

HOUSE BILL No. 2177

By Committee on Education

2-4

AN ACT concerning school districts; relating to budgetary funds; amending K.S.A. 72-6409, 72-6410, 72-6430, 72-6433, 72-8302, 72-8316 and 72-8317 and repealing the existing sections; also repealing K.S.A. 72-6421, 72-6423, 72-6425, 72-6426, 72-6427, 72-6428 and 72-6429.

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

New Section 1. (a) On and after July 1, 2003, and except as provided further, all moneys received by the school district from the federal government or the state shall be credited to the district general fund. Use of such funds shall be determined by the school board of such school district.

(b) The balance of the following funds appropriated and reappropriated to the school districts are hereby transferred to the general fund of the school district: Program weighted fund, categorical fund, transportation fund, vocational education fund, bilingual education fund, driver training fund, adult education fund, adult supplementary education fund, inservice education fund, parent education program fund, summer program fund, extraordinary school program fund and educational excellence grant program fund. Such aforementioned funds are hereby abolished.

(c) Whenever the funds listed in subsection (b), or words of like effect concerning the funds are referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the general fund of the school district.

(d) The area vocational school fund, special education fund and the food service fund shall not be affected by this section.

Sec. 2. K.S.A. 72-6409 is hereby amended to read as follows: 72-6409. (a) "General fund" means the fund of a district from which operating expenses are paid and in which is deposited the proceeds from the tax levied under K.S.A. 72-6431, and amendments thereto, all amounts of general state aid under this act, payments under K.S.A. 72-7105a, and amendments thereto, payments of federal funds made available under the provisions of title I of public law 874, except amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program, and such other moneys as are provided by law.

(b) "Operating expenses" means the total expenditures and lawful

1 transfers from the general fund of a district during a school year for all
2 purposes, except expenditures for the purposes specified in K.S.A. 72-
3 6430, and amendments thereto.

4 (c) “General fund budget” means the amount budgeted for operating
5 expenses in the general fund of a district.

6 (d) “Budget per pupil” means the general fund budget of a district
7 divided by the enrollment of the district.

8 ~~(e) “Program weighted fund” means and includes the following funds
9 of a district. Transportation fund, vocational education fund, and bilingual
10 education fund.~~

11 ~~—(f) “Categorical fund” means and includes the following funds of a
12 district. Special education fund, food service fund, driver training fund,
13 adult education fund, adult supplementary education fund, area voca-
14 tional school fund, inservice education fund, parent education program
15 fund, summer program fund, extraordinary school program fund, and
16 educational excellence grant program fund.~~

17 Sec. 3. K.S.A. 72-6410 is hereby amended to read as follows: 72-
18 6410. (a) “State financial aid” means an amount equal to the product
19 obtained by multiplying base state aid per pupil by the adjusted enroll-
20 ment of a district.

21 (b) “Base state aid per pupil” means an amount of state financial aid
22 per pupil. Subject to the other provisions of this subsection, the amount
23 of base state aid per pupil is \$3,890. The amount of base state aid per
24 pupil is subject to reduction commensurate with any reduction under
25 K.S.A. 75-6704, and amendments thereto, in the amount of the appro-
26 priation from the state general fund for general state aid. If the amount
27 of appropriations for general state aid is insufficient to pay in full the
28 amount each district is entitled to receive for any school year, the amount
29 of base state aid per pupil for such school year is subject to reduction
30 commensurate with the amount of the insufficiency.

31 (c) “Local effort” means the sum of an amount equal to the proceeds
32 from the tax levied under authority of K.S.A. 72-6431, and amendments
33 thereto, and an amount equal to any unexpended and unencumbered
34 balance remaining in the general fund of the district, except amounts
35 received by the district and authorized to be expended for the purposes
36 specified in K.S.A. 72-6430, and amendments thereto, ~~and an amount
37 equal to any unexpended and unencumbered balances remaining in the
38 program weighted funds of the district, except any amount in the voca-
39 tional education fund of the district if the district is operating an area
40 vocational school,~~ and an amount equal to any remaining proceeds from
41 taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amend-
42 ments thereto, prior to the repeal of such statutory sections, and an
43 amount equal to the amount deposited in the general fund in the current

1 school year from amounts received in such year by the district under the
2 provisions of subsection (a) of K.S.A. 72-1046a, and amendments thereto,
3 and an amount equal to the amount deposited in the general fund in the
4 current school year from amounts received in such year by the district
5 pursuant to contracts made and entered into under authority of K.S.A.
6 72-6757, and amendments thereto, and an amount equal to the amount
7 credited to the general fund in the current school year from amounts
8 distributed in such year to the district under the provisions of articles 17
9 and 34 of chapter 12 of Kansas Statutes Annotated and under the pro-
10 visions of articles 42 and 51 of chapter 79 of Kansas Statutes Annotated,
11 and an amount equal to the amount of payments received by the district
12 under the provisions of K.S.A. 72-979, and amendments thereto, and an
13 amount equal to the amount of a grant, if any, received by the district
14 under the provisions of K.S.A. 72-983, and amendments thereto, and an
15 amount equal to 75% of the federal impact aid of the district.

16 (d) "Federal impact aid" means an amount equal to the federally
17 qualified percentage of the amount of moneys a district receives in the
18 current school year under the provisions of title I of public law 874 and
19 congressional appropriations therefor, excluding amounts received for as-
20 sistance in cases of major disaster and amounts received under the low-
21 rent housing program. The amount of federal impact aid defined herein
22 as an amount equal to the federally qualified percentage of the amount
23 of moneys provided for the district under title I of public law 874 shall
24 be determined by the state board in accordance with terms and conditions
25 imposed under the provisions of the public law and rules and regulations
26 thereunder.

27 Sec. 4. K.S.A. 72-6430 is hereby amended to read as follows: 72-
28 6430. Expenditures of a district for the following purposes are not op-
29 erating expenses:

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

34 (b) Payments to another district under K.S.A. 72-7105a, and amend-
35 ments thereto.

36 (c) The maintenance of student activities which are reimbursed.

37 (d) Expenditures from any lawfully authorized fund of a district other
38 than its general fund.

39 (e) The provision of educational services for pupils residing at the
40 Flint Hills job corps center or for pupils confined in a juvenile detention
41 facility for which the district is reimbursed by a grant of state moneys as
42 provided in K.S.A. 72-8187, and amendments thereto. As used in this
43 subsection, the term juvenile detention facility shall have the meaning

1 ascribed thereto by K.S.A. 72-6407, and amendments thereto.

2 (f) Programs financed in part or in whole by federal funds which may
3 be expended although not included in the budget of the district, excepting
4 funds received under the provisions of title I of public law 874 (but not
5 including in such exception amounts received for assistance in cases of
6 major disaster and amounts received under the low-rent housing pro-
7 gram), to the extent of the federal funds to be provided.

8 Sec. 5. K.S.A. 72-6433 is hereby amended to read as follows: 72-
9 6433. (a) (1) The board of any district may adopt a local option budget
10 in each school year in an amount not to exceed an amount equal to the
11 district prescribed percentage of the amount of state financial aid deter-
12 mined for the district in the school year. As used in this section, "district
13 prescribed percentage" means:

14 (A) For any district that was authorized to adopt and that adopted a
15 local option budget in the 1996-97 school year and to which the provisions
16 of K.S.A. 72-6444, and amendments thereto, do not apply in the current
17 school year, in the 2001-02 school year and in each school year thereafter,
18 a percentage that is equal to 80% of the percentage specified in the res-
19 olution under which the district was authorized to adopt a local option
20 budget in the 1996-97 school year;

21 (B) for any district that was authorized to adopt and that adopted a
22 local option budget in the 1996-97 school year and to which the provisions
23 of K.S.A. 72-6444, and amendments thereto, apply in the current school
24 year, a percentage in the 2001-02 school year and each school year there-
25 after that is equal to the sum of the percentage of the amount of state
26 financial aid the district was authorized to budget in the preceding school
27 year and the percentage computed for the district by the state board
28 under the provisions of K.S.A. 72-6444, and amendments thereto;

29 (C) for any district that was not authorized to adopt a local option
30 budget in the 1996-97 school year and to which the provisions of K.S.A.
31 72-6444, and amendments thereto, apply in the current school year, a
32 percentage in the 2001-02 school year and each school year thereafter
33 that is equal to the sum of the percentage of the amount of state financial
34 aid the district was authorized to budget in the preceding school year and
35 the percentage computed for the district by the state board under the
36 provisions of K.S.A. 72-6444, and amendments thereto;

37 (D) for any district to which the provisions of K.S.A. 72-6444, and
38 amendments thereto, applied in the 1997-98 school year and to which
39 the provisions of K.S.A. 72-6444, and amendments thereto, do not apply
40 in the current school year because an increase in the amount budgeted
41 by the district in its local option budget as authorized by a resolution
42 adopted under the provisions of subsection (b) causes the actual amount
43 per pupil budgeted by the district in the preceding school year as deter-

1 mined for the district under provision (1) of subsection (a) of K.S.A. 72-
2 6444, and amendments thereto, to equal or exceed the average amount
3 per pupil of general fund budgets and local option budgets computed by
4 the state board under whichever of the provisions (7) through (10) of
5 subsection (a) of K.S.A. 72-6444, and amendments thereto, is applicable
6 to the district's enrollment group, a percentage that is equal to the per-
7 centage of the amount of state financial aid the district was authorized to
8 budget in the preceding school year if the resolution authorized the dis-
9 trict to increase its local option budget on a continuous and permanent
10 basis. If the resolution that authorized the district to increase its local
11 option budget specified a definite period of time for which the district
12 would retain its authority to increase the local option budget and such
13 authority lapses at the conclusion of such period and is not renewed, the
14 term district prescribed percentage means a percentage that is equal to
15 the percentage of the amount of state financial aid the district was au-
16 thorized to budget in the preceding school year less the percentage of
17 increase that was authorized by the resolution unless the loss of the per-
18 centage of increase that was authorized by the resolution would cause the
19 actual amount per pupil budgeted by the district to be less than the av-
20 erage amount per pupil of general fund budgets and local option budgets
21 computed by the state board under whichever of the provisions (7)
22 through (10) of subsection (a) of K.S.A. 72-6444, and amendments
23 thereto, is applicable to the district's enrollment group, in which case, the
24 term district prescribed percentage means a percentage that is equal to
25 the percentage of the amount of state financial aid the district was au-
26 thorized to budget in the preceding school year less the percentage of
27 increase that was authorized by the resolution plus a percentage which
28 shall be computed for the district by the state board in accordance with
29 the provisions of K.S.A. 72-6444, and amendments thereto, except that,
30 in making the determination of the actual amount per pupil budgeted by
31 the district in the preceding school year, the state board shall exclude the
32 percentage of increase that was authorized by the resolution.

33 (2) (A) Subject to the provisions of subpart (B), the adoption of a
34 local option budget under authority of this subsection shall require a
35 majority vote of the members of the board and shall require no other
36 procedure, authorization or approval.

37 (B) In lieu of utilizing the authority granted by subpart (A) for adop-
38 tion of a local option budget, the board of a district may pass a resolution
39 authorizing adoption of such a budget and publish such resolution once
40 in a newspaper having general circulation in the district. The resolution
41 shall be published in substantial compliance with the following form:
42
43

1 Unified School District No. _____,
2 _____ County, Kansas.

3 RESOLUTION

4 Be It Resolved that:

5 The board of education of the above-named school district shall be authorized to adopt
6 a local option budget in each school year for a period of time not to exceed _____ years
7 in an amount not to exceed _____% of the amount of state financial aid determined for
8 the current school year. The local option budget authorized by this resolution may be
9 adopted, unless a petition in opposition to the same, signed by not less than 5% of the
10 qualified electors of the school district, is filed with the county election officer of the home
11 county of the school district within 30 days after publication of this resolution. In the event
12 a petition is filed, the county election officer shall submit the question of whether adoption
13 of the local option budget shall be authorized to the electors of the school district at an
14 election called for the purpose or at the next general election, as is specified by the board
15 of education of the school district.

16 CERTIFICATE

17 This is to certify that the above resolution was duly adopted by the board of education of
18 Unified School District No. _____, _____ County, Kansas, on the _____ day
19 of _____, ____.

20 _____
21 Clerk of the board of education.

22 All of the blanks in the resolution shall be appropriately filled. The
23 blank preceding the word “years” shall be filled with a specific number,
24 and the blank preceding the percentage symbol shall be filled with a
25 specific number. No word shall be inserted in either of the blanks. The
26 percentage specified in the resolution shall not exceed the district pre-
27 scribed percentage. The resolution shall be published once in a news-
28 paper having general circulation in the school district. If no petition as
29 specified above is filed in accordance with the provisions of the resolution,
30 the board may adopt a local option budget. If a petition is filed as provided
31 in the resolution, the board may notify the county election officer of the
32 date of an election to be held to submit the question of whether adoption
33 of a local option budget shall be authorized. If the board fails to notify
34 the county election officer within 30 days after a petition is filed, the
35 resolution shall be deemed abandoned and no like resolution shall be
36 adopted by the board within the nine months following publication of the
37 resolution. If any district is authorized to adopt a local option budget
38 under this subpart, but the board of such district chooses, in any school
39 year, not to adopt such a budget or chooses, in any school year, to adopt
40 such budget in an amount less than the amount of the district prescribed
41 percentage of the amount of state financial aid in any school year, such
42 board of education may so choose. If the board of any district refrains
43 from adopting a local option budget in any one or more school years or

1 refrains from budgeting the total amount authorized for any one or more
2 school years, the authority of such district to adopt a local option budget
3 shall not be extended by such refrainment beyond the period specified
4 in the resolution authorizing adoption of such budget, nor shall the
5 amount authorized to be budgeted in any succeeding school year be in-
6 creased by such refrainment. Whenever an initial resolution has been
7 adopted under this subpart, and such resolution specified a lesser per-
8 centage than the district prescribed percentage, the board of the district
9 may adopt one or more subsequent resolutions under the same procedure
10 as provided for the initial resolution and subject to the same conditions,
11 and shall be authorized to increase the percentage as specified in any
12 such subsequent resolution for the remainder of the period of time spec-
13 ified in the initial resolution. Any percentage specified in a subsequent
14 resolution or in subsequent resolutions shall be limited so that the sum
15 of the percentage authorized in the initial resolution and the percentage
16 authorized in the subsequent resolution or in subsequent resolutions is
17 not in excess of the district prescribed percentage in any school year. The
18 board of any district that has been authorized to adopt a local option
19 budget under this subpart and levied a tax under authority of K.S.A. 72-
20 6435, and amendments thereto, may initiate, at any time after the final
21 levy is certified to the county clerk under any current authorization, pro-
22 cedures to renew its authority to adopt a local option budget in the man-
23 ner specified in this subpart or may utilize the authority granted by sub-
24 part (A). As used in this subpart, the term “authorized to adopt a local
25 option budget” means that a district has adopted a resolution under this
26 subpart, has published the same, and either that the resolution was not
27 protested or that it was protested and an election was held by which the
28 adoption of a local option budget was approved.

29 (3) The provisions of this subsection are subject to the provisions of
30 subsections (b) and (c).

31 (b) The provisions of this subsection (b) shall be subject to the pro-
32 visions of K.S.A. 72-6433a, and amendments thereto.

33 (1) The board of any district that adopts a local option budget under
34 subsection (a) may increase the amount of such budget in each school
35 year in an amount which together with the percentage of the amount of
36 state financial aid budgeted under subsection (a) does not exceed the state
37 prescribed percentage of the amount of state financial aid determined for
38 the district in the school year if the board of the district determines that
39 an increase in such budget would be in the best interests of the district.

40 (2) No district may increase a local option budget under authority of
41 this subsection until: (A) A resolution authorizing such an increase is
42 passed by the board and published once in a newspaper having general
43 circulation in the district; or (B) the question of whether the board shall

1 be authorized to increase the local option budget has been submitted to
2 and approved by the qualified electors of the district at a special election
3 called for the purpose. Any such election shall be noticed, called and held
4 in the manner provided by K.S.A. 10-120, and amendments thereto, for
5 the noticing, calling and holding of elections upon the question of issuing
6 bonds under the general bond law. The notice of such election shall state
7 the purpose for and time of the election, and the ballot shall be designed
8 with the question of whether the board of education of the district shall
9 be continuously and permanently authorized to increase the local option
10 budget of the district in each school year by a percentage which together
11 with the percentage of the amount of state financial aid budgeted under
12 subsection (a) does not exceed the state prescribed percentage in any
13 school year. If a majority of the qualified electors voting at the election
14 approve authorization of the board to increase the local option budget,
15 the board shall have such authority. If a majority of the qualified electors
16 voting at the election are opposed to authorization of the board to increase
17 the local option budget, the board shall not have such authority and no
18 like question shall be submitted to the qualified electors of the district
19 within the nine months following the election.

20 (3) (A) Subject to the provisions of subpart (B), a resolution author-
21 izing an increase in the local option budget of a district shall state that
22 the board of education of the district shall be authorized to increase the
23 local option budget of the district in each school year in an amount not
24 to exceed _____% of the amount of state financial aid determined for the
25 current school year and that the percentage of increase may be reduced
26 so that the sum of the percentage of the amount of state financial aid
27 budgeted under subsection (a) and the percentage of increase specified
28 in the resolution does not exceed the state prescribed percentage in any
29 school year. The blank preceding the percentage symbol shall be filled
30 with a specific number. No word shall be inserted in the blank. The
31 resolution shall specify a definite period of time for which the board shall
32 be authorized to increase the local option budget and such period of time
33 shall be expressed by the specific number of school years for which the
34 board shall retain its authority to increase the local option budget. No
35 word shall be used to express the number of years for which the board
36 shall be authorized to increase the local option budget.

37 (B) In lieu of the requirements of subpart (A) and at the discretion
38 of the board, a resolution authorizing an increase in the local option
39 budget of a district may state that the board of education of the district
40 shall be continuously and permanently authorized to increase the local
41 option budget of the district in each school year by a percentage which
42 together with the percentage of the amount of state financial aid budgeted
43 under subsection (a) does not exceed the state prescribed percentage in

1 any school year.

2 (4) A resolution authorizing an increase in the local option budget of
3 a district shall state that the amount of the local option budget may be
4 increased as authorized by the resolution unless a petition in opposition
5 to such increase, signed by not less than 5% of the qualified electors of
6 the school district, is filed with the county election officer of the home
7 county of the school district within 30 days after publication. If no petition
8 is filed in accordance with the provisions of the resolution, the board is
9 authorized to increase the local option budget of the district. If a petition
10 is filed as provided in the resolution, the board may notify the county
11 election officer of the date of an election to be held to submit the question
12 of whether the board shall be authorized to increase the local option
13 budget of the district. If the board fails to notify the county election officer
14 within 30 days after a petition is filed, the resolution shall be deemed
15 abandoned and no like resolution shall be adopted by the board within
16 the nine months following publication of the resolution.

17 (5) The requirements of provision (2) do not apply to any district that
18 is continuously and permanently authorized to increase the local option
19 budget of the district. An increase in the amount of a local option budget
20 by such a district shall require a majority vote of the members of the
21 board and shall require no other procedure, authorization or approval.

22 (6) If any district is authorized to increase a local option budget, but
23 the board of such district chooses, in any school year, not to adopt or
24 increase such budget or chooses, in any school year, to adopt or increase
25 such budget in an amount less than the amount authorized, such board
26 of education may so choose. If the board of any district refrains from
27 adopting or increasing a local option budget in any one or more school
28 years or refrains from budgeting the total amount authorized for any one
29 or more school years, the amount authorized to be budgeted in any suc-
30 ceeding school year shall not be increased by such refrainment, nor shall
31 the authority of the district to increase its local option budget be extended
32 by such refrainment beyond the period of time specified in the resolution
33 authorizing an increase in the local option budget if the resolution spec-
34 ified such a period of time.

35 (7) Whenever an initial resolution has been adopted under this sub-
36 section, and such resolution specified a percentage which together with
37 the percentage of the amount of state financial aid budgeted under sub-
38 section (a) is less than the state prescribed percentage, the board of the
39 district may adopt one or more subsequent resolutions under the same
40 procedure as provided for the initial resolution and shall be authorized
41 to increase the percentage as specified in any such subsequent resolution.
42 If the initial resolution specified a definite period of time for which the
43 district is authorized to increase its local option budget, the authority to

1 increase such budget by the percentage specified in any subsequent res-
2 olution shall be limited to the remainder of the period of time specified
3 in the initial resolution. Any percentage specified in a subsequent reso-
4 lution or in subsequent resolutions shall be limited so that the sum of the
5 percentage authorized in the initial resolution and the percentage au-
6 thorized in the subsequent resolution or in subsequent resolutions to-
7 gether with the percentage of the amount of state financial aid budgeted
8 under subsection (a) is not in excess of the state prescribed percentage
9 in any school year.

10 (8) (A) Subject to the provisions of subpart (B), the board of any
11 district that has adopted a local option budget under subsection (a), has
12 been authorized to increase such budget under a resolution which spec-
13 ified a definite period of time for retention of such authorization, and has
14 levied a tax under authority of K.S.A. 72-6435, and amendments thereto,
15 may initiate, at any time after the final levy is certified to the county clerk
16 under any current authorization, procedures to renew the authority to
17 increase the local option budget subject to the conditions and in the
18 manner specified in provisions (2) and (3) of this subsection.

19 (B) The provisions of subpart (A) do not apply to the board of any
20 district that is continuously and permanently authorized to increase the
21 local option budget of the district.

22 (9) As used in this subsection:

23 (A) "Authorized to increase a local option budget" means either that
24 a district has held a special election under provision (2)(B) by which au-
25 thority of the board to increase a local option budget was approved, or
26 that a district has adopted a resolution under provision (2) (A), has pub-
27 lished the same, and either that the resolution was not protested or that
28 it was protested and an election was held by which the authority of the
29 board to increase a local option budget was approved.

30 (B) "State prescribed percentage" means 25%.

31 (c) To the extent the provisions of the foregoing subsections conflict
32 with this subsection, this subsection shall control. Any district that is au-
33 thorized to adopt a local option budget in the 1997-98 school year under
34 a resolution which authorized the adoption of such budget in accordance
35 with the provisions of this section prior to its amendment by this act may
36 continue to operate under such resolution for the period of time specified
37 in the resolution or may abandon the resolution and operate under the
38 provisions of this section as amended by this act. Any such district shall
39 operate under the provisions of this section as amended by this act after
40 the period of time specified in the resolution has expired.

41 (d) (1) There is hereby established in every district that adopts a local
42 option budget a fund which shall be called the supplemental general fund.
43 The fund shall consist of all amounts deposited therein or credited thereto

1 according to law.

2 (2) Subject to the limitation imposed under provision (3), amounts in
3 the supplemental general fund may be expended for any purpose for
4 which expenditures from the general fund are authorized or may be trans-
5 ferred to the general fund of the district ~~or to any program weighted fund~~
6 ~~or categorical fund of the district.~~

7 (3) Amounts in the supplemental general fund may not be expended
8 nor transferred to the general fund of the district for the purpose of
9 making payments under any lease-purchase agreement involving the ac-
10 quisition of land or buildings which is entered into pursuant to the pro-
11 visions of K.S.A. 72-8225, and amendments thereto.

12 (4) Any unexpended and unencumbered cash balance remaining in
13 the supplemental general fund of a district at the conclusion of any school
14 year in which a local option budget is adopted shall be disposed of as
15 provided in this subsection. If the district did not receive supplemental
16 general state aid in the school year and the board of the district deter-
17 mines that it will be necessary to adopt a local option budget in the en-
18 suing school year, the total amount of the cash balance remaining in the
19 supplemental general fund shall be maintained in such fund or trans-
20 ferred to the general fund of the district. If the board of such a district
21 determines that it will not be necessary to adopt a local option budget in
22 the ensuing school year, the total amount of the cash balance remaining
23 in the supplemental general fund shall be transferred to the general fund
24 of the district. If the district received supplemental general state aid in
25 the school year, transferred or expended the entire amount budgeted in
26 the local option budget for the school year, and determines that it will be
27 necessary to adopt a local option budget in the ensuing school year, the
28 total amount of the cash balance remaining in the supplemental general
29 fund shall be maintained in such fund or transferred to the general fund
30 of the district. If such a district determines that it will not be necessary
31 to adopt a local option budget in the ensuing school year, the total amount
32 of the cash balance remaining in the supplemental general fund shall be
33 transferred to the general fund of the district. If the district received
34 supplemental general state aid in the school year, did not transfer or
35 expend the entire amount budgeted in the local option budget for the
36 school year, and determines that it will not be necessary to adopt a local
37 option budget in the ensuing school year, the total amount of the cash
38 balance remaining in the supplemental general fund shall be transferred
39 to the general fund of the district. If the district received supplemental
40 general state aid in the school year, did not transfer or expend the entire
41 amount budgeted in the local option budget for the school year, and
42 determines that it will be necessary to adopt a local option budget in the
43 ensuing school year, the state board shall determine the ratio of the

1 amount of supplemental general state aid received to the amount of the
2 local option budget of the district for the school year and multiply the
3 total amount of the cash balance remaining in the supplemental general
4 fund by such ratio. An amount equal to the amount of the product shall
5 be transferred to the general fund of the district. The amount remaining
6 in the supplemental general fund may be maintained in such fund or
7 transferred to the general fund of the district.

8 Sec. 6. K.S.A. 72-8302 is hereby amended to read as follows: 72-
9 8302. (a) The board of education of a school district may provide or
10 furnish transportation for pupils who are enrolled in the school district
11 to or from any school of the school district or to or from any school of
12 another school district attended by such pupils in accordance with the
13 provisions of an agreement entered into under authority of K.S.A. 72-
14 8233, and amendments thereto.

15 (b) (1) When any or all of the conditions specified in this provision
16 exist, the board of education of a school district shall provide or furnish
17 transportation for pupils who reside in the school district and who attend
18 any school of the school district or who attend any school of another
19 school district in accordance with the provisions of an agreement entered
20 into under authority of K.S.A. 72-8233, and amendments thereto. The
21 conditions which apply to the requirements of this provision are as fol-
22 lows:

23 (A) The residence of the pupil is inside or outside the corporate limits
24 of a city, the school building attended is outside the corporate limits of a
25 city and the school building attended is more than 2½ miles by the usually
26 traveled road from the residence of the pupil; or

27 (B) the residence of the pupil is outside the corporate limits of a city,
28 the school building attended is inside the corporate limits of a city and
29 the school building attended is more than 2½ miles by the usually traveled
30 road from the residence of the pupil; or

31 (C) the residence of the pupil is inside the corporate limits of one
32 city, the school building attended is inside the corporate limits of a dif-
33 ferent city and the school building attended is more than 2½ miles by
34 the usually traveled road from the residence of the pupil.

35 (2) The provisions of this subsection are subject to the provisions of
36 subsections (c) and (d).

37 (c) The board of education of every school district is authorized to
38 adopt rules and regulations to govern the conduct, control and discipline
39 of all pupils while being transported in school buses. The board may
40 suspend or revoke the transportation privilege or entitlement of any pupil
41 who violates any rules and regulations adopted by the board under au-
42 thority of this subsection.

43 (d) The board of education of every school district may suspend or

1 revoke the transportation privilege or entitlement of any pupil who is
2 detained at school at the conclusion of the school day for violation of any
3 rules and regulations governing pupil conduct or for disobedience of an
4 order of a teacher or other school authority. Suspension or revocation of
5 the transportation privilege or entitlement of any pupil specified in this
6 subsection shall be limited to the school day or days on which the pupil
7 is detained at school. The provisions of this subsection do not apply to
8 any pupil who has been determined to be an exceptional child, except
9 gifted children, under the provisions of the special education for excep-
10 tional children act.

11 (e) (1) Subject to the limitations specified in this subsection, the
12 board of education of any school district may prescribe and collect fees
13 to offset, totally or in part, the costs incurred for the provision or fur-
14 nishing of transportation for pupils. The limitations which apply to the
15 authorization granted by this subsection are as follows:

16 (A) Fees for the provision or furnishing of transportation for pupils
17 shall be prescribed and collected only to recover the costs incurred as a
18 result of and directly attributable to the provision or furnishing of trans-
19 portation for pupils and only to the extent that such costs are not reim-
20 bursed from any other source provided by law;

21 (B) fees for the provision or furnishing of transportation may not be
22 assessed against or collected from any pupil who is counted in determin-
23 ing the transportation weighting of the school district under the provisions
24 of the school district finance and quality performance act or any pupil
25 who is determined to be a child with disabilities under the provisions of
26 the special education for exceptional children act or any pupil who is
27 eligible for free or reduced price meals under the national school lunch
28 act or any pupil who is entitled to transportation under the provisions of
29 subsection (a) of K.S.A. 72-8306, and amendments thereto, and who re-
30 sides 2½ miles or more by the regular route of a school bus from the
31 school attended;

32 (C) fees for the provision or furnishing of transportation for pupils in
33 accordance with the provisions of an agreement entered into under au-
34 thority of K.S.A. 72-8233 or 72-8307, and amendments thereto, shall be
35 controlled by the provisions of the agreement.

36 (2) All moneys received by a school district from fees collected under
37 this subsection shall be deposited in the ~~transportation~~ *general* fund of
38 the district.

39 Sec. 7. K.S.A. 72-8316 is hereby amended to read as follows: 72-
40 8316. (a) Any board of education, pursuant to a policy developed and
41 adopted by it, may provide for the use of district-owned or leased school
42 buses when such buses are not being used for regularly required school
43 purposes. The policy may provide for:

1 (1) (A) Transporting parents and other adults to or from school-re-
2 lated functions or activities, (B) transporting pupils to or from functions
3 or activities sponsored by organizations, the membership of which is prin-
4 cipally composed of children of school age, and (C) transporting persons
5 engaged in field trips in connection with their participation in an adult
6 education program maintained by the transporting school district or by
7 any other school district, within or outside the boundaries of the trans-
8 porting school district; and

9 (2) contracting with (A) the governing body of any township, city or
10 county for transportation of individuals, groups or organizations, (B) the
11 governing authority of any nonpublic school for transportation of pupils
12 attending such nonpublic school to or from interschool or intraschool
13 functions or activities, (C) the board of trustees of any community college
14 for transportation of students enrolled in such community college to or
15 from attendance at class at the community college or to and from func-
16 tions or activities of the community college, (D) a public recreation com-
17 mission established and operated under the laws of this state, for any
18 purposes related to the operation of the recreation commission and all
19 programs and services thereof, (E) the board of education of any other
20 school district for transportation, on a cooperative and shared-cost basis,
21 of pupils, school personnel, parents and other adults to or from school-
22 related functions or activities, or (F) a four-year college or university, area
23 vocational school or area vocational-technical school for transportation of
24 students to or from attendance at class at the four-year college or uni-
25 versity, area vocational school or area vocational-technical school or for
26 transportation of students, alumni and other members of the public to or
27 from functions or activities of the four-year college or university, area
28 vocational school or area vocational-technical school.

29 (b) The costs related to the use of school buses under authority of
30 this section shall not be considered in determining the transportation
31 weighting of a school district under article 64 of chapter 72 of Kansas
32 Statutes Annotated.

33 (c) Transportation fees may be charged by the board to offset, totally
34 or in part, the costs incurred for the use of school buses under authority
35 of this section.

36 (d) Any revenues received by a board of education as transportation
37 fees or under any contract entered into pursuant to this section shall be
38 deposited in the ~~transportation~~ *general* fund of the district and may be
39 expended whether the same have been budgeted or not.

40 (e) The provisions of subsection (c) of K.S.A. 8-1556, and amend-
41 ments thereto, apply to the use of school buses under authority of this
42 section.

43 Sec. 8. K.S.A. 72-8317 is hereby amended to read as follows: 72-

1 8317. (a) The board of education of any school district, pursuant to a
2 policy developed and adopted by the board, may provide that whenever
3 the school district furnishes school bus transportation for pupils of the
4 school district to or from attendance at class in an area vocational school,
5 area vocational-technical school, technical college, community college, or
6 four-year college or university, adults who are students enrolled at any
7 such educational institution may be furnished such school bus transpor-
8 tation to or from attendance at class, on a space available basis, along with
9 the pupils of the school district. Whenever any school district shall furnish
10 transportation for adult students pursuant to a policy adopted under au-
11 thority of this section, such transportation shall be furnished subject to
12 such terms and conditions as the board of education of the school district
13 shall impose.

14 (b) Fees for the furnishing of transportation for adult students pur-
15 suant to a policy adopted under authority of this section may be charged
16 such adult students to offset, totally or in part, any costs incurred by a
17 school district in the furnishing of such transportation, or such transpor-
18 tation may be furnished free of charge. Any revenues received by a board
19 of education as fees charged adult students for transportation furnished
20 under authority of this section shall be deposited in the ~~transportation~~
21 *general* fund of the district and may be expended whether the same have
22 been budgeted or not.

23 Sec. 9. K.S.A. 72-6409, 72-6410, 72-6421, 72-6423, 72-6425, 72-
24 6426, 72-6427, 72-6428, 72-6429, 72-6430, 72-6433, 72-8302, 72-8316
25 and 72-8317 are hereby repealed.

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

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