

SESSION OF 2020

**SUPPLEMENTAL NOTE ON HOUSE SUBSTITUTE FOR
SENATE BILL NO. 142**

As Amended by House Committee of the Whole

Brief*

House Sub. for SB 142, as amended, would amend law to clarify the authority of the State Board of Education (State Board) to grant waivers to the minimum number of school hours required each school year. The bill would expand the circumstances in which a local board of education could apply for a waiver to the State Board to include conditions restricting the operation of public schools. The bill would also amend the definition of "disaster" to include any declaration of a state of disaster emergency issued by the Governor or the closure of schools by order of the county or joint board of health, a local health officer, or the Secretary of Health and Environment.

KSA 72-3115(b) requires students in kindergarten attend at least 465 school hours, students in grades 1 through 11 attend at least 1,116 school hours, and students in grade 12 attend at least 1,086 school hours per school year.

The bill would also include a statement of legislative intent that school districts shall continue to pay hourly employees, including, but not limited to, paraprofessionals and custodial employees, during any school shutdown due to a disaster.

The bill would be in effect upon publication in the *Kansas Register*.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

As introduced and passed by the Senate in 2019, SB 142 would have increased the Base Aid for Student Excellence (BASE) for school years 2019-2020 through 2022-2023 and would have appropriated \$104.5 million, all from the State General Fund (SGF), in fiscal year (FY) 2020 and \$114.2 million, all from the SGF, for FY 2021 for the Kansas State Department of Education (KSDE). [*Note:* These provisions were included in 2019 House Sub. for SB 16.] The House Committee on K-12 Education Budget held a hearing on the bill on March 19, 2019.

On March 16, 2020, the House Committee on K-12 Education Budget removed the contents of SB 142, inserted modified provisions of HB 2747, and recommended a substitute bill.

HB 2747

HB 2747 was introduced by the House Committee on Federal and State Affairs at the request of Representative Finch on March 16, 2020.

On the same day, the House Committee on K-12 Education Budget (House Committee) held an informational briefing from the Commissioner of Education (Commissioner) on the status of Kansas schools during the global outbreak of disease from a novel coronavirus (COVID-19). The Commissioner stated it had been strongly recommended that all schools close for at least one week, but indicated the KSDE was preparing for schools to be closed longer due to the COVID-19 outbreak. Additionally, the Commissioner stated a task force of teachers and school administrators is developing a plan to continue the school year through alternative means of instruction; however, the Commissioner requested language to clarify the authority of the State Board to grant a waiver from the minimum number of school hours required each school year.

The House Committee amended HB 2747 to include references to the statutes authorizing local or joint boards of health, local health officers, or the Secretary of Health and Environment to order the closure of schools.

The House Committee of the Whole amended the bill to include a statement of legislative intent regarding school district hourly employees.

No fiscal note for HB 2747 was available at the time of House Committee action on House Sub. for SB 142.