

Senate Subcommittee Report

Agency: Department of Education

Bill No. SB 267

Bill Sec. 55

Analyst: Volkmer

Analysis Pg. No. Vol. 2, p. 753

Budget Page No. 328

Expenditure Summary	Agency Request FY 2022	Governor Recommendation FY 2022	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 4,237,161,001	\$ 4,191,731,257	\$ 250,000
Other Funds	1,606,733,518	1,594,522,111	0
<i>Subtotal</i>	<u>\$ 5,843,894,519</u>	<u>\$ 5,786,253,368</u>	<u>\$ 250,000</u>
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
<i>Subtotal</i>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u>\$ 5,843,894,519</u>	<u>\$ 5,786,253,368</u>	<u>\$ 250,000</u>
 FTE positions	 263.0	 262.0	 0.0

Agency Request

The **agency** requests expenditures of \$5.8 billion, including \$4.2 billion SGF, for FY 2022. This is an all funds increase of \$191.1 million, or 3.4 percent, and an SGF increase of \$259.9 million, or 6.5 percent, above the FY 2021 revised estimate. The request includes 262.9 FTE positions, which is an increase of 1.0 FTE position above the FY 2021 revised estimate. The SGF increase is primarily attributable to the increase of State Foundation Aid, Kansas Public Employees Retirement System (KPERS) contributions, and special education funding. These increases are due to school funding requirements included in 2018 Sub. for SB 423, 2018 House Sub. for SB 61, and 2019 House Sub. for SB 16. This increase is partially offset by a reduction in federal funding due to the end of COVID-19-related funding in FY 2021.

Governor's Recommendation

The **Governor** recommends expenditures of \$5.8 billion, including \$4.2 billion SGF, for FY 2022. This is an all funds decrease of \$57.6 million, or 1.0 percent, including an SGF decrease of \$45.4 million, or 1.1 percent, below the agency's request. The Governor's recommendation includes 261.9 FTE positions, which is a decrease of 1.0 FTE below the agency's request. The all funds decrease is primarily attributable to the Governor's recommendation to adopt the Fall 2020 Education Consensus Estimates and the Governor not recommending the agency's enhancement requests. The FTE position decrease is attributable to the Governor not recommending the agency's enhancement request to create a Dyslexia Coordinator position.

Governor's Recommendation

The Governor recommends expenditures of \$3.1 billion, all SGF, for FY 2023, including \$2.5 billion for the SGF portion of the State Foundation Aid and \$534.1 million for Supplemental State Aid, which provides equalization for school districts' Local Option Budgets. The Governor's recommendation does not include expenditures for the other components of the State Foundation Aid, which are the 20-mill property tax levy, the School District Finance Fund (optional local property taxes), and the Mineral Production Education Fund. The Governor's recommendation also does not include Special Education State Aid, KPERS-USDs, KPERS-Non-USDs, Capital Outlay State Aid, Capital Improvement State Aid, other aid programs, the Children's Cabinet, or the Department of Education's operating budget.

Senate Committee on Education Recommendation

The **Committee on Education** concurs with the Governor's recommendation for FY 2022 with the following adjustments:

1. Add \$100,000, all SGF, for the statewide Dyslexia Coordinator position for FY 2022. The Dyslexia Coordinator position was recommended by the Legislative Task Force on Dyslexia. The position will oversee and assist colleges of education to develop curricula based on Knowledge and Practice Standards set by the Kansas State Department of Education and oversee the development of resources for school districts, including a textbook, professional development, and a list of qualified trainers.
2. Add \$80,000, all SGF, for the Center for READING Project Manager(s) grant for FY 2022. The Project Manager(s) will assist in the development and support of a Science of Reading curricula for Kansas Board of Regents institutions based on the Knowledge and Practice Standards set by the Kansas State Department of Education. The Project Manager(s) will also develop and support resources for school districts, including a textbook, professional development, and a list of qualified trainers.
3. Add \$40,000, all SGF, for the Interim Dyslexia Coordinator/Consultant for FY 2022. This position would serve as chair of the hiring committee to oversee the hiring and work of the READING Project Manager(s) and meet weekly with the Dyslexia Coordinator to provide continuity and support.
4. Add \$30,000, all SGF, for implementation grants for FY 2022. These grants would be awarded to Kansas Board of Regents institutions and not-for-profit college and university schools or departments of education that transition to Science of Reading instruction or training exclusively in their Elementary Education curricula by the Fall 2022 semester. Curricula must be based on Knowledge and Practice Standards set by the Kansas State Department of Education. The funding is to be divided evenly upon review and approval by the Dyslexia Coordinator or Interim Dyslexia Coordinator.

Senate Committee Recommendation

The **Committee** concurs with the Committee on Education's recommendation for FY 2022 with the following adjustments:

1. Add \$148,000, all SGF, for Local Option Budget (LOB) State Aid, and add language allowing USD 499 Galena to calculate LOB using the current year calculation rather than the three-year average for FY 2022. This adjustment will be reviewed at Omnibus.
2. Delete \$183.2 million, all SGF, and add \$183.2 million, from the federal Elementary and Secondary School Emergency Relief (ESSER) Fund, for State Foundation Aid and LOB State Aid for FY 2022. This adjustment will be reviewed at Omnibus.
3. Delete \$52.8 million, all SGF, and add \$52.8 million, from the federal ESSER Fund, and delete language extending the high-density at-risk weighting through FY 2022. This adjustment will be reviewed at Omnibus.
4. Delete \$250,000, all SGF, for the Dyslexia Coordinator position, Center for READING Project Manager(s) Grant position, Interim Dyslexia Coordinator/Consultant position, and implementation grants and review at Omnibus adding \$250,000, all SGF, for those three positions and implementation grants for FY 2022.

The **Committee** concurs with the Governor's recommendation for FY 2023 with the following adjustments:

1. Add \$90,000, all SGF, for LOB State Aid, and add language allowing USD 499 Galena to calculate LOB using the current year calculation rather than the three-year average for FY 2023. This adjustment will be reviewed at Omnibus.
2. Delete \$280.3 million, all SGF, and add \$280.3 million, from the federal ESSER Fund, for State Foundation Aid and LOB State Aid for FY 2023. This adjustment will be reviewed at Omnibus.
3. Delete \$52.8 million, all SGF, and add \$52.8 million, from the federal ESSER Fund, and delete language extending the high-density at-risk weighting through FY 2023. This adjustment will be reviewed at Omnibus.

Senate Committee of the Whole Recommendation (Sub. for SB 267)

The **Committee of the Whole** concurs with the Committee's recommendations for FY 2022 and FY 2023.

House Budget Committee Report

Agency: Department of Education **Bill No.** HB 2397 **Bill Sec.** 86 & 87

Analyst: Volkmer **Analysis Pg. No.** Volume 2, p. 753 **Budget Page No.** 358

Expenditure Summary	Agency Request FY 2022	Governor Recommendation FY 2022	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 4,237,161,001	\$ 4,191,731,257	\$ 0
Other Funds	1,606,733,518	1,594,522,111	0
<i>Subtotal</i>	<u>\$ 5,843,894,519</u>	<u>\$ 5,786,253,368</u>	<u>\$ 0</u>
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
<i>Subtotal</i>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u>\$ 5,843,894,519</u>	<u>\$ 5,786,253,368</u>	<u>\$ 0</u>
 FTE positions	 263.0	 262.0	 0.0

Agency Request

The **agency** requests expenditures of \$5.8 billion, including \$4.2 billion SGF, for FY 2022. This is an all funds increase of \$191.1 million, or 3.4 percent, and an SGF increase of \$259.9 million, or 6.5 percent, above the FY 2021 revised estimate. The request includes 262.9 FTE positions, which is an increase of 1.0 FTE position above the FY 2021 revised estimate. The SGF increase is primarily attributable to the increase of State Foundation Aid, Kansas Public Employees Retirement System (KPERs) contributions, and special education funding. These increases are due to school funding requirements included in 2018 Sub. for SB 423, 2018 House Sub. for SB 61, and 2019 House Sub. for SB 16. This increase is partially offset by a reduction in federal funding due to the end of COVID-19-related funding in FY 2021.

Governor's Recommendation

The **Governor** recommends expenditures of \$5.8 billion, including \$4.2 billion SGF, for FY 2022. This is an all funds decrease of \$57.6 million, or 1.0 percent, including an SGF decrease of \$45.4 million, or 1.1 percent, below the agency's request. The Governor's recommendation includes 261.9 FTE positions, which is a decrease of 1.0 FTE below the agency's request. The all funds decrease is primarily attributable to the Governor's recommendation to adopt the Fall 2020 Education Consensus Estimates and the Governor not recommending the agency's enhancement requests. The FTE position decrease is attributable

to the Governor not recommending the agency's enhancement request to create a Dyslexia Coordinator position.

Governor's Recommendation

The Governor recommends expenditures of \$3.1 billion, all SGF, for FY 2023, including \$2.5 billion for the SGF portion of the State Foundation Aid and \$534.1 million for Supplemental State Aid, which provides equalization for school districts' Local Option Budgets. The Governor's recommendation does not include expenditures for the other components of the State Foundation Aid, which are the 20-mill property tax levy, the School District Finance Fund (optional local property taxes), and the Mineral Production Education Fund. The Governor's recommendation also does not include Special Education State Aid, KPERS-USDs, KPERS-Non-USDs, Capital Outlay State Aid, Capital Improvement State Aid, other aid programs, the Children's Cabinet, or the Department of Education's operating budget.

House Budget Committee Recommendation

The **Budget Committee** inserted the Governor's budget recommendation from HB 2396 and HB 2397 into Sub. for HB 2119, which among other things would create the Student Empowerment Act, and made the following adjustments and notations to Sub. for HB 2119:

1. Add language directing the Kansas State Department of Education (KSDE) to expend at least \$5.0 million to fund School Safety and Security Grants and \$3,924,160 to expand the Mental Health Intervention Team Pilot Program, and \$100,000 for Communities in Schools all from the federal Elementary and Secondary School Emergency Relief (ESSER) Fund received under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act, federal Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, or any other federal law that appropriates money to the State for aid for coronavirus relief, if identified as available to be used for such purposes, for FY 2022.
2. Add language directing KSDE to expend moneys received under the federal CARES Act, federal CRRSA Act, or any other federal law that appropriates money to the State for aid for coronavirus relief, to implement Phase 3 of the Language Assessment Program in the Kansas State School for the Deaf, or if those funds may not be used to implement such a program, to expend moneys from other existing resources for FY 2022.
3. Add language allowing the Kansas State Department of Education to distribute moneys from the Local School District Contribution Checkoff Fund not tied to a current school district to all Kansas school districts for FY 2022.
4. Amend HB 2119 to re-authorize the 20-mill property tax levy for FY 2022 and FY 2023, and continue the exemption of residential property up to \$20,000 of its appraised valuation from the 20-mill property tax levy for taxable years 2021 and 2022.
5. Recommend the House Committee on Appropriations strike the corresponding sections in HB 2396 and HB 2397.

House Committee Recommendation

The **Committee** concurs with the Governor's recommendation for FY 2022 with the following adjustments:

1. Delete \$5.8 billion, including \$4.2 billion SGF, and 261.9 FTE, to reflect the deletion of the Department of Education budget from Sub. for HB 2397 and insertion of Department of Education budget into Sub. for HB 2119, as recommended by the House Committee on K-12 Education Budget, for FY 2022.
2. Add \$300,000 all SGF, to the Juvenile Transitional Crisis Center Pilot Account for FY 2022, and add language directing KSDE make that funding available to the Beloit crisis center and directing the Commissioner of Education provide the 2022 Legislature an update on that center.
3. Add language creating a state-wide program in the Children's Cabinet to cooperate with the Dolly Parton Imagination Library for the purpose of providing books for all Kansas children ages zero to five free of charge, and add \$425,000, from federal funds allocated to the agency for such a program, for FY 2022.

The **Committee** concurs with the Governor's recommendation for FY 2023 with the following adjustments:

1. Delete \$3.1 billion, all SGF, to reflect the deletion of the Department of Education budget from Sub. for HB 2397 and insertion of Department of Education budget into Sub. for HB 2119, as recommended by the House Committee on K-12 Education Budget, for FY 2023.
2. Add language creating a state-wide program in the Children's Cabinet to cooperate with the Dolly Parton Imagination Library for the purpose of providing books for all Kansas children ages zero to five free of charge, and add \$850,000, from federal funds allocated to the agency for such a program, for FY 2023.

House Committee of the Whole (Sub. for HB 2397)

The **Committee of the Whole** concurs with the Committee's recommendation for FY 2022 and FY 2023 with the following adjustment:

1. Add language to delete 2.0 percent of SGF appropriations and reappropriations, excluding debt service, for FY 2022. This deletion for the Department of Education budget will be reflected in Sub. for HB 2119, in which the budget has been inserted.

Conference Committee Recommendation (HB 2007)

The **Conference Committee** concurs with the Governor's recommendation for FY 2022 with the following adjustments:

1. Add \$148,000, all SGF, for Local Option Budget (LOB) State Aid, and add language allowing USD 499 Galena to calculate LOB using the current year calculation rather than the three-year average for FY 2022. This adjustment will be reviewed at Omnibus.

2. Add \$300,000 all SGF, to the Juvenile Transitional Crisis Center Pilot Account for FY 2022, and add language directing KSDE make that funding available to the Beloit crisis center and directing the Commissioner of Education provide the 2022 Legislature an update on that center.
3. Delete \$5.8 billion, including \$4.2 billion SGF, and 261.9 FTE, to reflect the deletion of the Department of Education budget from HB 2007 and insertion of Department of Education budget into SB 175 for FY 2022.
4. Add language creating a state-wide program in the Children's Cabinet to cooperate with the Dolly Parton Imagination Library for the purpose of providing books for all Kansas children ages zero to five free of charge and language providing for expenditures up to \$425,000, from federal funds allocated to the agency for such a program, for FY 2022.

The **Conference Committee** concurs with the Governor's recommendation for FY 2023 with the following adjustments:

1. Add \$90,000, all SGF, for LOB State Aid, and add language allowing USD 499 Galena to calculate LOB using the current year calculation rather than the three-year average for FY 2023. This adjustment will be reviewed at Omnibus.
2. Delete \$3.1 billion, all SGF, to reflect the deletion of the Department of Education budget from HB 2007 and insertion of Department of Education budget into SB 175 for FY 2023.
3. Add language creating a state-wide program in the Children's Cabinet to cooperate with the Dolly Parton Imagination Library for the purpose of providing books for all Kansas children ages zero to five free of charge and language providing for expenditures up to \$850,000, from federal funds allocated to the agency for such a program, for FY 2023.

Conference Committee (HB 2134)

The **Conference Committee** inserted the Governor's budget recommendation for FY 2021, FY 2022, and FY 2023 into HB 2134, along with other education-related provisions, with the following adjustments and notations:

1. Add \$80,000, from federal CARES Act, federal CRRSA Act, or any other federal law that appropriates money to the State for aid for coronavirus relief, or if those funds may not be used for this position, from SGF, to fund the Center for READING Project Manager(s) grant position for FY 2022. The Project Manager(s) will assist in the development and support of a Science of Reading curricula for Kansas Board of Regents institutions based on the Knowledge and Practice Standards set by KSDE. The Project Manager(s) will also develop and support resources for school districts, including a textbook, professional development, and a list of qualified trainers.
2. Add language directing KSDE to expend at least \$5.0 million to fund School Safety and Security Grants and \$3,924,160 to expand the Mental Health Intervention Team Pilot Program, and \$100,000 for Communities in Schools all from the federal ESSER Fund received under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act, federal Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act , or any other federal law that appropriates money to the State for aid for coronavirus relief, if identified as available to be used for such purposes, for FY 2022.

3. Add language recommending school districts provide additional compensation up to \$500, from the federal ESSER Fund received under the federal CARES Act, federal CRRSA Act, or any other federal law that appropriates money to the State for aid for coronavirus relief, to teachers, paras, and other hourly employees who were employed by the school district for the last two years and will be employed this coming year for FY 2022. This funding is in recognition of the extraneous work done by these employees during the coronavirus pandemic.

	Governor's Recommendation FY 2022	Legislative Action	Legislative Approved FY 2022	Governor's Vetoed FY 2022	Final Legislative Approved FY 2022
All Funds					
State Operations	\$ 56,414,488	\$ 80,000	\$ 56,494,488	\$ 0	\$ 56,494,488
Aid to Local Units	5,665,157,442	9,897,160	5,675,054,602	0	5,675,054,602
Other Assistance	64,681,438	0	64,681,438	0	64,681,438
<i>Subtotal - Operations</i>	<i>\$ 5,786,253,368</i>	<i>\$ 9,977,160</i>	<i>\$ 5,796,230,528</i>	<i>\$ 0</i>	<i>\$ 5,796,230,528</i>
Capital Improvements	0	0	0	0	0
TOTAL	\$ 5,786,253,368	\$ 9,977,160	\$ 5,796,230,528	\$ 0	\$ 5,796,230,528

State General Fund

State Operations	\$ 16,987,193	\$ 80,000	\$ 17,067,193	\$ 0	\$ 17,067,193
Aid to Local Units	4,174,624,771	448,000	4,175,072,771	0	4,175,072,771
Other Assistance	119,293	0	119,293	0	119,293
<i>Subtotal - Operating</i>	<i>\$ 4,191,731,257</i>	<i>\$ 528,000</i>	<i>\$ 4,192,259,257</i>	<i>\$ 0</i>	<i>\$ 4,192,259,257</i>
Capital Improvements	0	0	0	0	0
TOTAL	\$ 4,191,731,257	\$ 528,000	\$ 4,192,259,257	\$ 0	\$ 4,192,259,257

FTE Positions	261.9	0.0	261.9	0.0	261.9
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