

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

17 Section 1.

18 DEPARTMENT OF EDUCATION

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

22 Operating expenditures (including official .....\$12,515,606  
 23 hospitality) (652-00-1000-0053)  
 24 *Provided*, That any unencumbered balance in the operating expenditures  
 25 (including official hospitality) account in excess of \$100 as of June 30,  
 26 2017, is hereby reappropriated for fiscal year 2018.  
 27 Special education services  
 28 aid (652-00-1000-0700).....\$437,680,455

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

Proposed Amendments to HB 2410 #46  
 House Committee on K-12 Budget  
 Prepared by Jason Long  
 Office of Revisor of Statutes

1 the age of six years.

2 (e) "Parent" includes a guardian, custodian or other person with  
3 authority to act on behalf of the child.

4 (f) "Program" means the tax credit for low income students  
5 scholarship program established in K.S.A. 2016 Supp. 72-99a01 through  
6 72-99a07, and amendments thereto.

7 (g) "Public school" means a school that would qualify as either a title  
8 I focus school or a title I priority school as described by the state board  
9 under the elementary and secondary education act flexibility waiver as  
10 amended in January 2013 and is operated by a school district.

11 (h) "Qualified school" means any nonpublic school that provides  
12 education to elementary or secondary students, has notified the state board  
13 of its intention to participate in the program and complies with the  
14 requirements of the program.

15 (i) "Scholarship granting organization" means an organization that  
16 complies with the requirements of this program and provides educational  
17 scholarships to eligible students or to qualified schools in which parents  
18 have enrolled eligible students.

19 (j) "School district" or "district" means any unified school district  
20 organized and operating under the laws of this state.

21 (k) "School year" shall have the meaning ascribed thereto in ~~K.S.A.-~~  
22 ~~2016 Supp-72-6464 section 4~~, and amendments thereto.

23 (l) "Secretary" means the secretary of revenue.

24 (m) "State board" means the state board of education.

25 Sec. 88. On and after July 1, 2018, K.S.A. 2016 Supp. 72-99a02, as  
26 amended by section 87 of this act, is hereby amended to read as follows:  
27 72-99a02. As used in the tax credit for low income students scholarship  
28 program act:

29 (a) "Contributions" means monetary gifts or donations and in-kind  
30 contributions, gifts or donations that have an established market value.

31 (b) "Department" means the Kansas department of revenue.

32 (c) "Educational scholarship" means an amount not to exceed \$8,000  
33 per school year provided to an eligible student, or to a qualified school  
34 with respect to an eligible student, to cover all or a portion of the costs of  
35 education including tuition, fees and expenses of a qualified school and, if  
36 applicable, the costs of transportation to a qualified school if provided by  
37 such qualified school.

38 (d) "Eligible student" means a child who:

39 (1) (A) ~~Qualifies as an at-risk pupil as defined in K.S.A. 72-6407,~~  
40 ~~pupil-to-his-represent student, as defined in section 4, and amendments thereto,~~  
41 ~~and who either: (i) is attending a public school; or (ii) is enrolled in a~~  
42 ~~school district that qualifies for high-density at-risk student weighting~~  
43 ~~under section 27(b), and amendments thereto; or (B) has been eligible to~~

1 receive an educational scholarship under this program and has not  
2 graduated from high school or reached 21 years of age;

3 (2) resides in Kansas while eligible for an educational scholarship;  
4 and

5 (3) (A) was enrolled in any public school in the previous school year  
6 in which an educational scholarship is first sought for the child; or (B) is  
7 eligible to be enrolled in any public school in the school year in which an  
8 educational scholarship is first sought for the child and the child is under  
9 the age of six years.

10 (e) "Parent" includes a guardian, custodian or other person with  
11 authority to act on behalf of the child.

12 (f) "Program" means the tax credit for low income students  
13 scholarship program established in K.S.A. 2016 Supp. 72-99a01 through  
14 72-99a07, and amendments thereto.

15 (g) "Public school" means a school that would qualify as either a title-  
16 I focus school or a title I priority school as described by the state board  
17 under the elementary and secondary education act flexibility waiver as  
18 amended in January 2013 and is operated by a school district

19 (h) "Qualified school" means any nonpublic school that provides  
20 education to elementary or secondary students, has notified the state board  
21 of its intention to participate in the program and complies with the  
22 requirements of the program: (1) A nonpublic school accredited by the  
23 state board whose postsecondary effective rate exceeds the trend line for  
24 such rate among all school districts and accredited nonpublic schools as  
25 determined by the state board; (2) a nonpublic school whose composite  
26 ACT score exceeds the statewide average composite ACT score for all  
27 school districts and accredited nonpublic schools; or (3) a nonpublic  
28 school that was a participating qualified school prior to July 1, 2018, or  
29 that has been a qualified school participating in the program in any  
30 preceding school year. Each qualified school shall provide education to  
31 elementary or secondary students, notify the state board of its intention to  
32 participate in the program and comply with the requirements of the  
33 program.

34 (i) "Scholarship granting organization" means an organization that  
35 complies with the requirements of this program and provides educational  
36 scholarships to eligible students or to qualified schools in which parents  
37 have enrolled eligible students.

38 (j) "School district" or "district" means any unified school district  
39 organized and operating under the laws of this state.

40 (k) "School year" shall have the meaning ascribed thereto in section  
41 4, and amendments thereto.

42 (l) "Secretary" means the secretary of revenue.

43 (m) "State board" means the state board of education.

, and identified by the state board as ranked in the lowest quartile for student achievement among all schools operated by school districts for the current school year

