

HOUSE BILL No. 2410

By Committee on Appropriations

3-22

Proposed Amendments to HB 2410 #11  
House Committee on K-12 Budget  
Prepared by Jason Long  
Office of Revisor of Statutes

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  
16 *Be it enacted by the Legislature of the State of Kansas:*  
17 Section 1.

DEPARTMENT OF EDUCATION

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

21 Operating expenditures (including official  
22 hospitality) (652-00-1000-0053).....\$12,515,606  
23 *Provided*, That any unencumbered balance in the operating expenditures  
24 (including official hospitality) account in excess of \$100 as of June 30,  
25 2017, is hereby reappropriated for fiscal year 2018.

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

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

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

7 State foundation  
 8 aid (652-00-1000-0820).....\$1,883,737,602  
 9 *Provided*, That any unencumbered balance in the general state aid account  
 10 in excess of \$100 as of June 30, 2017, is hereby reapportioned for fiscal  
 11 year 2018.

12 Supplemental state  
 13 aid (652-00-1000-0840).....\$474,109,284

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

17 Activities state aid.....\$6,811,638  
 18 Information technology education

19 opportunities (652-00-1000-0600).....\$500,000  
 20 Kansas reading success

21 program (652-00-1000-0070).....\$2,100,000  
 22 Discretionary grants (652-00-1000-0400).....\$322,457

23 *Provided*, That the above agency shall make expenditures from the  
 24 discretionary grants account during the fiscal year 2018, in the amount not  
 25 less than \$125,000 for after school programs for middle school students in  
 26 the sixth, seventh and eighth grades: *Provided further*, That the after  
 27 school programs may also include fifth and ninth grade students, if they  
 28 attend a junior high: *And provided further*, That such discretionary grants  
 29 shall be awarded to after school programs that operate for a minimum of  
 30 two hours a day, every day that school is in session, and a minimum of six  
 31 hours a day for a minimum of five weeks during the summer: *And*  
 32 *provided further*, That the discretionary grants awarded to after school  
 33 programs shall require a \$1 for \$1 local match: *And provided further*, That  
 34 the aggregate amount of discretionary grants awarded to any one after  
 35 school program shall not exceed \$25,000: *And provided further*, That  
 36 during the fiscal year ending June 30, 2018, expenditures shall be made by  
 37 the above agency from the discretionary grants fund for fiscal year 2018 to  
 38 establish a pilot program for communities in schools programming in three  
 39 school districts in Kansas: *And provided further*, That communities in  
 40 schools shall conduct an outcomes based study of its programming during  
 41 fiscal year 2018: *And provided further*, That the Kansas department of  
 42 education is hereby authorized and directed to provide to communities in  
 43 schools such student or other data as shall be necessary to permit

Career technical education state aid.....\$9,245,000

1 services aid account in excess of \$100 as of June 30, 2018, is hereby  
 2 reappropriated for fiscal year 2019: *Provided further*, That expenditures  
 3 shall not be made from the special education services aid account for the  
 4 provision of instruction for any homebound or hospitalized child unless  
 5 the categorization of such child as exceptional is conjoined with the  
 6 categorization of the child within one or more of the other categories of  
 7 exceptionality: *And provided further*, That expenditures shall be made from  
 8 this account for grants to school districts in amounts determined pursuant  
 9 to and in accordance with the provisions of K.S.A. 72-983, and  
 10 amendments thereto: *And provided further*, That expenditures shall be  
 11 made from the amount remaining in this account, after deduction of the  
 12 expenditures specified in the foregoing proviso, for payments to school  
 13 districts in amounts determined pursuant to and in accordance with the  
 14 provisions of K.S.A. 72-978, and amendments thereto.  
 15 State foundation aid (652-00-1000-0820).....\$1,893,440,531  
 16 *Provided*, That any unencumbered balance in the general state aid account  
 17 in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal  
 18 year 2019.  
 19 Supplemental state aid (652-00-1000-0840).....\$474,109,284  
 20 *Provided*, That any unencumbered balance in the supplemental general  
 21 state aid account in excess of \$100 as of June 30, 2018, is hereby  
 22 reappropriated for fiscal year 2019.  
 23 Activities state aid.....\$12,000,000  
 24 Information technology education  
 25 opportunities (652-00-1000-0600).....\$500,000  
 26 Kansas reading success  
 27 program (652-00-1000-0070).....\$2,100,000  
 28 Discretionary grants (652-00-1000-0400).....\$322,457  
 29 *Provided*, That the above agency shall make expenditures from the  
 30 discretionary grants account during the fiscal year 2019, in the amount not  
 31 less than \$125,000 for after school programs for middle school students in  
 32 the sixth, seventh and eighth grades: *Provided further*, That the after school  
 33 programs may also include fifth and ninth grade students, if they attend a  
 34 junior high: *And provided further*, That such discretionary grants shall be  
 35 awarded to after school programs that operate for a minimum of two hours  
 36 a day, every day that school is in session, and a minimum of six hours a  
 37 day for a minimum of five weeks during the summer: *And provided*  
 38 *further*, That the discretionary grants awarded to after school programs  
 39 shall require a \$1 for \$1 local match: *And provided further*, That the  
 40 aggregate amount of discretionary grants awarded to any one after school  
 41 program shall not exceed \$25,000: *And provided further*, That during the  
 42 fiscal year ending June 30, 2019, expenditures shall be made by the above  
 43 agency from the discretionary grants fund for fiscal year 2019 to establish

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| Career technical education state aid.....\$1,220,000 |
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1 treasury to the credit of the state school district finance fund.

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

7 (d) The declining enrollment weighting of a school district shall be  
8 determined by the state board in each school year in which such weighting  
9 may be assigned to the foundation enrollment of the school district. The  
10 state board shall divide the amount certified under subsection (a)(2) by the  
11 BASE aid. The resulting quotient is the declining enrollment weighting of  
12 the school district.

13 (e) As used in this section:

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

16 (2) "School district" means a school district that: (A) Has a declining  
17 enrollment; and (B) has adopted a local option budget in an amount that  
18 equals at least 5% of the total foundation aid for the school district at the  
19 time the school district applies to the state board of tax appeals for  
20 authority to make a levy pursuant to this section.

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

22 New Sec. 34. For the purpose of determining the general fund budget  
23 of a school district, weightings shall not be assigned to a student enrolled  
24 in and attending KAMS. Moneys in the general fund that are attributable  
25 to a student enrolled in and attending KAMS shall not be included in the  
26 computation of the local enhancement budget of the school district.

27 New Sec. 35. (a) There is hereby established in every school district a  
28 career and postsecondary education fund, which shall consist of all  
29 moneys deposited therein or transferred thereto according to law. All  
30 moneys received by a school district for any course or program authorized  
31 and approved under the provisions of article 44 of chapter 72 of the  
32 Kansas Statutes Annotated, and amendments thereto, except for courses  
33 and programs conducted in an area vocational school, shall be credited to  
34 the career and postsecondary education fund. All moneys received by the  
35 school district from tuition, fees or charges or from any other source for  
36 career technical education courses or programs, except for courses and  
37 programs conducted in an area vocational school, shall be credited to the  
38 career and postsecondary education fund. All moneys received by the  
39 school district from tuition, fees or charges or from any other source for  
40 postsecondary education courses or programs shall be credited to the  
41 career and postsecondary education fund.

42 (b) Expenditures made by a school district that are directly  
43 attributable to the following shall be paid from the career and

1 postsecondary education fund:

2 ~~[(1)]~~ Career technical education;

3 ~~[(2)]~~ postsecondary education courses; and

4 ~~[(3)]~~ courses provided through distance-learning technology.

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

13 New Sec. 36. There is hereby established in every school district a  
14 driver training fund, which shall consist of all moneys deposited therein or  
15 transferred thereto according to law. All moneys received by the school  
16 district from distributions made from the state safety fund and the  
17 motorcycle safety fund and from tuition, fees or charges for driver training  
18 courses shall be credited to the driver training fund. The expenses of a  
19 school district directly attributable to driver training shall be paid from the  
20 driver training fund.

21 New Sec. 37. There is hereby established in every school district a  
22 food service fund, which shall consist of all moneys deposited therein or  
23 transferred thereto according to law. All moneys received by the school  
24 district for food service and from charges for food service shall be credited  
25 to the food service fund. The expenses of a school district attributable to  
26 food service shall be paid from the food service fund.

27 New Sec. 38. There is hereby established in every school district a  
28 contingency reserve fund, which shall consist of all moneys deposited  
29 therein or transferred thereto according to law. The fund shall be  
30 maintained for payment of expenses of a school district attributable to  
31 financial contingencies as determined by the board.

32 New Sec. 39. (a) Except as otherwise provided in this section, any  
33 revenues of a school district, not required by law to be deposited in or  
34 credited to a specific fund, shall be deposited in or credited to any  
35 categorical fund of the school district or to the capital outlay fund of the  
36 school district.

37 (b) At the discretion of the board of education of a school district,  
38 revenues earned from the investment of an activity fund of the school  
39 district in accordance with the provisions of K.S.A. 12-1675, and  
40 amendments thereto, may be deposited in or credited to such activity fund.  
41 (c) (1) At the discretion of the board and subject to subsection (c)(2),  
42 any revenues specified in subsections (a) and (b) may be deposited in or  
43 credited to the general fund of the school district in any school year for

(A)

(B)

(C)

(2) For school year 2018-2019, and each school year thereafter, expenditures made by a school district that are directly attributable to those expenditures specified in paragraph (1), shall be expended in accordance with policies and procedures adopted by the state board. The state board shall adopted policies and procedures identifying allowable expenditures from the career and postsecondary education fund.

and postsecondary

(d) (1) For school year 2017-2018, that portion of each school district's total foundation aid that is an amount equal \$50 multiplied by the enrollment of such school district shall be transferred to the career and postsecondary education fund of such school district and shall be expended in accordance with the provisions of this section.  
(2) For school year 2018-2019, and each school year thereafter, that portion of each school district's total foundation aid that is an amount equal to \$100 multiplied by the enrollment of such school district shall be transferred to the career and postsecondary education fund of such school district and shall be expended in accordance with the provisions of this section.

(e) Each school year the state board shall determine the amount of career technical education state aid as follows:

(1) Determined the amount of the school district's general state aid for school year 2014-2015 that was directly attributable to such school district's vocational education weighting as determined under K.S.A. 72-6413, prior to its repeal; and

(2) subtract the amount to be transferred to the school district's career and postsecondary education fund as determined under subsection (d) from the amount determined under subsection (e)(1). If the resulting difference is a positive number, then such difference is the amount of career technical education state aid the school district is to receive for the school year.

