriations, each school year a school district which offers  
14 a virtual school shall receive virtual school state aid. The state board of  
15 education shall determine the amount of virtual school state aid a school  
16 district is to receive as follows:

17 (1) ~~For school year 2015-2016:~~

18 (A) ~~Determine the number of pupils students enrolled in virtual~~  
19 ~~school on a full-time basis, excluding those pupils students who are over~~  
20 ~~18 19 years of age, and multiply the total number of such pupils students~~  
21 ~~by \$5,000;~~

22 (B) ~~(2) determine the full-time equivalent enrollment of pupils-~~  
23 ~~students enrolled in virtual school on a part-time basis, excluding those~~  
24 ~~pupils who are over 18 19 years of age, and multiply the total full-time~~  
25 ~~equivalent enrollment of such pupils by \$4,045 students by \$1,700;~~

26 (C) ~~(3) for pupils students enrolled in a virtual school who are over~~  
27 ~~18 19 years of age, determine the number of one-hour credit courses such~~  
28 ~~pupils students have passed, not to exceed six credit courses per school~~  
29 ~~year; and multiply the total number of such courses by \$933 \$709; and~~

30 (D) ~~(4) add the amounts calculated under subsections (d)(1)(A)-~~  
31 ~~through (d)(1)(C) (4). The resulting sum is the amount of virtual school~~  
32 ~~state aid the school district shall receive.~~

33 (2) ~~For school year 2016-2017:~~

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

37 (B) ~~determine the full-time equivalent enrollment of pupils enrolled~~  
38 ~~in virtual school on a part-time basis, excluding those pupils who are over~~  
39 ~~18 years of age, and multiply the total full-time equivalent enrollment of~~  
40 ~~such pupils by \$1,700;~~

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

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

4       ~~(3) For purposes of this subsection:~~

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

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

9       ~~(e) (1) There is hereby established in every school district a fund~~  
10 ~~which shall be called the virtual school fund, which fund shall consist of~~  
11 ~~all moneys deposited therein or transferred thereto according to law. The~~  
12 ~~expenses of a school district directly attributable to virtual schools offered~~  
13 ~~by a school district may be paid from the virtual school fund. The cost of~~  
14 ~~an advance placement course provided to a pupil student by a virtual~~  
15 ~~school shall be paid by the virtual school. Amounts deposited in the virtual~~  
16 ~~school fund may be transferred to the general fund of the school district as~~  
17 ~~approved by the board of education. Moneys deposited in or otherwise~~  
18 ~~transferred to the virtual school fund shall only be expended for those~~  
19 ~~costs directly attributable to the provision of virtual instruction.~~

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

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

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

34       ~~(g) For purposes of this section:~~

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

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

39       ~~Sec. 65. {60.} K.S.A. 2016 Supp. 72-5333b is hereby amended to~~  
40 ~~read as follows: 72-5333b. (a) The unified school district maintaining and~~  
41 ~~operating a school on the Fort Leavenworth military reservation, being~~  
42 ~~unified school district No. 207 of Leavenworth county, state of Kansas,~~  
43 ~~shall have a governing body, which shall be known as the "Fort~~

1 Leavenworth school district board of education" and which shall consist of  
2 three members who shall be appointed by, and serve at the pleasure of the  
3 commanding general of Fort Leavenworth. One member of the board shall  
4 be the president and one member shall be the vice-president. The  
5 commanding general, when making any appointment to the board, shall  
6 designate which of the offices the member so appointed shall hold. Except  
7 as otherwise expressly provided in this section, the district board and the  
8 officers thereof shall have and may exercise all the powers, duties,  
9 authority and jurisdiction imposed or conferred by law on unified school  
10 districts and boards of education thereof, except such school district shall  
11 not offer or operate any of grades 10 through 12.

12 (b) The board of education of the school district shall not have the  
13 power to issue bonds.

14 (c) Except as otherwise expressly provided in this subsection, the  
15 provisions of the ~~classroom learning-assuring student success act, K.S.A.~~  
16 ~~2016 Supp. 72-6463~~ *Kansas school equity and enhancement act, section 3*  
17 *et seq.*, and amendments thereto, apply to the school district. *As applied to*  
18 *the school district, the terms "local foundation aid" and "federal impact*  
19 *aid" shall not include any moneys received by the school district under*  
20 *subsection (3)(d)(2)(b) of public law 81-874.* Any such moneys received  
21 by the school district shall be deposited in the general fund of the school  
22 district or, at the discretion of the board of education, in the capital outlay  
23 fund of the school district.

24 ~~Sec.-66. {61.}~~ K.S.A. 2016 Supp. 72-64b01 is hereby amended to  
25 read as follows: 72-64b01. (a) No school district shall expend, use or  
26 transfer any moneys from the general fund of the district for the purpose of  
27 engaging in or supporting in any manner any litigation by the school  
28 district or any person, association, corporation or other entity against the  
29 state of Kansas, the state board of education, the state department of  
30 education, other state agency or any state officer or employee regarding  
31 *the Kansas school equity and enhancement act or any other law*  
32 *concerning school finance.* No such moneys shall be paid, donated or  
33 otherwise provided to any person, association, corporation or other entity  
34 and used for the purpose of any such litigation.

35 (b) Nothing in *section 15, and amendments thereto, or this section*  
36 *shall be construed as prohibiting the expenditure, use or transfer of*  
37 *moneys from that portion of the proceeds of any tax levied by a school*  
38 *district pursuant to ~~K.S.A. 2016 Supp. 72-6472~~ section 19, and*  
39 *amendments thereto, that was levied to finance a school district's local*  
40 *foundation {option} budget, for the purposes specified in subsection (a).*

41 ~~Sec.-67. {62.}~~ K.S.A. 2016 Supp. 72-64c03 is hereby amended to  
42 read as follows: 72-64c03. The appropriation of moneys necessary to pay  
43 general state aid and supplemental general state aid under the ~~classroom~~



1 ~~learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas*  
2 *school equity and enhancement act, section 3 et seq.*, and amendments  
3 thereto, and state aid for the provision of special education and related  
4 services under the special education for exceptional children act shall be  
5 given first priority in the legislative budgeting process and shall be paid  
6 first from existing state revenues.

7 Sec. ~~68.~~ **{63.}** K.S.A. 2016 Supp. 72-64c05 is hereby amended to  
8 read as follows: 72-64c05. Article 6 of the constitution of the state of  
9 Kansas states that the legislature shall provide for intellectual, educational,  
10 vocational and scientific improvement by establishing and maintaining  
11 public schools; provide for a state board of education having general  
12 supervision of public schools, educational institutions and the educational  
13 interests of the state, except those delegated by law to the state board of  
14 regents; and make suitable provision for finance of the educational  
15 interests of the state. It is the purpose and intention of the legislature to  
16 provide a financing system for the education of kindergarten and grades  
17 one through 12 which provides students with the capacities set forth in  
18 K.S.A. 2016 Supp. 72-1127, and amendments thereto. Such financing  
19 system shall be sufficiently flexible for the legislature to consider and  
20 utilize financing methods from all available resources in order to satisfy  
21 the constitutional requirements under article 6. Such financing methods  
22 shall include, but are not limited to, the following:

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

25 (b) subject to appropriations by the legislature, appropriations of state  
26 moneys for the improvement of public education, including, but not  
27 limited to, the following:

28 (1) Financing to unified school districts through the ~~classroom-~~  
29 ~~learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas*  
30 *school equity and enhancement act, section 3 et seq.*, and amendments  
31 thereto;

32 (2) financing to unified school districts through any provisions which  
33 provide state aid, such as capital improvements state aid, capital outlay  
34 state aid and any other state aid paid, distributed or allocated to school  
35 districts on the basis of the assessed valuation of school districts;

36 (3) employer contributions to the Kansas public employees retirement  
37 system for public schools;

38 (4) appropriations to the Kansas children's cabinet for programs  
39 serving students enrolled in unified school districts in meeting the goal  
40 specified in K.S.A. 2016 Supp. 72-1127, and amendments thereto;

41 (5) appropriations to any programs which provide early learning to  
42 four-year-old children with the purpose of preparing them for success in  
43 public schools;

1 (6) appropriations to any programs, such as communities in schools,  
2 which provide individualized support to students enrolled in unified school  
3 districts in meeting the goal specified in K.S.A. 2016 Supp. 72-1127, and  
4 amendments thereto;

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

9 (8) financing to other facilities providing public education to students,  
10 such as the Kansas state school for the blind, the Kansas state school for  
11 the deaf, school district juvenile detention facilities and the Flint Hills job  
12 corps center;

13 (9) appropriations relating to the Kansas academy of mathematics and  
14 science;

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

17 (11) appropriations to the state board of regents to provide technical  
18 education incentives to unified school districts and tuition costs to  
19 postsecondary institutions which provide career technical education to  
20 secondary students; and

21 (12) appropriations to any postsecondary educational institution  
22 which provides postsecondary education to a secondary student without  
23 charging tuition to such student;

24 (c) any provision which authorizes the levying of local taxes for the  
25 purpose of financing public schools; and

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

29 ~~Sec. 69.~~ {64.} K.S.A. 2016 Supp. 72-6622 is hereby amended to read  
30 as follows: 72-6622. In the event that all of the property acquired by any  
31 two cities under the provisions of K.S.A. 3-404 et seq., and amendments  
32 thereto, is included within the territory of a unified school district in which  
33 only one of such cities is located:

34 (a) One-half of the assessed valuation of such property shall be  
35 assigned to each of the two school districts in which such cities are located  
36 for the purposes of determining the assessed valuation of each district for  
37 ~~entitlement to:~~ (1) *Supplemental state aid under section 17, and*  
38 *amendments thereto; and (2) payment from the school district capital*  
39 *improvements fund under K.S.A. 75-2319, and amendments thereto;*

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

43 (c) Such property shall be subject to taxation for school purposes at a

1 rate equal to the aggregate of all rates imposed for school purposes upon  
2 property located within the school district in which such property is  
3 located, but one-half of the proceeds derived from such levy shall be  
4 allocated to each of the two school districts in which such cities are  
5 located.

6 ~~Sec. 70.~~ **{65.}** K.S.A. 2016 Supp. 72-6624 is hereby amended to read  
7 as follows: 72-6624. (a) As used in this section:

8 (1) "School district" means unified school district No. 404, unified  
9 school district No. 493, unified school district No. 499 and unified school  
10 district No. 508.

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

14 (3) "State aid" means general state aid, *supplemental state aid*, capital  
15 improvements state aid, capital outlay state aid and any other state aid  
16 paid, distributed or allocated to school districts under the ~~classroom-~~  
17 ~~learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas*  
18 *school equity and enhancement act, section 3* et seq., and amendments  
19 thereto, or other law, and any other state aid paid, distributed or allocated  
20 to school districts on the basis of the assessed valuation of school districts.

21 (b) For the purposes of computing the assessed valuation of school  
22 districts for the payment, distribution or allocation of state aid and the  
23 levying of school taxes,  $\frac{1}{4}$  of the assessed valuation of such property shall  
24 be assigned to each of the school districts.

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

28 ~~Sec. 71.~~ **{66.}** K.S.A. 2016 Supp. 72-6625 is hereby amended to read  
29 as follows: 72-6625. (a) As used in this section:

30 (1) "School district" means unified school district No. 507 and  
31 unified school district No. 374.

32 (2) "Property" means the following described property, and  
33 improvements thereon, comprised of 1,120 acres, more or less, located in  
34 Haskell county: All of Section 34, Township 29 South, Range 33 West and  
35 the West  $\frac{1}{2}$  of Section 3, Township 30 South, Range 33 West and the  
36 Northeast Quarter of Section 3, Township 30 South, Range 33 West.

37 (3) "State aid" means general state aid, *supplemental state aid*, capital  
38 improvements state aid, capital outlay state aid and any other state aid  
39 paid, distributed or allocated to school districts under the ~~classroom-~~  
40 ~~learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas*  
41 *school equity and enhancement act, section 3* et seq., and amendments  
42 thereto, or other law, and any other state aid paid, distributed or allocated  
43 to school districts on the basis of the assessed valuation of school districts.

1 (b) For the purposes of computing the assessed valuation of school  
2 districts for the payment, distribution or allocation of state aid and the  
3 levying of school taxes,  $\frac{1}{2}$  of the assessed valuation of such property shall  
4 be assigned to each of the school districts.

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

7 ~~Sec. 72. {67.}~~ K.S.A. 2016 Supp. 72-6757 is hereby amended to read  
8 as follows: 72-6757. (a) As used in this section:

9 (1) "Receiving school district" means a school district of  
10 nonresidence of a pupil who attends school in such school district.

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

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

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

22 (d) Pupils attending school in a receiving school district in  
23 accordance with a contract authorized by this section and made and  
24 entered into by such receiving school district with a sending school district  
25 located in this state shall be counted as regularly enrolled in and attending  
26 school in the sending school district for the purpose of computations under  
27 ~~the classroom learning assuring student success act, K.S.A. 2016 Supp. 72-~~  
28 ~~6463~~ *Kansas school equity and enhancement act, section 3 et seq.*, and  
29 amendments thereto.

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

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

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

39 (3) if a sending school district is located in this state and the receiving  
40 school district is located in another state, the amount of tuition provided to  
41 be paid for the attendance of a pupil or pupils at school in the receiving  
42 school district shall not exceed  $\frac{1}{2}$  of the amount of the budget per pupil of  
43 the sending school district under ~~the classroom learning assuring student~~

1 ~~success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas school equity and*  
2 *enhancement act, section 3 et seq.*, and amendments thereto, for the  
3 current school year; and

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

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

10 (g) The provisions of subsection (e)(3) do not apply to unified school  
11 district No. ~~104, Jewell county~~ *107, Rock Hills*.

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

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

19 ~~Sec. 73. {68.}~~ K.S.A. 2016 Supp. 72-67,115 is hereby amended to  
20 read as follows: 72-67,115. (a) The board of education of any school  
21 district may:

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

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

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

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

32 (b) Fees for providing preschool programs shall be prescribed and  
33 collected only to recover the costs incurred as a result of and directly  
34 attributable to the establishment, operation and maintenance of the  
35 preschool programs. Revenues from fees collected by a board under this  
36 section shall be deposited in the general fund of the school district and  
37 shall be considered reimbursements to the district for the purpose of the  
38 ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-~~  
39 ~~6463~~ *Kansas school equity and enhancement act, section 3 et seq.*, and  
40 amendments thereto, and may be expended whether the same have been  
41 budgeted or not and amounts so expended shall not be considered  
42 operating expenses.

43 ~~Sec. 74. {69.}~~ K.S.A. 2016 Supp. 72-7535 is hereby amended to read

1 as follows: 72-7535. (a) In order to equip students with the knowledge and  
2 skills needed to become self-supporting and to enable students to make  
3 critical decisions regarding personal finances, the state board of education  
4 shall authorize and assist in the implementation of programs on teaching  
5 personal financial literacy.

6 (b) The state board of education shall develop a curriculum, materials  
7 and guidelines that local boards of education and governing authorities of  
8 accredited nonpublic schools may use in implementing the program of  
9 instruction on personal financial literacy. The state board of education  
10 shall adopt a glossary of personal financial literacy terms which shall be  
11 used by school districts when implementing the program on personal  
12 financial literacy.

13 (c) The state board of education shall develop state curriculum  
14 standards for personal financial literacy, for all grade levels, within the  
15 existing mathematics curriculum or another appropriate subject-matter  
16 curriculum.

17 (d) The state board of education shall encourage school districts when  
18 selecting textbooks for mathematics, economics, family and consumer  
19 science, accounting or other appropriate courses, to select those textbooks  
20 which contain substantive provisions on personal finance, including  
21 personal budgeting, credit, debt management and other topics concerning  
22 personal financial literacy.

23 (e) The state board of education shall include questions relating to  
24 personal financial literacy in the statewide assessments for mathematics or  
25 social studies required under ~~K.S.A. 2016 Supp. 72-6479~~ *section 45*, and  
26 amendments thereto. When the statewide assessments for mathematics or  
27 social studies are reviewed or rewritten, the state board of education shall  
28 examine the questions relating to personal financial literacy and rewrite  
29 such questions in order to determine if programs on personal financial  
30 literacy are equipping students with the knowledge and skills needed to  
31 become self-supporting and enabling students to make critical decisions  
32 regarding personal finances.

33 ~~Sec. 75. {70.}~~ K.S.A. 2016 Supp. 72-8187 is hereby amended to read  
34 as follows: 72-8187. (a) In each school year, to the extent that  
35 appropriations are available, each school district which has provided  
36 educational services for pupils residing at the Flint Hills job corps center,  
37 for pupils housed at a psychiatric residential treatment facility or for pupils  
38 confined in a juvenile detention facility is eligible to receive a grant of  
39 state moneys in an amount to be determined by the state board of  
40 education.

41 (b) In order to be eligible for a grant of state moneys provided for by  
42 this section, each school district which has provided educational services  
43 for pupils residing at the Flint Hills job corps center, for pupils housed at a

1 psychiatric residential treatment facility or for pupils confined in a juvenile  
2 detention facility shall submit to the state board of education an  
3 application for a grant and shall certify the amount expended, and not  
4 reimbursed or otherwise financed, in the school year for the services  
5 provided. The application and certification shall be prepared in such form  
6 and manner as the state board shall require and shall be submitted at a time  
7 to be determined and specified by the state board. Approval by the state  
8 board of applications for grants of state moneys is prerequisite to the  
9 award of grants.

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

13 (d) All moneys received by a school district under authority of this  
14 section shall be deposited in the general fund of the school district and  
15 shall be considered reimbursement of the district for the purpose of the  
16 ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-~~  
17 ~~6463 Kansas school equity and enhancement act, section 3 et seq., and~~  
18 ~~amendments thereto.~~

19 (e) The state board of education shall approve applications of school  
20 districts for grants, determine the amount of grants and be responsible for  
21 payment of grants to school districts. In determining the amount of a grant  
22 which a school district is eligible to receive, the state board shall compute  
23 the amount of state financial aid the district would have received on the  
24 basis of enrollment of pupils residing at the Flint Hills job corps center,  
25 housed at a psychiatric residential treatment facility or confined in a  
26 juvenile detention facility if such pupils had been counted as two pupils  
27 under the school district finance and quality performance act and compare  
28 such computed amount to the amount certified by the district under  
29 subsection (b). The amount of the grant the district is eligible to receive  
30 shall be an amount equal to the lesser of the amount computed under this  
31 subsection or the amount certified under subsection (b). If the amount of  
32 appropriations for the payment of grants under this section is insufficient  
33 to pay in full the amount each school district is determined to be eligible to  
34 receive for the school year, the state board shall prorate the amount  
35 appropriated among all school districts which are eligible to receive grants  
36 of state moneys in proportion to the amount each school district is  
37 determined to be eligible to receive.

38 (f) On or before July 1 of each year, the secretary for aging and  
39 disability services shall submit to the Kansas department of education a list  
40 of facilities which have been certified and licensed as psychiatric  
41 residential treatment facilities.

42 (g) As used in this section:

43 (1) "Enrollment" means the number of pupils who are: (A) Residing

1 at the Flint Hills job corps center, confined in a juvenile detention facility  
2 or residing at a psychiatric residential treatment facility; and (B) for whom  
3 a school district is providing educational services on September 20, on  
4 November 20, or on April 20 of a school year, whichever is the greatest  
5 number of pupils;

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

9 (3) "psychiatric residential treatment facility" means a facility which  
10 provides psychiatric services to individuals under the age of 21 and which  
11 conforms with the regulations of the centers for medicare/medicaid  
12 services, is licensed and certified by the Kansas department for aging and  
13 disability services pursuant to subsection (f).

14 ~~Sec. 76.~~ {71.} K.S.A. 2016 Supp. 72-8190 is hereby amended to read  
15 as follows: 72-8190. (a) For the purpose of determination of *supplemental*  
16 *state aid under section 17, and amendments thereto, and* payments from  
17 the school district capital improvements fund under K.S.A. 75-2319, and  
18 amendments thereto, notwithstanding any provision of either such  
19 statutory section to the contrary, the term assessed valuation per pupil, as  
20 applied to unified school district No. 203, Wyandotte county, shall not  
21 include within its meaning the assessed valuation of property which is  
22 owned by Sunflower Racing, Inc. and operated as a racetrack facility  
23 known as the Woodlands. The meaning of assessed valuation per pupil as  
24 provided in this subsection, for the purposes specified in this subsection,  
25 and as applied to the unified school district designated in this subsection,  
26 shall be in force and effect for the 1994-95 and 1995-96 school years.

27 (b) (1) In the event unified school district No. 203, Wyandotte county,  
28 receives in any school year the proceeds from any taxes which may be  
29 paid upon the Woodlands for the 1994-95 school year or the 1995-96  
30 school year or for both such school years, the state board of education  
31 shall deduct an amount equal to the amount of such tax proceeds from  
32 future payments of state aid to which the district is entitled.

33 (2) For the purposes of this subsection, the term "state aid" means  
34 payments from the school district capital improvements fund.

35 ~~Sec. 77.~~ {72.} K.S.A. 2016 Supp. 72-8230 is hereby amended to read  
36 as follows: 72-8230. (a) In the event the boards of education of any two or  
37 more school districts enter into a school district interlocal cooperation  
38 agreement for the purpose of jointly and cooperatively performing any of  
39 the services, duties, functions, activities, obligations or responsibilities  
40 which are authorized or required by law to be performed by school  
41 districts of this state, the following conditions shall apply:

42 (1) A school district interlocal cooperation agreement shall establish a  
43 board of directors which shall be responsible for administering the joint or



1 cooperative undertaking. The agreement shall specify the organization and  
2 composition of and manner of appointment to the board of directors. Only  
3 members of boards of education of school districts party to the agreement  
4 shall be eligible for membership on the board of directors. The terms of  
5 office of members of the board of directors shall expire concurrently with  
6 their terms as board of education members. Vacancies in the membership  
7 of the board of directors shall be filled within 30 days from the date of the  
8 vacancy in the manner specified in the agreement.

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

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

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

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

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

36 (B) Partial termination of a school district interlocal cooperation  
37 agreement for the provision of special education services made and  
38 entered into by the boards of three or more school districts may be  
39 accomplished only upon petition for withdrawal from the agreement by a  
40 contracting school district to the other contracting school districts and  
41 approval by the state board of written consent to the petition by such other  
42 school districts or upon order of the state board after appeal to it by a  
43 school district from denial of consent to a petition for withdrawal and

1 hearing thereon conducted by the state board. The state board shall  
2 consider all the testimony and evidence brought forth at the hearing and  
3 issue an order approving or disapproving withdrawal by the school district  
4 from the agreement.

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

20 (D) Complete termination of a school district interlocal cooperation  
21 agreement for the provision of special education services made and  
22 entered into by the boards of three or more school districts may be  
23 accomplished only upon approval by the state board of a joint petition  
24 made to the state board for termination of the agreement by not less than  
25  $\frac{2}{3}$  of the contracting school districts after adoption of a resolution to that  
26 effect by each of the contracting school districts seeking termination of the  
27 agreement. The state board shall consider the petition and approve or  
28 disapprove termination of the agreement.

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

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

41 (8) Within the limitations provided by law, a school district interlocal  
42 cooperation agreement may be changed or modified by affirmative vote of  
43 not less than  $\frac{2}{3}$  of the contracting school districts.

1 (b) Except as otherwise specifically provided in this subsection, any  
2 power or powers, privileges or authority exercised or capable of exercise  
3 by any school district of this state, or by any board of education thereof,  
4 may be jointly exercised pursuant to the provisions of a school district  
5 interlocal cooperation agreement. No power or powers, privileges or  
6 authority with respect to the levy and collection of taxes, the issuance of  
7 bonds, or the purposes and provisions of the ~~classroom learning assuring~~  
8 ~~student success act, K.S.A. 2016 Supp. 72-6463~~ *Kansas school equity and*  
9 *enhancement act, section 3 et seq.*, and amendments thereto, or title I of  
10 public law 874 shall be created or effectuated for joint exercise pursuant to  
11 the provisions of a school district interlocal cooperation agreement.

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

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

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

28 (f) As used in this section:

29 (1) "School district interlocal cooperation agreement" means an  
30 agreement which is entered into by the boards of education of two or more  
31 school districts pursuant to the provisions of the interlocal cooperation act.

32 (2) "State board" means the state board of education.

33 ~~Sec. 78. {73.}~~ K.S.A. 2016 Supp. 72-8233 is hereby amended to read  
34 as follows: 72-8233. (a) In accordance with the provisions of this section,  
35 the boards of education of any two or more unified school districts may  
36 make and enter into agreements providing for the attendance of pupils  
37 residing in one school district at school in kindergarten or any of the  
38 grades one through 12 maintained by any such other school district. The  
39 boards of education may also provide by agreement for the combination of  
40 enrollments for kindergarten or one or more grades, courses or units of  
41 instruction.

42 (b) Prior to entering into any agreement under authority of this  
43 section, the board of education shall adopt a resolution declaring that it has

1 made a determination that such an agreement should be made and that the  
2 making and entering into of such an agreement would be in the best  
3 interests of the educational system of the school district. Any such  
4 agreement is subject to the following conditions:

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

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

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

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

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

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

33 (e) Pupils attending school in a school district of nonresidence of  
34 such pupils in accordance with an agreement made and entered into under  
35 authority of this section shall be counted as regularly enrolled in and  
36 attending school in the school district of residence of such pupils for the  
37 purpose of computations under the ~~classroom learning assuring student~~  
38 ~~success act, K.S.A. 2016 Supp. 72-6463 Kansas school equity and~~  
39 ~~enhancement act, section 3 et seq., and amendments thereto.~~

40 (f) Pupils who satisfactorily complete grade 12 while in attendance at  
41 school in a school district of nonresidence of such pupils in accordance  
42 with the provisions of an agreement entered into under authority of this  
43 section shall be certified as having graduated from the school district of

1 residence of such pupils unless otherwise provided for by the agreement.

2 Sec. ~~79.~~ {74.} K.S.A. 2016 Supp. 72-8236 is hereby amended to read  
3 as follows: 72-8236. (a) The board of education of any school district may:  
4 (1) Establish, operate and maintain a child care facility; (2) enter into  
5 cooperative or interlocal agreements with one or more other boards for the  
6 establishment, operation and maintenance of a child care facility; (3)  
7 contract with private, nonprofit corporations or associations or with any  
8 public or private agency or institution, whether located within or outside  
9 the state, for the establishment, operation and maintenance of a child care  
10 facility; and (4) prescribe and collect fees for providing care at a child care  
11 facility.

12 (b) Fees for providing care at a child care facility established under  
13 authority of this section shall be prescribed and collected only to recover  
14 the costs incurred as a result of and directly attributable to the  
15 establishment, operation and maintenance of the child care facility.  
16 Revenues from fees collected by a board under this section shall be  
17 deposited in the general fund of the school district and shall be considered  
18 reimbursements to the district for the purpose of the ~~classroom learning~~  
19 ~~assuring student success act~~, K.S.A. 2016 Supp. 72-6463 *Kansas school*  
20 *equity and enhancement act*, section 3 et seq., and amendments thereto,  
21 and may be expended whether the same have been budgeted or not and  
22 amounts so expended shall not be considered operating expenses.

23 (c) Every school district which establishes, operates and maintains a  
24 child care facility shall be subject to the provisions contained in article 5 of  
25 chapter 65 of Kansas Statutes Annotated, and amendments thereto.

26 (d) As used in this section, the term "child" means any child who is  
27 three years of age or older, and any infant or toddler whose parent or  
28 parents are pupils or employees of a school district which establishes,  
29 operates and maintains, or cooperates in the establishment, operation and  
30 maintenance of, a child care facility under authority of this act.

31 Sec. ~~80.~~ {75.} K.S.A. 2016 Supp. 72-8249 is hereby amended to read  
32 as follows: 72-8249. (a) There is hereby established in every school district  
33 a special reserve fund. Moneys in such fund shall be used to:

34 (1) Pay claims, judgments, expenses and other purposes relating to  
35 health care services, disability income benefits and group life insurance  
36 benefits as authorized by K.S.A. 72-8415a, and amendments thereto;

37 (2) pay costs relating to uninsured losses; and

38 (3) pay the cost of workers compensation insurance and workers  
39 compensation claims, awards, expenses and other purposes authorized by  
40 the workers compensation act.

41 ~~Moneys in such fund may be transferred to the general fund of the~~  
42 ~~school district as approved by the board of education.~~

43 (b) Any balance remaining in the special reserve fund at the end of

1 the budget year shall be carried forward into that reserve fund for  
2 succeeding budget years. Such fund shall not be subject to the provisions  
3 of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing  
4 the budget of such school district, the amounts credited to and the amount  
5 on hand in the special reserve fund, and the amount expended therefrom  
6 shall be included in the annual budget for the information of the residents  
7 of the school district. Interest earned on the investment of moneys in any  
8 such fund shall be credited to that fund.

9 ~~Sec. 81. {76.}~~ K.S.A. 2016 Supp. 72-8250 is hereby amended to read  
10 as follows: 72-8250. (a) There is hereby established in every school district  
11 a textbook and student materials revolving fund. Moneys in such fund  
12 shall be used to:

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

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

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

19 ~~Moneys in such fund may be transferred to the general fund of the~~  
20 ~~school district as approved by the board of education.~~

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

30 ~~Sec. 82. {77.}~~ K.S.A. 2016 Supp. 72-8251 is hereby amended to read  
31 as follows: 72-8251. Whenever a school district is required by law to make  
32 any payment during the month of June and there is insufficient revenue to  
33 make such payment as a result of the payment of state aid after the date  
34 prescribed by the state board of education pursuant to ~~K.S.A. 2016 Supp.~~  
35 ~~72-6466 section 7,~~ and amendments thereto, the school district shall make  
36 such payment as soon as moneys are available.

37 ~~Sec. 83. {78.}~~ K.S.A. 2016 Supp. 72-8302 is hereby amended to read  
38 as follows: 72-8302. (a) The board of education of a school district may  
39 provide or furnish transportation for ~~pupils~~ *students* who are enrolled in  
40 the school district to or from any school of the school district or to or from  
41 any school of another school district attended by such ~~pupils~~ *students* in  
42 accordance with the provisions of an agreement entered into under  
43 authority of K.S.A. 72-8233, and amendments thereto.

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

9 (A) The residence of the ~~pupil~~ *student* is inside or outside the  
10 corporate limits of a city, the school building attended is outside the  
11 corporate limits of a city and the school building attended is more than 2<sup>1</sup>/<sub>2</sub>  
12 miles by the usually traveled road from the residence of the ~~pupil~~ *student*;  
13 or

14 (B) the residence of the ~~pupil~~ *student* is outside the corporate limits of  
15 a city, the school building attended is inside the corporate limits of a city  
16 and the school building attended is more than 2<sup>1</sup>/<sub>2</sub> miles by the usually  
17 traveled road from the residence of the ~~pupil~~ *student*; or

18 (C) the residence of the ~~pupil~~ *student* is inside the corporate limits of  
19 one city, the school building attended is inside the corporate limits of a  
20 different city and the school building attended is more than 2<sup>1</sup>/<sub>2</sub> miles by  
21 the usually traveled road from the residence of the ~~pupil~~ *student*.

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

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

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

41 (e) (1) Subject to the limitations specified in this subsection, the  
42 board of education of any school district may prescribe and collect fees to  
43 offset, totally or in part, the costs incurred for the provision or furnishing

1 of transportation for ~~pupils~~ *students*. The limitations which apply to the  
2 authorization granted by this subsection are as follows:

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

8 (B) fees for the provision or furnishing of transportation may not be  
9 assessed against or collected from any ~~pupil~~ *student who is counted in*  
10 *determining the transportation weighting of the school district under the*  
11 *Kansas school equity and enhancement act, section 3 et seq., and*  
12 *amendments thereto, or any student who is determined to be a child with*  
13 *disabilities under the provisions of the special education for exceptional*  
14 *children act or any ~~pupil~~ student who is eligible for free or reduced price*  
15 *meals under the national school lunch act or any ~~pupil~~ student who is*  
16 *entitled to transportation under the provisions of K.S.A. 72-8306(a), and*  
17 *amendments thereto, and who resides 2½ miles or more by the regular*  
18 *route of a school bus from the school attended;*

19 (C) fees for the provision or furnishing of transportation for ~~pupils~~  
20 *students* in accordance with the provisions of an agreement entered-into  
21 under authority of K.S.A. 72-8233 or 72-8307, and amendments thereto,  
22 shall be controlled by the provisions of the agreement.

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

25 Sec. ~~84.~~ {79.} K.S.A. 2016 Supp. 72-8309 is hereby amended to read  
26 as follows: 72-8309. (a) The board of education of a school district shall  
27 not furnish or provide transportation for ~~pupils~~ or students who reside in  
28 another school district except in accordance with the written consent of the  
29 board of education of the school district in which such ~~pupil~~ or student  
30 resides, or in accordance with an order issued by a board of education  
31 under the provisions of K.S.A. 72-1046b, and amendments thereto, or in  
32 accordance with the provisions of an agreement entered into under  
33 authority of K.S.A. 72-8233, and amendments thereto.

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

39 (c) *No student who is furnished or provided transportation by a*  
40 *school district that is not the school district in which the student resides*  
41 *shall be counted in the computation of the school district's transportation*  
42 *weighting under the Kansas school equity and enhancement act, section 3*  
43 *et seq., and amendments thereto.*



1       Sec. ~~85.~~ **{80.}** K.S.A. 2016 Supp. 72-8316 is hereby amended to read  
2 as follows: 72-8316. (a) Any board of education, pursuant to a policy  
3 developed and adopted by it, may provide for the use of district-owned or  
4 leased school buses when such buses are not being used for regularly  
5 required school purposes. The policy may provide for:

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

14       (2) contracting with: (A) The governing body of any township, city or  
15 county for transportation of individuals, groups or organizations; (B) the  
16 governing authority of any nonpublic school for transportation of ~~pupils~~  
17 *students* attending such nonpublic school to or from interschool or  
18 intraschool functions or activities; (C) the board of trustees of any  
19 community college for transportation of students enrolled in such  
20 community college to or from attendance at class at the community college  
21 or to and from functions or activities of the community college; (D) a  
22 public recreation commission established and operated under the laws of  
23 this state, for any purposes related to the operation of the recreation  
24 commission and all programs and services thereof; (E) the board of  
25 education of any other school district for transportation, on a cooperative  
26 and shared-cost basis, of ~~pupils~~ *students*, school personnel, parents and  
27 other adults to or from school-related functions or activities; or (F) a four-  
28 year college or university, area vocational school or area vocational-  
29 technical school for transportation of students to or from attendance at  
30 class at the four-year college or university, area vocational school or area  
31 vocational-technical school or for transportation of students, alumni and  
32 other members of the public to or from functions or activities of the four-  
33 year college or university, area vocational school or area vocational-  
34 technical school.

35       **(b)** *The costs related to the use of school buses under the authority of*  
36 *this section shall not be considered in determining the transportation*  
37 *weighting of a school district under the Kansas school equity and*  
38 *enhancement act, section 3 et seq., and amendments thereto.*

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

42       ~~(e)~~ **(d)** Any revenues received by a board of education as  
43 transportation fees or under any contract entered into pursuant to this

1 section shall be deposited in the general fund of the school district and  
2 shall be considered reimbursements to the school district for the purpose of  
3 ~~the classroom learning assuring student success act, K.S.A. 2016 Supp. 72-~~  
4 ~~6463~~ *Kansas school equity and enhancement act, section 3* et seq., and  
5 amendments thereto. Such revenues may be expended whether the same  
6 have been budgeted or not.

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

9 Sec. ~~86.~~ {81.} K.S.A. 2016 Supp. 72-8415b is hereby amended to  
10 read as follows: 72-8415b. (a) Any school district that elects to become a  
11 self-insurer under the provisions of K.S.A. 72-8414, and amendments  
12 thereto, may transfer moneys from its general fund to the special reserve  
13 fund of the district as provided by ~~K.S.A. 2016 Supp. 72-6478~~ *section 42*,  
14 and amendments thereto.

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

22 Sec. ~~87.~~ {82.} K.S.A. 2016 Supp. 72-8801 is hereby amended to read  
23 as follows: 72-8801. (a) The board of education of any school district may  
24 make an annual tax levy at a mill rate not to exceed the statutorily  
25 prescribed mill rate upon the taxable tangible property in the school  
26 district for the purposes specified in this act and for the purpose of paying  
27 a portion of the principal and interest on bonds issued by cities under the  
28 authority of K.S.A. 12-1774, and amendments thereto, for the financing of  
29 redevelopment projects upon property located within the school district.  
30 No levy shall be made under this act until a resolution is adopted by the  
31 board of education in the following form:

32 Unified School District No. \_\_\_\_\_,  
33 \_\_\_\_\_ County, Kansas.

34 RESOLUTION

35 Be It Resolved that:

36 The above-named school board shall be authorized to make an annual  
37 tax levy ~~for a period not to exceed \_\_\_\_\_ years~~ in an amount not to  
38 exceed \_\_\_\_\_ mills upon the taxable tangible property in the school  
39 district for the purpose of acquisition, construction, reconstruction, repair,  
40 remodeling, additions to, furnishing, maintaining and equipping of school  
41 district property and equipment necessary for school district purposes,  
42 including: (1) Acquisition of computer software; (2) acquisition of  
43 performance uniforms; (3) housing and boarding pupils enrolled in an area

1 vocational school operated under the board; (4) architectural expenses; (5)  
2 acquisition of building sites; (6) undertaking and maintenance of asbestos  
3 control projects; (7) acquisition of school buses; (8) *utility expenses*; and  
4 ~~(8)~~ (9) acquisition of other fixed assets, and for the purpose of paying a  
5 portion of the principal and interest on bonds issued by cities under the  
6 authority of K.S.A. 12-1774, and amendments thereto, for the financing of  
7 redevelopment projects upon property located within the school district.  
8 The tax levy authorized by this resolution may be made, unless a petition  
9 in opposition to the same, signed by not less than 10% of the qualified  
10 electors of the school district, is filed with the county election officer of  
11 the home county of the school district within 40 calendar days after the last  
12 publication of this resolution. In the event a petition is filed, the county  
13 election officer shall submit the question of whether the tax levy shall be  
14 authorized to the electors in the school district at an election called for that  
15 purpose or at the next general election, as is specified by the board of  
16 education of the above school district.

17 CERTIFICATE

18 This is to certify that the above resolution was duly adopted by the  
19 board of education of Unified School District No. \_\_\_\_\_,  
20 County, Kansas, on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_  
21 \_\_\_\_\_

22 Clerk of the board of education.

23 All of the blanks in the above resolution shall be appropriately filled.  
24 The blank preceding the word "years" ~~shall be filled with a specific~~  
25 ~~number, and the blank preceding the word "mills" shall be filled with a~~  
26 ~~specific number, and no word shall be inserted in either of the blanks.~~ The  
27 resolution shall be published once a week for two consecutive weeks in a  
28 newspaper having general circulation in the school district. If no petition  
29 as specified above is filed in accordance with the provisions of the  
30 resolution, the board of education may make the tax levy specified in the  
31 resolution. If a petition is filed as provided in the resolution, the board of  
32 education may notify the county election officer of the date of an election  
33 to be held to submit the question of whether the tax levy shall be  
34 authorized. If the board of education fails to notify the county election  
35 officer within 60 calendar days after a petition is filed, the resolution shall  
36 be deemed abandoned and no like resolution shall be adopted by the board  
37 of education within the nine months following the first publication of the  
38 resolution.

39 (b) As used in this act:

40 (1) "Unconditionally authorized to make a capital outlay tax levy"  
41 means that the school district has adopted a resolution under this section,  
42 has published the same, and either that the resolution was not protested or  
43 that it was protested and an election has been held by which the tax levy

1 specified in the resolution was approved;

2 (2) "statutorily prescribed mill rate" means: (A) Eight mills; (B) the  
3 mill levy rate in excess of eight mills if the resolution fixing such rate was  
4 approved at an election prior to the effective date of this act; or (C) the  
5 mill levy rate in excess of eight mills if no petition or no sufficient petition  
6 was filed in protest to a resolution fixing such rate in excess of eight mills  
7 and the protest period for filing such petition has expired;

8 (3) "asbestos control project" means any activity which is necessary  
9 or incidental to the control of asbestos-containing material in buildings of  
10 school districts and includes, but not by way of limitation, any activity  
11 undertaken for the removal or encapsulation of asbestos-containing  
12 material, for any remodeling, renovation, replacement, rehabilitation or  
13 other restoration necessitated by such removal or encapsulation, for  
14 conducting inspections, reinspections and periodic surveillance of  
15 buildings, performing response actions, and developing, implementing and  
16 updating operations and maintenance programs and management plans;

17 (4) "asbestos" means the asbestiform varieties of chrysotile  
18 (serpentine), crocidolite (riebeckite), amosite (cummingtonitegrunerite),  
19 anthophyllite, tremolite, and actinolite; and

20 (5) "asbestos-containing material" means any material or product  
21 which contains more than 1% asbestos.

22 ~~Sec. 88. {83.}~~ K.S.A. 2016 Supp. 72-8804 is hereby amended to read  
23 as follows: 72-8804. (a) Any moneys in the capital outlay fund of any  
24 school district and any moneys received from issuance of bonds under  
25 K.S.A. 72-8805 or 72-8810, and amendments thereto, may be used for the  
26 purpose of the acquisition, construction, reconstruction, repair,  
27 remodeling, additions to, furnishing, maintaining and equipping of school  
28 district property and equipment necessary for school district purposes,  
29 including: (1) Acquisition of computer software; (2) acquisition of  
30 performance uniforms; (3) housing and boarding pupils enrolled in an area  
31 vocational school operated under the board of education; (4) architectural  
32 expenses; (5) acquisition of building sites; (6) undertaking and  
33 maintenance of asbestos control projects; (7) acquisition of school buses;  
34 *(8) utility expenses*; and *(8) (9)* acquisition of other fixed assets, ~~and, for~~  
35 ~~school years 2015-2016 and 2016-2017, subject to the provisions of~~  
36 ~~K.S.A. 2016 Supp. 72-6478, and amendments thereto, may be transferred~~  
37 ~~to the general fund of the school district as approved by the board of~~  
38 ~~education.~~

39 (b) The board of education of any school district is hereby authorized  
40 to invest any portion of the capital outlay fund of the school district which  
41 is not currently needed in investments authorized by K.S.A. 12-1675, and  
42 amendments thereto, in the manner prescribed therein, or may invest the  
43 same in direct obligations of the United States government maturing or

1 redeemable at par and accrued interest within three years from date of  
2 purchase, the principal and interest whereof is guaranteed by the  
3 government of the United States. All interest received on any such  
4 investment shall upon receipt thereof be credited to the capital outlay fund.

5 Sec. ~~89.~~ {84.} K.S.A. 2016 Supp. 72-8908 is hereby amended to read  
6 as follows: 72-8908. As used in this act:

7 (a) "Juvenile" means a person who is less than 18 years of age;  
8 (b) "adult" means a person who is 18 years of age or older;  
9 (c) "felony" means any crime designated a felony by the laws of  
10 Kansas or the United States;

11 (d) "misdemeanor" means any crime designated a misdemeanor by  
12 the laws of Kansas or the United States;

13 (e) "school day" means any day on which school is maintained;

14 (f) "school year" has the meaning ascribed thereto in ~~K.S.A. 2016~~  
15 ~~Supp. 72-6464 section 4~~, and amendments thereto;

16 (g) "counsel" means any person a pupil selects to represent and  
17 advise the pupil at all proceedings conducted pursuant to the provisions of  
18 this act; and

19 (h) "principal witness" means any witness whose testimony is of  
20 major importance in support of the charges upon which a proposed  
21 suspension or expulsion from school is based, or in determination of  
22 material questions of fact.

23 Sec. ~~90.~~ {85.} K.S.A. 2016 Supp. 72-9509 is hereby amended to read  
24 as follows: 72-9509. (a) There is hereby established in every school district  
25 a fund which shall be called the bilingual education fund, which fund shall  
26 consist of all moneys deposited therein or transferred thereto according to  
27 law. ~~Amounts deposited in the bilingual education fund may be used for~~  
28 ~~the payment of expenses directly attributable to bilingual education or may~~  
29 ~~be transferred to the general fund of the school district as approved by the~~  
30 ~~board of education~~ *The expenses of a school district directly attributable*  
31 *to such bilingual education programs shall be paid from the bilingual*  
32 *education fund. Moneys deposited in or otherwise transferred to the*  
33 *bilingual education fund shall only be expended for those costs directly*  
34 *attributable to the provision of bilingual education programs.*

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

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

9 Sec. ~~91.~~ **{86.}** K.S.A. 2016 Supp. 72-9609 is hereby amended to read  
10 as follows: 72-9609. There is hereby established in every school district a  
11 fund which shall be called the professional development fund, which fund  
12 shall consist of all moneys deposited therein or transferred thereto  
13 according to law. All moneys received by the school district from whatever  
14 source for professional development programs established under this act  
15 shall be credited to the fund established by this section. ~~Amounts deposited~~  
16 ~~in the professional development fund may be used for the payment of~~  
17 ~~expenses directly attributable to professional development or may be~~  
18 ~~transferred to the general fund of the school district as approved by the~~  
19 ~~board of education~~ *The expenses of a school district directly attributable*  
20 *to professional development programs shall be paid from the professional*  
21 *development fund.*

22 Sec. ~~92.~~ **{87.}** K.S.A. 2016 Supp. 72-99a02 is hereby amended to  
23 read as follows: 72-99a02. As used in the tax credit for low income  
24 students scholarship program act:

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

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

28 (c) "Educational scholarship" means an amount not to exceed \$8,000  
29 per school year provided to an eligible student, or to a qualified school  
30 with respect to an eligible student, to cover all or a portion of the costs of  
31 education including tuition, fees and expenses of a qualified school and, if  
32 applicable, the costs of transportation to a qualified school if provided by  
33 such qualified school.

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

35 (1) (A) Qualifies as an at-risk pupil as defined in K.S.A. 72-6407,  
36 prior to its repeal, and who is attending a public school; or (B) has been  
37 eligible to receive an educational scholarship under this program and has  
38 not graduated from high school or reached 21 years of age;

39 (2) resides in Kansas while eligible for an educational scholarship;  
40 and

41 (3) (A) was enrolled in any public school in the previous school year  
42 in which an educational scholarship is first sought for the child; or (B) is  
43 eligible to be enrolled in any public school in the school year in which an

1 educational scholarship is first sought for the child and the child is under  
2 the age of six years.

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

5 (f) "Program" means the tax credit for low income students  
6 scholarship program established in K.S.A. 2016 Supp. 72-99a01 through  
7 72-99a07, and amendments thereto.

8 (g) "Public school" means a school that would qualify as either a title  
9 I focus school or a title I priority school as described by the state board  
10 under the elementary and secondary education act flexibility waiver as  
11 amended in January 2013 and is operated by a school district.

12 (h) "Qualified school" means any nonpublic school that provides  
13 education to elementary or secondary students, has notified the state board  
14 of its intention to participate in the program and complies with the  
15 requirements of the program.

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

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

22 (k) "School year" shall have the meaning ascribed thereto in ~~K.S.A.~~  
23 ~~2016 Supp. 72-6464~~ section 4, and amendments thereto.

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

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

26 ~~Sec. 93. {88.}~~ On and after July 1, 2018, K.S.A. 2016 Supp. 72-  
27 99a02, as amended by section ~~92~~ {87} of this act, is hereby amended to  
28 read as follows: 72-99a02. As used in the tax credit for low income  
29 students scholarship program act:

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

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

33 (c) "Educational scholarship" means an amount not to exceed \$8,000  
34 per school year provided to an eligible student, or to a qualified school  
35 with respect to an eligible student, to cover all or a portion of the costs of  
36 education including tuition, fees and expenses of a qualified school and, if  
37 applicable, the costs of transportation to a qualified school if provided by  
38 such qualified school.

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

40 (1) ~~(A) Qualifies as an at-risk pupil as defined in K.S.A. 72-6407,~~  
41 ~~prior to its repeal~~ Is an at-risk student, as defined in section 4, and  
42 amendments thereto, and who is attending a public school; or (B) has been  
43 eligible to receive an educational scholarship under this program and has

1 not graduated from high school or reached 21 years of age;

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

4 (3) (A) was enrolled in any public school in the previous school year  
5 in which an educational scholarship is first sought for the child; or (B) is  
6 eligible to be enrolled in any public school in the school year in which an  
7 educational scholarship is first sought for the child and the child is under  
8 the age of six years.

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

11 (f) "Program" means the tax credit for low income students  
12 scholarship program established in K.S.A. 2016 Supp. 72-99a01 through  
13 72-99a07, and amendments thereto.

14 (g) "Public school" means a school that ~~would qualify as either a title~~  
15 ~~I focus school or a title I priority school as described by the state board~~  
16 ~~under the elementary and secondary education act flexibility waiver as~~  
17 ~~amended in January 2013 and is operated by a school district, and~~  
18 ~~identified by the state board as one of the lowest 100 performing schools~~  
19 ~~with respect to student achievement among all schools operated by school~~  
20 ~~districts for the current school year.~~

21 (h) "Qualified school" means ~~any nonpublic school that provides~~  
22 ~~education to elementary or secondary students, has notified the state board~~  
23 ~~of its intention to participate in the program and complies with the~~  
24 ~~requirements of the program:~~

25 (1) *A nonpublic school that does not offer any of the grades nine*  
26 *through 12, and is accredited by the state board;*

27 (2) *a nonpublic school that offers any of the grades nine through 12,*  
28 *and:*

29 (A) *Whose postsecondary effective rate exceeds the trend line for*  
30 *such rate among all school districts and accredited nonpublic schools as*  
31 *determined by the state board; or*

32 (B) *whose composite ACT score exceeds the statewide average*  
33 *composite ACT score for all school districts and accredited nonpublic*  
34 *schools; or*

35 (3) *a nonpublic school that was a participating qualified school prior*  
36 *to July 1, 2018, or that has been a qualified school participating in the*  
37 *program in any preceding school year. Each qualified school shall provide*  
38 *education to elementary or secondary students, notify the state board of its*  
39 *intention to participate in the program and comply with the requirements*  
40 *of the program.*

41 (i) "Scholarship granting organization" means an organization that  
42 complies with the requirements of this program and provides educational  
43 scholarships to eligible students or to qualified schools in which parents



1 have enrolled eligible students.

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

4 (k) "School year" shall have the meaning ascribed thereto in section  
5 4, and amendments thereto.

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

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

8 Sec. ~~94~~. {89.} On and after July 1, 2018, K.S.A. 2016 Supp. 72-99a04  
9 is hereby amended to read as follows: 72-99a04. (a) To be eligible to  
10 participate in the program, a scholarship granting organization shall  
11 comply with the following:

12 (1) The scholarship granting organization shall notify the secretary  
13 and the state board of the scholarship granting organization's intent to  
14 provide educational scholarships;

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

17 (3) the scholarship granting organization shall provide verification to  
18 the secretary that the scholarship granting organization is exempt from  
19 federal income taxation pursuant to section 501(c)(3) of the federal  
20 internal revenue code of 1986;

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

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

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

31 (5) scholarship granting organizations that provide other nonprofit  
32 services in addition to providing educational scholarships shall not  
33 commingle contributions made under the program with other contributions  
34 made to such organization. A scholarship granting organization under this  
35 subsection shall also file with the state board, prior to the commencement  
36 of each school year, either:

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

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

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

4 (7) at the end of the calendar year, the scholarship granting  
5 organization shall have its accounts examined and audited by a certified  
6 public accountant. Such audit shall include, but not be limited to,  
7 information verifying that the educational scholarships awarded by the  
8 scholarship granting organization were distributed to qualified schools  
9 with respect to eligible students determined by the state board under  
10 K.S.A. 2016 Supp. 72-99a03(c), and amendments thereto, and information  
11 specified in this section. Prior to filing a copy of the audit with the state  
12 board, such audit shall be duly verified and certified by a certified public  
13 accountant; and

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

18 *(b) A scholarship granting organization shall award at least 50% of*  
19 *all education scholarships in a school year to eligible students who are*  
20 *certified by the department for children and families as a member of a*  
21 *family whose household income does not exceed 130% of the federal*  
22 *poverty level established under the most recent poverty income guidelines*  
23 *published in the calendar year by the United States department of health*  
24 *and human services.*

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

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

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

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

1 by check made payable to both the parent and the qualified school or to  
2 only the qualified school. If an eligible student transfers to a new qualified  
3 school during a school year, the scholarship granting organization shall  
4 direct payment in a prorated amount to the original qualified school and  
5 the new qualified school based on the eligible student's attendance. If the  
6 eligible student transfers to a public school and enrolls in such public  
7 school after September 20 of the current school year, the scholarship  
8 granting organization shall direct payment in a prorated amount to the  
9 original qualified school and the public school based on the eligible  
10 student's attendance. The prorated amount to the public school shall be  
11 considered a donation and shall be paid to the school district of such public  
12 school in accordance with K.S.A. 72-8210, and amendments thereto.

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

- 19 (1) The name and address of the scholarship granting organization;
- 20 (2) the name and address of each eligible student with respect to  
21 whom an educational scholarship was awarded by the scholarship granting  
22 organization;
- 23 (3) the total number and total dollar amount of contributions received  
24 during the 12-month reporting period; and
- 25 (4) the total number and total dollar amount of educational  
26 scholarships awarded during the 12-month reporting period and the total  
27 number and total dollar amount of educational scholarships awarded  
28 during the 12-month reporting period with respect to eligible students who  
29 qualified under K.S.A. 2016 Supp. 72-99a02(d), and amendments thereto.

30 (g) (h) No scholarship granting organization shall:

- 31 (1) Provide an educational scholarship with respect to an eligible  
32 student that is established by funding from any contributions made by any  
33 relative of such eligible student; or
- 34 (2) accept a contribution from any source with the express or implied  
35 condition that such contribution be directed toward an educational  
36 scholarship for a particular eligible student.

37 Sec. ~~95~~. ~~{90.}~~ K.S.A. 2016 Supp. 74-4939a is hereby amended to  
38 read as follows: 74-4939a. On and after the effective date of this act for  
39 each fiscal year commencing with fiscal year 2005, notwithstanding the  
40 provisions of K.S.A. 74-4939, and amendments thereto, or any other  
41 statute, all moneys appropriated for the department of education from the  
42 state general fund commencing with fiscal year 2005, and each ensuing  
43 fiscal year thereafter, by appropriation act of the legislature, in the KPERS

1 — employer contributions account and all moneys appropriated for the  
2 department of education from the state general fund or any special revenue  
3 fund for each fiscal year commencing with fiscal year 2005, and each  
4 ensuing fiscal year thereafter, by any such appropriation act in that account  
5 or any other account for payment of employer contributions for school  
6 districts, shall be distributed by the department of education to school  
7 districts in accordance with this section. Notwithstanding the provisions of  
8 K.S.A. 74-4939, and amendments thereto, ~~for school year 2015-2016, the~~  
9 ~~department of education shall disburse to each school district that is an~~  
10 ~~eligible employer as specified in K.S.A. 74-4931(1), and amendments~~  
11 ~~thereto, an amount in accordance with K.S.A. 2016 Supp. 72-6465(a)(6),~~  
12 ~~and amendments thereto, which shall be disbursed pursuant to K.S.A.~~  
13 ~~2016 Supp. 72-6465, and amendments thereto. Notwithstanding the~~  
14 ~~provisions of K.S.A. 74-4939, and amendments thereto, for school year~~  
15 ~~2016-2017, the department of education shall disburse to each school~~  
16 ~~district that is an eligible employer as specified in K.S.A. 74-4931(1), and~~  
17 ~~amendments thereto, an amount in accordance with K.S.A. 2016 Supp. 72-~~  
18 ~~6465(b)(4), and amendments thereto, which shall be disbursed pursuant to~~  
19 ~~K.S.A. 2016 Supp. 72-6465, and amendments thereto~~ *certified by the*  
20 *board of trustees of the Kansas public employees retirement system that is*  
21 *equal to the participating employer's obligation of such school district to*  
22 *the system in accordance with policies and procedures that are hereby*  
23 *authorized and directed to be adopted by the state board of education for*  
24 *the purposes of this section and in accordance with any requirements*  
25 *prescribed by the board of trustees of the Kansas public employees*  
26 *retirement system. Upon receipt of each such disbursement of moneys, the*  
27 *school district shall deposit the entire amount thereof into a special*  
28 *retirement contributions fund of the school district, which shall be*  
29 *established by the school district in accordance with such policies and*  
30 *procedures and which shall be used for the sole purpose of receiving such*  
31 *disbursements from the department of education and making the*  
32 *remittances to the system in accordance with this section and such policies*  
33 *and procedures. Upon receipt of each such disbursement of moneys from*  
34 *the department of education, the school district shall remit, in accordance*  
35 *with the provisions of such policies and procedures and in the manner and*  
36 *on the date or dates prescribed by the board of trustees of the Kansas*  
37 *public employees retirement system, an equal amount to the Kansas public*  
38 *employees retirement system from the special retirement contributions*  
39 *fund of the school district to satisfy such school district's obligation as a*  
40 *participating employer. Notwithstanding the provisions of K.S.A. 74-4939,*  
41 *and amendments thereto, each school district that is an eligible employer*  
42 *as specified in K.S.A. 74-4931(1), and amendments thereto, shall show*  
43 *within the budget of such school district all amounts received from*

1 disbursements into the special retirement contributions fund of such school  
2 district. Notwithstanding the provisions of any other statute, no official  
3 action of the school board of such school district shall be required to  
4 approve a remittance to the system in accordance with this section and  
5 such policies and procedures. All remittances of moneys to the system by a  
6 school district in accordance with this subsection and such policies and  
7 procedures shall be deemed to be expenditures of the school district.

8 ~~Sec. 96.~~ **{91.}** K.S.A. 2016 Supp. 74-8925 is hereby amended to read  
9 as follows: 74-8925. (a) For the purposes of this act, the term "taxing  
10 subdivision" shall include the county, the city, the unified school district  
11 and any other taxing subdivision levying real property taxes, the territory  
12 or jurisdiction of which includes any currently existing or subsequently  
13 created redevelopment district. The term "real property taxes" includes all  
14 taxes levied on an ad valorem basis upon land and improvements thereon,  
15 other than the property tax levied pursuant to the provisions of ~~K.S.A.~~  
16 ~~2016 Supp. 72-6470~~ *section 14*, and amendments thereto, or any other  
17 property tax levied by or on behalf of a school district.

18 (b) All tangible taxable property located within a redevelopment  
19 district shall be assessed and taxed for ad valorem tax purposes pursuant to  
20 law in the same manner that such property would be assessed and taxed if  
21 located outside such district, and all ad valorem taxes levied on such  
22 property shall be paid to and collected by the county treasurer in the same  
23 manner as other taxes are paid and collected. Except as otherwise provided  
24 in this section, the county treasurer shall distribute such taxes as may be  
25 collected in the same manner as if such property were located outside a  
26 redevelopment district. Each redevelopment district established under the  
27 provisions of this act shall constitute a separate taxing unit for the purpose  
28 of the computation and levy of taxes.

29 (c) Beginning with the first payment of taxes which are levied  
30 following the date of approval of any redevelopment district established  
31 pursuant to K.S.A. 74-8921, and amendments thereto, real property taxes  
32 received by the county treasurer resulting from taxes which are levied  
33 subject to the provisions of this act by and for the benefit of a taxing  
34 subdivision, as herein defined, on property located within such  
35 redevelopment district constituting a separate taxing unit under the  
36 provisions of this section, shall be divided as follows:

37 (1) From the taxes levied each year subject to the provisions of this  
38 act by or for each of the taxing subdivisions upon property located within a  
39 redevelopment district constituting a separate taxing unit under the  
40 provisions of this act, the county treasurer first shall allocate and pay to  
41 each such taxing subdivision all of the real property taxes collected which  
42 are produced from that portion of the current assessed valuation of such  
43 real property located within such separate taxing unit which is equal to the

1 total assessed value of such real property on the date of the establishment  
2 of the redevelopment district.

3 (2) Any real property taxes produced from that portion of the current  
4 assessed valuation of real property within the redevelopment district  
5 constituting a separate taxing unit under the provisions of this section in  
6 excess of an amount equal to the total assessed value of such real property  
7 on the effective date of the establishment of the district shall be allocated  
8 and paid by the county treasurer according to specified percentages of the  
9 tax increment expressly agreed upon and consented to by the governing  
10 bodies of the county and school district in which the redevelopment  
11 district is located. The amount of the real property taxes allocated and  
12 payable to the authority under the agreement shall be paid by the county  
13 treasurer to the treasurer of the state. The remaining amount of the real  
14 property taxes not payable to the authority shall be allocated and paid in  
15 the same manner as other ad valorem taxes. Any real property taxes paid to  
16 the state treasurer under this section shall be deposited in the  
17 redevelopment bond finance fund of the authority which is created  
18 pursuant to K.S.A. 74-8927, and amendments thereto, to pay the costs of  
19 any approved redevelopment project, including the payment of principal of  
20 and interest on any bonds issued by the authority to finance, in whole or in  
21 part, such project. When such bonds and interest thereon have been paid,  
22 all moneys thereafter received from real property taxes within such  
23 redevelopment district shall be allocated and paid to the respective taxing  
24 subdivisions in the same manner as are other ad valorem taxes. If such  
25 bonds and interest thereon have been paid before the completion of a  
26 project, the authority may continue to use such moneys for any purpose  
27 authorized by the redevelopment agreement until such time as the project  
28 costs are paid or reimbursed, but for a period not to exceed the final  
29 scheduled maturity of the bonds.

30 (d) In any redevelopment plan or in the proceedings for the issuing of  
31 any bonds by the authority to finance a project, the property tax increment  
32 portion of taxes provided for in subsection (c)(2) may be irrevocably  
33 pledged for the payment of the principal of and interest on such bonds. The  
34 authority may adopt a redevelopment plan in which only a specified  
35 percentage of the tax increment realized from taxpayers in the  
36 redevelopment district is pledged to the payment of costs.

37 ~~Sec. 97. {92.}~~ K.S.A. 2016 Supp. 74-99b43 is hereby amended to  
38 read as follows: 74-99b43. (a) The Kansas development finance authority  
39 is hereby authorized to issue special obligation bonds pursuant to K.S.A.  
40 74-8901 et seq., and amendments thereto, in one or more series to finance  
41 the undertaking of any bioscience development project in accordance with  
42 the provisions of this act. No special obligation bonds may be issued  
43 pursuant to this section unless the Kansas development finance authority

1 has received a resolution of the board of the authority requesting the  
2 issuance of such bonds. Such special obligation bonds shall be made  
3 payable, both as to principal and interest from one or more of the  
4 following, as directed by the authority:

5 (1) From ad valorem tax increments allocated to, and paid into the  
6 bioscience development bond fund for the payment of the project costs of  
7 a bioscience development project under the provisions of this section;

8 (2) from any private sources, contributions or other financial  
9 assistance from the state or federal government;

10 (3) from a pledge of a portion or all of the revenue received from  
11 transient guest, sales and use taxes collected pursuant to K.S.A. 12-1696 et  
12 seq., 79-3601 et seq., 79-3701 et seq. and 12-187 et seq., and amendments  
13 thereto, and which are collected from taxpayers doing business within that  
14 portion of the bioscience development district and paid into the bioscience  
15 development bond fund;

16 (4) from a pledge of a portion or all increased revenue received by  
17 any city from franchise fees collected from utilities and other businesses  
18 using public right-of-way within the bioscience development district; or

19 (5) by any combination of these methods.

20 (b) All tangible taxable property located within a bioscience  
21 development district shall be assessed and taxed for ad valorem tax  
22 purposes pursuant to law in the same manner that such property would be  
23 assessed and taxed if located outside such district, and all ad valorem taxes  
24 levied on such property shall be paid to and collected by the county  
25 treasurer in the same manner as other taxes are paid and collected. Except  
26 as otherwise provided in this section, the county treasurer shall distribute  
27 such taxes as may be collected in the same manner as if such property  
28 were located outside a bioscience development district. Each bioscience  
29 development district established under the provisions of this act shall  
30 constitute a separate taxing unit for the purpose of the computation and  
31 levy of taxes.

32 (c) Beginning with the first payment of taxes which are levied  
33 following the date of the establishment of the bioscience development  
34 district real property taxes received by the county treasurer resulting from  
35 taxes which are levied subject to the provisions of this act by and for the  
36 benefit of a taxing subdivision, as defined in K.S.A. 2016 Supp. 12-1770a,  
37 and amendments thereto, on property located within such bioscience  
38 development district constituting a separate taxing unit under the  
39 provisions of this section, shall be divided as follows:

40 (1) From the taxes levied each year subject to the provisions of this  
41 act by or for each of the taxing subdivisions upon property located within a  
42 bioscience development district constituting a separate taxing unit under  
43 the provisions of this act, the county treasurer first shall allocate and pay to

1 each such taxing subdivision all of the real property taxes collected which  
2 are produced from the base year assessed valuation.

3 (2) Any real property taxes, except for property taxes levied for  
4 schools pursuant to ~~K.S.A. 2016 Supp. 72-6470~~ *section 14*, and  
5 amendments thereto, produced from that portion of the current assessed  
6 valuation of real property within the bioscience development district  
7 constituting a separate taxing unit under the provisions of this section in  
8 excess of the base year assessed valuation shall be allocated and paid by  
9 the county treasurer to the bioscience development bond fund to pay the  
10 bioscience development project costs including the payment of principal  
11 and interest on any special obligation bonds to finance, in whole or in part,  
12 such bioscience development projects.

13 (d) The authority may pledge the bioscience development bond fund  
14 or other available revenue to the repayment of such special obligation  
15 bonds prior to, simultaneously with, or subsequent to the issuance of such  
16 special obligation bonds.

17 (e) Any bonds issued under the provisions of this act and the interest  
18 paid thereon, unless specifically declared to be taxable in the authorizing  
19 resolution of the Kansas development finance authority, shall be exempt  
20 from all state, county and municipal taxes, and the exemption shall include  
21 income, estate and property taxes.

22 ~~Sec. 98. {93.}~~ K.S.A. 2016 Supp. 75-2319 is hereby amended to read  
23 as follows: 75-2319. (a) There is hereby established in the state treasury  
24 the school district capital improvements fund. The fund shall consist of all  
25 amounts transferred thereto under the provisions of subsection (c).

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

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

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

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

38 (C) prepare a schedule of dollar amounts using the amount of the  
39 median AVPP of all school districts as the point of beginning. The  
40 schedule of dollar amounts shall range upward in equal \$1,000 intervals  
41 from the point of beginning to and including an amount that is equal to the  
42 amount of the AVPP of the school district with the highest AVPP of all  
43 school districts and shall range downward in equal \$1,000 intervals from



1 the point of beginning to and including an amount that is equal to the  
2 amount of the AVPP of the school district with the lowest AVPP of all  
3 school districts;

4 (D) determine a state aid percentage factor for each school district by  
5 assigning a state aid computation percentage to the amount of the median  
6 AVPP shown on the schedule, decreasing the state aid computation  
7 percentage assigned to the amount of the median AVPP by one percentage  
8 point for each \$1,000 interval above the amount of the median AVPP, and  
9 increasing the state aid computation percentage assigned to the amount of  
10 the median AVPP by one percentage point for each \$1,000 interval below  
11 the amount of the median AVPP. Except as provided by K.S.A. 2016 Supp.  
12 75-2319c, and amendments thereto, the state aid percentage factor of a  
13 school district is the percentage assigned to the schedule amount that is  
14 equal to the amount of the AVPP of the school district. The state aid  
15 percentage factor of a school district shall not exceed 100%. The state aid  
16 computation percentage is 25%;

17 (E) determine the amount of payments that a school district is  
18 obligated to make from its bond and interest fund attributable to general  
19 obligation bonds approved for issuance at an election held prior to July 1,  
20 2015; and

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

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

25 (A) Determine the amount of the AVPP of each school district in the  
26 state *for the preceding school year* and round such amount to the nearest  
27 \$1,000. The rounded amount is the AVPP of a school district for the  
28 purposes of this subsection (b)(2);

29 (B) prepare a schedule of dollar amounts using the amount of the  
30 AVPP of the school district with the lowest AVPP of all school districts as  
31 the point of beginning. The schedule of dollar amounts shall range upward  
32 in equal \$1,000 intervals from the point of beginning to and including an  
33 amount that is equal to the amount of the AVPP of the school district with  
34 the highest AVPP of all school districts;

35 (C) determine a state aid percentage factor for each school district by  
36 assigning a state aid computation percentage to the amount of the lowest  
37 AVPP shown on the schedule and decreasing the state aid computation  
38 percentage assigned to the amount of the lowest AVPP by one percentage  
39 point for each \$1,000 interval above the amount of the lowest AVPP.  
40 Except as provided by K.S.A. 2016 Supp. 75-2319c, and amendments  
41 thereto, the state aid percentage factor of a school district is the percentage  
42 assigned to the schedule amount that is equal to the amount of the AVPP of  
43 the school district. The state aid computation percentage is 75%;

1 (D) determine the amount of payments that a school district is  
2 obligated to make from its bond and interest fund attributable to general  
3 obligation bonds approved for issuance at an election held on or after July  
4 1, 2015; and

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

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

12 (4) For general obligation bonds approved for issuance at an election  
13 held on or after July 1, 2016, the amount determined under subsection (b)  
14 (2)(E) is the amount of payment the school district shall receive from the  
15 school district capital improvements fund in the school year, except the  
16 total amount of payments school districts receive from the school district  
17 capital improvements fund in the school year for such bonds shall not  
18 exceed the six-year average amount of capital improvement state aid as  
19 determined by the state board of education.

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

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

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

33 (b) enrollment growth and imminent overcrowding as demonstrated  
34 by successive increases in enrollment of the school district in the  
35 immediately preceding three school years;

36 (c) impact on the delivery of educational services as demonstrated by  
37 restrictive inflexible design or limitations on installation of technology;  
38 and

39 (d) energy usage and other operational inefficiencies as demonstrated  
40 by a district-wide energy usage analysis, district-wide architectural  
41 analysis or other similar evaluation.

42 (ii) In allocating capital improvement state aid, the state board shall  
43 give higher priority to those school districts with a lower AVPP compared

1 to the other school districts that are to receive capital improvement state  
2 aid under this section.

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

8 (5) *Except as provided in subsection (b)(6), the sum of the amounts*  
9 *determined under subsection (b)(3) and the amount determined or*  
10 *allocated to the district by the state board of education pursuant to*  
11 *subsection (b)(4), is the amount of payment the school district is entitled to*  
12 *receive from the school district capital improvements fund in the school*  
13 *year.*

14 (6) *A school district that had an enrollment of less than 260 students*  
15 *in the school year immediately preceding the school year in which an*  
16 *election is held to approve the issuance of general obligation bonds shall*  
17 *not be entitled to receive payments from the school district capital*  
18 *improvements fund unless such school district applied for and receive*  
19 *approval from the state board of education to issue such bonds prior to*  
20 *holding an election to approve such bond issuance. The provisions of this*  
21 *paragraph shall apply to general obligation bonds approved for issuance*  
22 *at an election held on or after July 1, 2017, that are issued for the purpose*  
23 *of financing the construction of new school facilities.*

24 (c) The state board of education shall certify to the director of  
25 accounts and reports the entitlements of school districts determined under  
26 the provisions of subsection (b), and an amount equal thereto shall be  
27 transferred by the director from the state general fund to the school district  
28 capital improvements fund for distribution to school districts. All transfers  
29 made in accordance with the provisions of this subsection shall be  
30 considered to be demand transfers from the state general fund, except that  
31 all such transfers during the fiscal years ending ~~June 30, 2013~~, June 30,  
32 ~~2014~~ 2017, June 30, ~~2015~~ 2018, and June 30, ~~2016~~ 2019, shall be  
33 considered to be revenue transfers from the state general fund.

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

1 fund.

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

7 (f) On or before the first day of the legislative session in 2017, and  
8 each year thereafter, the state board of education shall prepare and submit  
9 a report to the legislature that includes information on school district  
10 elections held on or after July 1, 2016, to approve the issuance of general  
11 obligation bonds and the amount of payments school districts were  
12 approved to receive from the school district capital improvements fund  
13 pursuant to subsection (b)(4)(C).

14 ~~Sec. 99. {94.}~~ K.S.A. 2016 Supp. 79-201x is hereby amended to read  
15 as follows: 79-201x. For taxable years ~~2015 and 2016~~ 2017 and 2018, the  
16 following described property, to the extent herein specified, shall be and is  
17 hereby exempt from the property tax levied pursuant to the provisions of  
18 ~~K.S.A. 2016 Supp. 72-6470~~ section 14, and amendments thereto: Property  
19 used for residential purposes to the extent of \$20,000 of its appraised  
20 valuation.

21 ~~Sec. 100. {95.}~~ K.S.A. 2016 Supp. 79-213 is hereby amended to read  
22 as follows: 79-213. (a) Any property owner requesting an exemption from  
23 the payment of ad valorem property taxes assessed, or to be assessed,  
24 against their property shall be required to file an initial request for  
25 exemption, on forms approved by the state board of tax appeals and  
26 provided by the county appraiser.

27 (b) The initial exemption request shall identify the property for which  
28 the exemption is requested and state, in detail, the legal and factual basis  
29 for the exemption claimed.

30 (c) The request for exemption shall be filed with the county appraiser  
31 of the county where such property is principally located.

32 (d) After a review of the exemption request, and after a preliminary  
33 examination of the facts as alleged, the county appraiser shall recommend  
34 that the exemption request either be granted or denied, and, if necessary,  
35 that a hearing be held. If a denial is recommended, a statement of the  
36 controlling facts and law relied upon shall be included on the form.

37 (e) The county appraiser, after making such written recommendation,  
38 shall file the request for exemption and the recommendations of the county  
39 appraiser with the state board of tax appeals. With regard to a request for  
40 exemption from property tax pursuant to the provisions of K.S.A. 79-201g  
41 and 82a-409, and amendments thereto, not filed with the board of tax  
42 appeals by the county appraiser on or before the effective date of this act,  
43 if the county appraiser recommends the exemption request be granted, the

1 exemption shall be provided in the amount recommended by the county  
2 appraiser and the county appraiser shall not file the request for exemption  
3 and recommendations of the county appraiser with the state board of tax  
4 appeals. The county clerk or county assessor shall annually make such  
5 adjustment in the taxes levied against the real property as the owner may  
6 be entitled to receive under the provisions of K.S.A. 79-201g, and  
7 amendments thereto, as recommended by the county appraiser, beginning  
8 with the first period, following the date of issue of the certificate of  
9 completion on which taxes are regularly levied, and during the years  
10 which the landowner is entitled to such adjustment.

11 (f) Upon receipt of the request for exemption, the board shall docket  
12 the same and notify the applicant and the county appraiser of such fact.

13 (g) After examination of the request for exemption and the county  
14 appraiser's recommendation related thereto, the board may fix a time and  
15 place for hearing, and shall notify the applicant and the county appraiser of  
16 the time and place so fixed. A request for exemption pursuant to: (1)  
17 Section 13 of article 11 of the constitution of the state of Kansas; or (2)  
18 K.S.A. 79-201a *Second*, and amendments thereto, for property constructed  
19 or purchased, in whole or in part, with the proceeds of revenue bonds  
20 under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and  
21 amendments thereto, prepared in accordance with instructions and  
22 assistance which shall be provided by the department of commerce, shall  
23 be deemed approved unless scheduled for hearing within 30 days after the  
24 date of receipt of all required information and data relating to the request  
25 for exemption, and such hearing shall be conducted within 90 days after  
26 such date. Such time periods shall be determined without regard to any  
27 extension or continuance allowed to either party to such request. In any  
28 case where a party to such request for exemption requests a hearing  
29 thereon, the same shall be granted. Hearings shall be conducted in  
30 accordance with the provisions of the Kansas administrative procedure act.  
31 In all instances where the board sets a request for exemption for hearing,  
32 the county shall be represented by its county attorney or county counselor.

33 (h) Except as otherwise provided by subsection (g), in the event of a  
34 hearing, the same shall be originally set not later than 90 days after the  
35 filing of the request for exemption with the board.

36 (i) During the pendency of a request for exemption, no person, firm,  
37 unincorporated association, company or corporation charged with real  
38 estate or personal property taxes pursuant to K.S.A. 79-2004 and 79-  
39 2004a, and amendments thereto, on the tax books in the hands of the  
40 county treasurer shall be required to pay the tax from the date the request  
41 is filed with the county appraiser until the expiration of 30 days after the  
42 board issued its order thereon and the same becomes a final order. In the  
43 event that taxes have been assessed against the subject property, no interest

1 shall accrue on any unpaid tax for the year or years in question nor shall  
2 the unpaid tax be considered delinquent from the date the request is filed  
3 with the county appraiser until the expiration of 30 days after the board  
4 issued its order thereon. In the event the board determines an application  
5 for exemption is without merit and filed in bad faith to delay the due date  
6 of the tax, the tax shall be considered delinquent as of the date the tax  
7 would have been due pursuant to K.S.A. 79-2004 and 79-2004a, and  
8 amendments thereto, and interest shall accrue as prescribed therein.

9 (j) In the event the board grants the initial request for exemption, the  
10 same shall be effective beginning with the date of first exempt use except  
11 that, with respect to property the construction of which commenced not to  
12 exceed 24 months prior to the date of first exempt use, the same shall be  
13 effective beginning with the date of commencement of construction.

14 (k) In conjunction with its authority to grant exemptions, the board  
15 shall have the authority to abate all unpaid taxes that have accrued from  
16 and since the effective date of the exemption. In the event that taxes have  
17 been paid during the period where the subject property has been  
18 determined to be exempt, the board shall have the authority to order a  
19 refund of taxes for the year immediately preceding the year in which the  
20 exemption application is filed in accordance with subsection (a).

21 (l) The provisions of this section shall not apply to: (1) Farm  
22 machinery and equipment exempted from ad valorem taxation by K.S.A.  
23 79-201j, and amendments thereto; (2) personal property exempted from ad  
24 valorem taxation by K.S.A. 79-215, and amendments thereto; (3) wearing  
25 apparel, household goods and personal effects exempted from ad valorem  
26 taxation by K.S.A. 79-201c, and amendments thereto; (4) livestock; (5) all  
27 property exempted from ad valorem taxation by K.S.A. 79-201d, and  
28 amendments thereto; (6) merchants' and manufacturers' inventories  
29 exempted from ad valorem taxation by K.S.A. 79-201m, and amendments  
30 thereto; (7) grain exempted from ad valorem taxation by K.S.A. 79-201n,  
31 and amendments thereto; (8) property exempted from ad valorem taxation  
32 by K.S.A. 79-201a *Seventeenth*, and amendments thereto, including all  
33 property previously acquired by the secretary of transportation or a  
34 predecessor in interest, which is used in the administration, construction,  
35 maintenance or operation of the state system of highways. The secretary of  
36 transportation shall at the time of acquisition of property notify the county  
37 appraiser in the county in which the property is located that the acquisition  
38 occurred and provide a legal description of the property acquired; (9)  
39 property exempted from ad valorem taxation by K.S.A. 79-201a *Ninth*,  
40 and amendments thereto, including all property previously acquired by the  
41 Kansas turnpike authority which is used in the administration,  
42 construction, maintenance or operation of the Kansas turnpike. The Kansas  
43 turnpike authority shall at the time of acquisition of property notify the

1 county appraiser in the county in which the property is located that the  
2 acquisition occurred and provide a legal description of the property  
3 acquired; (10) aquaculture machinery and equipment exempted from ad  
4 valorem taxation by K.S.A. 79-201j, and amendments thereto. As used in  
5 this section, "aquaculture" has the same meaning ascribed thereto by  
6 K.S.A. 47-1901, and amendments thereto; (11) Christmas tree machinery  
7 and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and  
8 amendments thereto; (12) property used exclusively by the state or any  
9 municipality or political subdivision of the state for right-of-way purposes.  
10 The state agency or the governing body of the municipality or political  
11 subdivision shall at the time of acquisition of property for right-of-way  
12 purposes notify the county appraiser in the county in which the property is  
13 located that the acquisition occurred and provide a legal description of the  
14 property acquired; (13) machinery, equipment, materials and supplies  
15 exempted from ad valorem taxation by K.S.A. 79-201w, and amendments  
16 thereto; (14) vehicles owned by the state or by any political or taxing  
17 subdivision thereof and used exclusively for governmental purposes; (15)  
18 property used for residential purposes which is exempted pursuant to  
19 K.S.A. 79-201x, and amendments thereto, from the property tax levied  
20 pursuant to ~~K.S.A. 2016 Supp. 72-6470~~ *section 14*, and amendments  
21 thereto; (16) from and after July 1, 1998, vehicles which are owned by an  
22 organization having as one of its purposes the assistance by the provision  
23 of transit services to the elderly and to disabled persons and which are  
24 exempted pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto; (17)  
25 from and after July 1, 1998, motor vehicles exempted from taxation by  
26 K.S.A. 79-5107(e), and amendments thereto; (18) commercial and  
27 industrial machinery and equipment exempted from property or ad  
28 valorem taxation by K.S.A. 2016 Supp. 79-223, and amendments thereto;  
29 (19) telecommunications machinery and equipment and railroad  
30 machinery and equipment exempted from property or ad valorem taxation  
31 by K.S.A. 2016 Supp. 79-224, and amendments thereto; and (20) property  
32 exempted from property or ad valorem taxation by K.S.A. 2016 Supp. 79-  
33 234, and amendments thereto.

34 (m) The provisions of this section shall apply to property exempt  
35 pursuant to the provisions of section 13 of article 11 of the constitution of  
36 the state of Kansas.

37 (n) The provisions of subsection (k) as amended by this act shall be  
38 applicable to all exemption applications filed in accordance with  
39 subsection (a) after December 31, 2001.

40 ~~Sec. 101.~~ **{96.}** K.S.A. 2016 Supp. 79-2001 is hereby amended to  
41 read as follows: 79-2001. (a) As soon as the county treasurer receives the  
42 tax roll of the county, the treasurer shall enter in a column opposite the  
43 description of each tract or parcel of land the amount of unpaid taxes and

1 the date of unredeemed sales, if any, for previous years on such land. The  
2 treasurer shall cause a notice to be published in the official county paper  
3 once each week for three consecutive weeks, stating in the notice the  
4 amount of taxes charged for state, county, township, school, city or other  
5 purposes for that year, on each \$1,000 of valuation.

6 (b) Each year after receipt of the tax roll from the county clerk and  
7 before December 15, the treasurer shall mail to each taxpayer, as shown by  
8 the rolls, a tax statement which indicates the taxing unit, assessed value of  
9 real and personal property, the mill levy and tax due. In addition, with  
10 respect to land devoted to agricultural use, such statement shall indicate  
11 the acreage and description of each parcel of such land. The tax statement  
12 shall also indicate separately each parcel of real property which is  
13 separately classified for property tax purposes. The county appraiser shall  
14 provide the information necessary for the county treasurer to comply with  
15 the provisions of this section. The tax statement also may include the  
16 intangible tax due the county. All items may be on one statement or may  
17 be shown on separate statements and may be on a form prescribed by the  
18 county treasurer. The statement shall be mailed to the last known address  
19 of the taxpayer or to a designee authorized by the taxpayer to accept the  
20 tax statement, if the designee has an interest in receiving the statement.  
21 When any statement is returned to the county treasurer for failure to find  
22 the addressee, the treasurer shall make a diligent effort to find a  
23 forwarding address of the taxpayer and mail the statement to the new  
24 address. All tax statements mailed pursuant to this section shall be mailed  
25 by first-class mail. The requirement for mailing a tax statement shall  
26 extend only to the initial statement required to be mailed in each year and  
27 to any follow-up required by this section.

28 (c) For tax year 1998, and all tax years thereafter, after receipt of the  
29 tax roll from the county clerk and before December 15, the treasurer shall  
30 mail to each taxpayer, as shown by the tax rolls, a tax information form  
31 which indicates the taxing unit, assessed value of real property for the  
32 current and next preceding taxable year, the mill levy for the current and  
33 next preceding taxable year and, in the case of unified school districts, the  
34 mill levy required by ~~K.S.A. 2016 Supp. 72-6470~~ section 14, and  
35 amendments thereto, shall be separately indicated, the tax due and an  
36 itemization of each taxing unit's mill levy for the current and next  
37 preceding taxable year and the percentage change in the amount of  
38 revenue produced therefrom, if any. In addition, with respect to land  
39 devoted to agricultural use, such form shall indicate the acreage and  
40 description of each parcel of such land. The tax information form shall  
41 also indicate separately each parcel of real property which is separately  
42 classified for property tax purposes. The county appraiser shall provide the  
43 information necessary for the county treasurer to comply with the



1 provisions of this section. The tax information form may be separate from  
2 the tax statement or a part of the tax statement. The tax information form  
3 shall be in a format prescribed by the director of property valuation. The  
4 tax information form shall be mailed to the last known address of the  
5 taxpayer. When a tax information form is returned to the county treasurer  
6 for failure to find the addressee, the treasurer shall make a diligent effort to  
7 find a forwarding address of the taxpayer and mail the tax information  
8 form to the new address. All tax information forms mailed pursuant to this  
9 section shall be mailed by first class mail.

10 ~~Sec. 402. {97.}~~ K.S.A. 2016 Supp. 79-2925b is hereby amended to  
11 read as follows: 79-2925b. (a) Without a majority vote so providing, the  
12 governing body of any municipality shall not approve any appropriation or  
13 budget, as the case requires, which may be funded by revenue produced  
14 from property taxes, and which provides for funding with such revenue in  
15 an amount exceeding that of the next preceding year, adjusted to reflect  
16 changes in the consumer price index for all urban consumers as published  
17 by the United States department of labor for the preceding calendar year. If  
18 the total tangible property valuation in any municipality increases from the  
19 next preceding year due to increases in the assessed valuation of existing  
20 tangible property and such increase exceeds changes in the consumer price  
21 index, the governing body shall lower the amount of ad valorem tax to be  
22 levied to the amount of ad valorem tax levied in the next preceding year,  
23 adjusted to reflect changes in the consumer price index. This subsection  
24 shall not apply to ad valorem taxes levied under K.S.A. 76-6b01 and 76-  
25 6b04 and ~~K.S.A. 2016 Supp. 72-6470 section 14~~, and amendments thereto,  
26 and any other ad valorem tax levy which was previously approved by the  
27 voters of such municipality. Notwithstanding the requirements of this  
28 subsection, nothing herein shall prohibit a municipality from increasing  
29 the amount of ad valorem tax to be levied if the municipality approves the  
30 proposed increase with a majority vote of the governing body by the  
31 adoption of a resolution and publishes its vote to approve the appropriation  
32 or budget including the increase as provided in subsection (c).

33 (b) Revenue that, in the current year, is produced and attributable to  
34 the taxation of:

- 35 (1) New improvements to real property;
- 36 (2) increased personal property valuation;
- 37 (3) property located within added jurisdictional territory; or
- 38 (4) property which has changed in use shall not be considered when  
39 determining whether revenue produced from property has increased from  
40 the next preceding year.

41 (c) In the event the governing body votes to approve any  
42 appropriation or budget, as the case requires, which may be funded by  
43 revenue produced from property taxes, and which provides for funding

1 with such revenue in an amount exceeding that of the next preceding year  
2 as provided in subsection (a), notice of such vote shall be published in the  
3 official county newspaper of the county where such municipality is  
4 located.

5 (d) The provisions of this section shall be applicable to all fiscal and  
6 budget years commencing on and after the effective date of this act.

7 (e) The provisions of this section shall not apply to revenue received  
8 from property tax levied for the sole purpose of repayment of the principal  
9 of and interest upon bonded indebtedness, temporary notes and no-fund  
10 warrants.

11 (f) For purposes of this section:

12 (1) "Municipality" means any political subdivision of the state which  
13 levies an ad valorem tax on property and includes, but is not limited to,  
14 any township, municipal university, school district, community college,  
15 drainage district or other taxing district;

16 (2) "municipality" shall not include:

17 (A) Any such political subdivision or taxing district which receives  
18 \$1,000 or less in revenue from property taxes in the current year; or

19 (B) any city or county.

20 ~~Sec. 103. {98.}~~ In sections 1 and 2, if any fund or account name  
21 described by words and the numerical accounting code that follows such  
22 fund or account name do not match, it shall be conclusively presumed that  
23 the legislature intended that the fund or account name described by words  
24 is the correct fund or account name, and such fund or account name  
25 described by words shall control over a contradictory or incorrect  
26 numerical accounting code.

27 **{New Sec. 99. (a) Subject to subsection (b), the board of education**  
28 **of a school district may levy a tax on the taxable tangible property**  
29 **within the school district for the purpose of financing the costs**  
30 **incurred by the state that are attributable directly to assignment of the**  
31 **cost-of-living weighting to the foundation enrollment of the school**  
32 **district.**

33 (b) The state board shall determine whether a school district may  
34 levy a tax under this section as follows:

35 (1) Determine the statewide average appraised value of single  
36 family residences for the calendar year preceding the current school  
37 year;

38 (2) multiply the amount determined under subsection (b)(1) by  
39 1.25;

40 (3) determine the average appraised value of single family  
41 residences in each school district for the calendar year preceding the  
42 current school year; and

43 (4) subtract the amount determined under subsection (b)(2) from

1 the amount determined under subsection (b)(3). If the amount  
2 determined for the school district is a positive number and the school  
3 district has adopted a local enhancement budget in an amount equal  
4 to at least 5% of the total foundation aid for the school district, the  
5 school district qualifies for assignment of cost-of-living weighting and  
6 may levy a tax on the taxable tangible property of the school district  
7 for the purpose of financing the costs that are attributable directly to  
8 assignment of the cost-of-living weighting to the foundation  
9 enrollment of the school district.

10 (c) (1) No tax may be levied under this section unless the board of  
11 education adopts a resolution authorizing such a tax levy and  
12 publishes the resolution at least once in a newspaper having general  
13 circulation in the school district. Except as provided by subsection (e),  
14 the resolution shall be published in substantial compliance with the  
15 following form:

16 Unified School District No. \_\_\_\_\_,  
17 \_\_\_\_\_ County, Kansas.

18 **RESOLUTION**

19 **Be It Resolved that:**

20 The board of education of the above-named school district shall be  
21 authorized to levy an ad valorem tax in an amount not to exceed the  
22 amount necessary to finance the costs attributable directly to the  
23 assignment of cost-of-living weighting to the enrollment of the school  
24 district. The ad valorem tax authorized by this resolution may be  
25 levied unless a petition in opposition to the same, signed by not less  
26 than 5% of the qualified electors of the school district, is filed with the  
27 county election officer of the home county of the school district within  
28 30 days after the publication of this resolution. If a petition is filed, the  
29 county election officer shall submit the question of whether the levy of  
30 such a tax shall be authorized in accordance with the provisions of this  
31 resolution to the electors of the school district at the next general  
32 election of the school district, as is specified by the board of education  
33 of the school district.

34 **CERTIFICATE**

35 This is to certify that the above resolution was duly adopted by the  
36 board of education of Unified School District No. \_\_\_\_\_,  
37 \_\_\_\_\_ County, Kansas, on the \_\_\_\_ day of \_\_\_\_\_,  
38 (year)\_\_\_\_.

39 \_\_\_\_\_  
40 Clerk of the board of education.

41 (2) All of the blanks in the resolution shall be filled appropriately.  
42 If no petition as specified above is filed in accordance with the  
43 provisions of the resolution, the resolution authorizing the ad valorem

1 tax levy shall become effective. If a petition is filed as provided in the  
2 resolution, the board may notify the county election officer to submit  
3 the question of whether such tax levy shall be authorized. If the board  
4 fails to notify the county election officer within 30 days after a petition  
5 is filed, the resolution shall be deemed abandoned and of no force and  
6 effect and no like resolution shall be adopted by the board within the  
7 nine months following publication of the resolution. If a majority of  
8 the votes cast in an election conducted pursuant to this provision is in  
9 favor of the resolution, such resolution shall be effective on the date of  
10 such election. If a majority of the votes cast is not in favor of the  
11 resolution, the resolution shall be deemed of no force and effect and no  
12 like resolution shall be adopted by the board within the nine months  
13 following such election.

14 (d) There is hereby established in every school district a cost-of-  
15 living fund, which shall consist of all moneys deposited therein or  
16 transferred thereto in accordance with law. All moneys derived from a  
17 tax imposed pursuant to this section shall be credited to the cost-of-  
18 living fund. The proceeds from the tax levied by a school district  
19 credited to the cost-of-living fund shall be remitted to the state  
20 treasurer in accordance with the provisions of K.S.A. 75-4215, and  
21 amendments thereto. Upon receipt of each such remittance, the state  
22 treasurer shall deposit the entire amount in the state treasury to the  
23 credit of the state school district finance fund.

24 (e) In determining the amount produced by the tax levied by the  
25 school district under the authority of this section, the state board shall  
26 include any moneys apportioned to the cost-of-living fund of the  
27 school district from taxes levied under the provisions of K.S.A. 79-  
28 5101 et seq. and 79-5118 et seq., and amendments thereto.

29 (f) The cost-of-living weighting of a school district shall be  
30 determined by the state board in each school year in which such  
31 weighting may be assigned to the foundation enrollment of the school  
32 district as follows:

33 (1) Divide the amount determined under subsection (b)(4) by the  
34 amount determined under subsection (b)(2);

35 (2) multiply the quotient determined under subsection (f)(1) by  
36 0.095;

37 (3) multiply the school district's total foundation aid for the  
38 current school year, excluding the amount determined under this  
39 provision, by the lesser of the product determined under subsection (f)  
40 (2) or 0.05; and

41 (4) divide the product determined under subsection (f)(3) by the  
42 BASE aid for the current school year. The quotient is the cost-of-living  
43 weighting of the school district.

1       **New Sec. 100. (a)** Each school district may submit an application  
2 to the state board of education for approval of extraordinary declining  
3 enrollment state aid. Such application shall be submitted in such form  
4 and manner as prescribed by the state board, and shall include a  
5 description of the extraordinary decline in enrollment of the school  
6 district that is the basis for the application.

7       **(b)** The state board shall review all submitted applications and  
8 approve or deny any such application based on whether the applicant  
9 school district has demonstrated extraordinary declining enrollment  
10 since school year 2014-2015. As part of its review of an application, the  
11 state board may conduct a hearing and provide the applicant school  
12 district an opportunity to present testimony as to such school district's  
13 extraordinary declining enrollment. In reviewing the application, the  
14 state board shall consider the decrease in enrollment of the school  
15 district since school year 2014-2015.

16       **(c)** If the state board approves an application, it shall determine  
17 the amount of extraordinary declining enrollment state aid to be  
18 disbursed to the applicant school district from the school district  
19 extraordinary declining enrollment fund. In approving any  
20 application for extraordinary declining enrollment state aid, the state  
21 board may approve an amount of extraordinary declining enrollment  
22 state aid that is less than the amount the school district requested in  
23 the application. If the state board denies an application, then, within  
24 15 days of such denial, the state board shall send written notice of  
25 such denial to the superintendent of such school district. All  
26 administrative proceedings pursuant to this section shall be conducted  
27 in accordance with the provisions of the Kansas administrative  
28 procedure act. Any action by the state board pursuant to this section  
29 shall be subject to review in accordance with the Kansas judicial  
30 review act.

31       **(d)** There is hereby established in the state treasury the school  
32 district extraordinary declining enrollment fund, which shall be  
33 administered by the state department of education. All expenditures  
34 from the school district extraordinary declining enrollment fund shall  
35 be used for the disbursement of extraordinary declining enrollment  
36 state aid as approved by the state board under this section. All  
37 expenditures from the school district extraordinary declining  
38 enrollment fund shall be made in accordance with appropriation acts  
39 upon warrants of the director of accounts and reports issued pursuant  
40 to vouchers approved by the state board of education, or the designee  
41 of the state board of education.

42       **(e)** The provisions of this section shall expire on July 1, 2018.}

43       ~~Sec. 101.~~ {101.} K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1770a,

1 12-1775a, 12-1776a, 46-1133, 72-978, 72-1046b, 72-1398, 72-1414, 72-  
2 1923, 72-3712, 72-3715, 72-5333b, 72-6482, 72-64b01, 72-64c03, 72-  
3 64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-  
4 8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-8250, 72-8251,  
5 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-8804, 72-8908, 72-  
6 9509, 72-9609, 72-99a02, 74-4939a, 74-8925, 74-99b43, 75-2319, 75-  
7 2319, as amended by section 46 of Senate Substitute for Substitute for  
8 House Bill No. 2052, 79-201x, 79-213, 79-2001 and 79-2925b are hereby  
9 repealed.

10 ~~Sec. 105.~~ **{102.}** On and after July 1, 2018, K.S.A. 2016 Supp. 72-  
11 99a02, as amended by section ~~92~~ **{87}** of this act, and 72-99a04 are hereby  
12 repealed.

13 ~~Sec. 106.~~ **{103.}** This act shall take effect and be in force from and  
14 after its publication in the statute book.