

HOUSE BILL No. 2410

By Committee on Appropriations

3-22

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 87 of this act, 74-4939a, 74-  
 12 8925, 74-99b43, 75-2319, 79-201x, 79-213, 79-2001 and 79-2925b and  
 13 repealing the existing sections; also repealing K.S.A. 2016 Supp. 46-  
 14 1133 and 72-6482.

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

16 Section 1.

17 DEPARTMENT OF EDUCATION

18 (a) There is appropriated for the above agency from the state general  
 19 fund for the fiscal year ending June 30, 2018, the following:

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

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

25 Special education services  
 26 aid (652-00-1000-0700).....\$437,680,455

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

Proposed Amendments to HB 2410 #6  
 House Committee on K-12 Budget  
 Prepared by Jason Long  
 Office of Revisor of Statutes

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

3 (a) "Adjusted enrollment" means the foundation enrollment of a  
4 school district adjusted by adding the following weightings, if any, to the  
5 enrollment of the school district: At-risk student weightings; cost-of-living  
6 weighting; declining enrollment weighting; high-density at-risk student  
7 weighting; bilingual weighting; low enrollment weighting; new school  
8 facilities cost weightings; special education and related services weighting;  
9 and transportation weighting.

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

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

18 (c) "At-risk student weighting" means an addend component assigned  
19 to the foundation enrollment of school districts pursuant to section 27(a),  
20 and amendments thereto, on the basis of costs attributable to the  
21 maintenance of at-risk educational programs by such school districts.

22 (d) (1) Except as otherwise provided in this subsection, "base aid for  
23 student excellence" or "BASE aid" means an amount appropriated by the  
24 legislature in a fiscal year for the designated year. For school year 2017-  
25 2018, the amount of BASE aid shall be \$5,212.

26 (2) Commencing in school year 2018-2019, and each school year  
27 thereafter, the BASE aid shall increase by an amount equal to the  
28 percentage increase in the consumer price index for all urban consumers in  
29 the midwest region as published by the bureau of labor statistics of the  
30 United States department of labor during the second preceding school year.

31 (3) For any school year in which the local foundation budget for each  
32 school district is determined pursuant to section 14(b), and amendments  
33 thereto, the BASE aid for such school year shall be \$5,320.

34 (4) The amount of BASE aid is subject to reduction commensurate  
35 with any reduction under K.S.A. 75-6704, and amendments thereto, in the  
36 amount of the appropriation from the state general fund for state  
37 foundation aid. If the amount of appropriations for state foundation aid is  
38 insufficient to pay in full the amount each school district is entitled to  
39 receive for any school year, the amount of BASE aid for such school year  
40 is subject to reduction commensurate with the amount of the insufficiency.

41 (e) "Bilingual weighting" means an addend component assigned to  
42 the foundation enrollment of school districts pursuant to section 26, and  
43 amendments thereto, on the basis of costs attributable to the maintenance

high enrollment weighting;

1 and amendments thereto, payments of federal funds made available under  
 2 the provisions of title I of public law 874, except amounts received for  
 3 assistance in cases of major disaster and amounts received under the low-  
 4 rent housing program and such other moneys as are provided by law.

5 (q) "General fund budget" means the amount budgeted for operating  
 6 expenses in the general fund of a school district.

7 (r) "High-density at-risk student weighting" means an addend  
 8 component assigned to the foundation enrollment of school districts  
 9 pursuant to section 27(b), and amendments thereto, on the basis of costs  
 10 attributable to the maintenance of at-risk educational programs by such  
 11 school districts.

12 (s) "Juvenile detention facility" means the same as such term is  
 13 defined in K.S.A. 72-8187, and amendments thereto.

14 (t) "Local foundation aid" means the sum of the following amounts:

15 (1) The amount of the proceeds from the tax levied under the  
 16 authority of section 16, and amendments thereto, that is levied to finance  
 17 that portion of the school district's local foundation budget that is not  
 18 financed from any other source provided by law;

19 (2) an amount equal to any unexpended and unencumbered balance  
 20 remaining in the general fund of the school district, except moneys  
 21 received by the school district and authorized to be expended for the  
 22 purposes specified in section 37, and amendments thereto;

23 (3) an amount equal to any remaining proceeds from taxes levied  
 24 under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto,  
 25 prior to their repeal;

26 (4) an amount equal to the amount deposited in the general fund in  
 27 the current school year from moneys received in such school year by the  
 28 school district under the provisions of K.S.A. 72-1046(a), and  
 29 amendments thereto;

30 (5) an amount equal to the amount deposited in the general fund in  
 31 the current school year from moneys received in such school year by the  
 32 school district pursuant to contracts made and entered into under authority  
 33 of K.S.A. 72-6757, and amendments thereto;

34 (6) an amount equal to the amount credited to the general fund in the  
 35 current school year from moneys distributed in such school year to the  
 36 school district under the provisions of articles 17 and 34 of chapter 12 of  
 37 the Kansas Statutes Annotated, and amendments thereto, and under the  
 38 provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes  
 39 Annotated, and amendments thereto;

40 (7) an amount equal to the amount of payments received by the  
 41 school district under the provisions of K.S.A. 72-979, and amendments  
 42 thereto;

43 (8) an amount equal to the amount of any grant received by the

(r) "High enrollment weighting" means an added component assigned to the foundation enrollment of school districts pursuant to section 26, and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

*And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly*

1 the formula per-student cost of transportation of the school district;  
2 (12) divide the formula per-student cost of transportation of the  
3 school district by the BASE aid;  
4 (13) multiply the quotient obtained under subsection (a)(12) by the  
5 number of students who are included in the enrollment of the school  
6 district, are residing  $2\frac{1}{2}$  miles or more by the usually traveled road to the  
7 school building they attend, and for whom transportation is being made  
8 available by, and at the expense of, the district. The product is the  
9 transportation weighting of the school district.  
10 (b) For the purpose of providing accurate and reliable data on student  
11 transportation, the state board is authorized to adopt rules and regulations  
12 prescribing procedures that school districts shall follow in reporting  
13 pertinent information, including uniform reporting of expenditures for  
14 transportation.  
15 (c) As used in this section:  
16 (1) "Curve of best fit" means the curve on a density-cost graph drawn  
17 so the sum of the distances squared from such line to each of the points  
18 plotted on the graph is the least possible.  
19 (2) "Density-cost graph" means a drawing having: (A) A horizontal or  
20 base line divided into equal intervals of density, beginning with zero on the  
21 left; and (B) a scale for per-student cost of transportation to be shown on a  
22 line perpendicular to the base line at the left end thereof, such scale to  
23 begin with zero dollars at the base line ascending by equal per-student cost  
24 intervals.  
25 (3) "Index of density" means the number of students who are  
26 included in the enrollment of a school district in the current school year,  
27 are residing the designated distance or more by the usually traveled road  
28 from the school building they attend, and for whom transportation is being  
29 made available on regular school routes by the school district, divided by  
30 the number of square miles of territory in the school district.  
31 New Sec. 25. The low enrollment weighting of each school district  
32 shall be determined by the state board as follows:  
33 (a) For school districts with an enrollment of 1,622 or more, the low  
34 enrollment weighting shall be 0;  
35 (b) for school districts with an enrollment of less than 100, the low  
36 enrollment weighting shall be equal to the low enrollment weighting of a  
37 school district with an enrollment of 100;  
38 (c) for school districts with an enrollment of less than 1,622 and more  
39 than 99, the low enrollment weighting shall be determined as follows:  
40 (1) Determine the low enrollment weighting for such school districts  
41 for school year 2004-2005 pursuant to K.S.A. 72-6412, prior to its repeal;  
42 (2) multiply the low enrollment weighting of each school district  
43 determined under subsection (c)(1) by 3,863;

- 1 (3) add 3,863 to the product obtained under subsection (c)(2);
- 2 (4) divide the sum obtained under subsection (c)(3) by 4.107; and
- 3 (5) subtract ~~1,622~~ from the quotient obtained under subsection (c)
- 4 (4). The difference shall be the low enrollment weighting of the school
- 5 district.

6 New Sec. 26. (a) The bilingual weighting of each school district shall

7 be determined by the state board as follows:

- 8 (1) Determine the full-time equivalent enrollment in approved
- 9 programs of bilingual education during the preceding school year and
- 10 multiply such enrollment by 0.361;
- 11 (2) determine the number of students enrolled in approved programs
- 12 of bilingual education during the preceding school year and multiply such
- 13 enrollment by 0.1; and
- 14 (3) the bilingual weighting shall be either the amount determined
- 15 under subsection (a)(1) or (a)(2), whichever is greater.
- 16 (b) A student shall be counted as enrolled in a bilingual education
- 17 program for not more than five school years.

18 New Sec. 27. (a) The at-risk student weighting of each school district

19 shall be determined by the state board as follows:

- 20 (1) Determine the number of at-risk students included in the
- 21 enrollment of the school district; and
- 22 (2) multiply the number determined under subsection (a)(1) by 0.456.
- 23 The resulting sum is the at-risk student weighting of the school district.
- 24 (b) The high-density at-risk student weighting of each school district
- 25 shall be determined by the state board as follows:
- 26 (1) (A) Determine if the enrollment of the school district exceeds
- 27 3,000 students;
- 28 (B) determine if the enrollment of the school district is at least 60%
- 29 at-risk students;
- 30 (C) if the school district's enrollment satisfies the requirements of
- 31 subsections (b)(1) (A) and (b)(1)(B), the state board shall:
- 32 (i) Determine the number of at-risk students included in the
- 33 enrollment of the school district; and
- 34 (ii) multiply the number determined under subsection (b)(3)(A) by
- 35 0.105. The resulting product is the high-density at-risk student weighting
- 36 of the school district.

- 37 (2) If the school district does not satisfy the requirements of
- 38 subsections (b)(1)(A) and (b)(1)(B), but has an enrollment of at least 2,500
- 39 students, and an enrollment of at least 50% at-risk students, the state board
- 40 shall:
- 41 (A) Subtract 1,250 from the number of at-risk students enrolled in the
- 42 school district;
- 43 (B) divide the difference determined under subsection (b)(2)(A) by

one

New Sec. 26. The high enrollment weighting of each school district shall be determined by the state board as follows:

- (a) For school districts with an enrollment of less than 1,622, the high enrollment weighting shall be 0;
- (b) determine the schedule amount for a school district with an enrollment of 1,622 as derived from the linear transition under section 25(c), and amendments thereto, and subtract the amount determined under section 25(b), and amendments thereto, from the schedule amount so determined;
- (c) divide the difference obtained under subsection (b) by the amount determined under section 25(b), and amendments thereto; and
- (d) multiply the quotient obtained under subsection (c) by the enrollment of the school district in the current school year. The product is the high enrollment weighting of the school district.

*And by renumbering remaining sections accordingly*

