

SENATE BILL No. 251

By Committee on Ways and Means

5-18

Proposed Amendments to SB 251
 May 19, 2017
 Senate Select Committee on Education Finance
 Prepared by: Office of Revisor of Statutes
 #8
 Remove Sunsets on At-Risk, Bilingual and CTE and
 Require Legislature to Review

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. 12-17,115 and 72-8803 and K.S.A. 2016 Supp. 10-
 6 1116a, 12-1677, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-
 7 1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-
 8 64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-
 9 7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-
 10 8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-
 11 8804, 72-8908, 72-9509, 72-9609, 72-99a02, 72-99a02, as amended by
 12 section 92 of this act, 72-99a04, 74-4939a, 74-8925, 74-99b43, 75-
 13 2319, 79-201x, 79-213, 79-2001 and 79-2925b and repealing the
 14 existing sections; also repealing K.S.A. 2016 Supp. 46-1133, 72-6482
 15 and 75-2319, as amended by section 46 of Senate Substitute for
 16 Substitute for House Bill No. 2052.
 17

18 *Be it enacted by the Legislature of the State of Kansas:*
 19 Section 1.

20 DEPARTMENT OF EDUCATION

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

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

28 Special education services
 29 aid (652-00-1000-0700).....\$435,980,455
 30 *Provided*, That any unencumbered balance in the special education
 31 services aid account in excess of \$100 as of June 30, 2017, is hereby
 32 reappropriated for fiscal year 2018: *Provided further*, That expenditures
 33 shall not be made from the special education services aid account for the
 34 provision of instruction for any homebound or hospitalized child unless
 35 the categorization of such child as exceptional is conjoined with the
 36 categorization of the child within one or more of the other categories of

1 (D) divide the difference obtained under subsection (a)(3)(C) by
 2 3,642.4;
 3 (E) subtract one from the quotient obtained under subsection (c)(D);
 4 and

5 (F) multiply the difference obtained under subsection (a)(3)(E) by the
 6 enrollment of the school district. The resulting product is the low
 7 enrollment weighting of the school district.

8 (b) For school districts with an enrollment of at least 1,622 students,
 9 multiply the enrollment of the school district by 0.03504. The resulting
 10 product is the high enrollment weighting of the school district.

11 New Sec. 22. (a) The bilingual weighting of each school district shall
 12 be determined by the state board as follows:

13 (1) Determine the full-time equivalent enrollment in approved
 14 programs of bilingual education during the preceding school year and
 15 multiply such enrollment by 0.361;

16 (2) determine the number of students enrolled in approved programs
 17 of bilingual education during the preceding school year and multiply such
 18 enrollment by 0.185; and

19 (3) the bilingual weighting shall be either the amount determined
 20 under paragraph (1) or (2), whichever is greater.

21 ~~(b) In recognition of the continuing work of the state board in~~
 22 ~~evaluating bilingual educational programs and to allow the legislature time~~
 23 ~~to review the bilingual weighting to ensure that the weighting is~~
 24 ~~reasonably calculated to have students meet or exceed the educational goal~~
 25 ~~set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto, the~~
 26 ~~provisions of this section shall expire on July 1, 2020.~~

27 New Sec. 23. (a) The at-risk student weighting of each school district
 28 shall be determined by the state board as follows:

29 (1) Determine the number of at-risk students included in the
 30 enrollment of the school district; and

31 (2) for a school district with an enrollment that consists of 10% or
 32 more at-risk students, multiply the number determined under subsection
 33 (a)(1) by 0.456. The resulting sum is the at-risk student weighting of the
 34 school district; or

35 (3) for a school district with an enrollment that consists of less than
 36 10% at-risk students, multiply the number of students equal to 10% of
 37 such school district's enrollment by 0.456. The resulting sum is the at-risk
 38 student weighting of the school district. A school district whose at-risk
 39 student weighting is determined pursuant to this paragraph shall submit a
 40 report to the state board in such form and manner as required by the state
 41 board that identifies those students enrolled in such school district who are
 42 receiving at-risk program services and the criteria each such student
 43 satisfies in order to receive at-risk program services. The state board shall

In recognition of the continuing work of the state board to provide a more student-focused educational system that allocates resources on individual students, the senate committee on education shall review the bilingual weighting during the 2018 legislative session to ensure that such weighting is reasonably calculated to have every student meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

1 adopt rules and regulations that establish the criteria for eligibility for at-
2 risk program services. The provisions of this paragraph shall only apply to
3 those school districts that offer instruction in kindergarten and grades one
4 through 12.

5 (b) The high-density at-risk student weighting of each school district
6 shall be determined by the state board as follows:

7 (1) If the enrollment of the school district is at least 35% at-risk
8 students, but less than 50% at-risk students:

9 (A) Subtract 35% from the percentage of at-risk students included in
10 the enrollment of the school district;

11 (B) multiply the difference determined under subsection (b)(1)(A) by
12 0.7; and

13 (C) multiply the product determined under subsection (b)(1)(B) by
14 the number of at-risk students included in the enrollment of the school
15 district. The resulting product is the high-density at-risk student weighting
16 of the school district; or

17 (2) if the enrollment of the school district is 50% or more at-risk
18 students, multiply the number of at-risk students included in the
19 enrollment of the school district by 0.105. The resulting product is the
20 high-density at-risk student weighting of the school district.

21 ~~(c) In recognition of the continuing work of the state board in
22 evaluating at-risk educational programs and to allow the legislature time to
23 review the at-risk weighting to ensure that the weighting is reasonably
24 calculated to have students meet or exceed the educational goal set forth in
25 K.S.A. 2016 Supp. 72-1127(c), and amendments thereto, the provisions of
26 this section shall expire on July 1, 2020.~~

27 New Sec. 24. (a) If a student submits an application for free meals
28 under the national school lunch act on or before the date on which the
29 enrollment of the school district is calculated and it is later determined by
30 the school district or the department of education that the student should
31 not have been eligible for free meals, the school district or the department
32 shall notify the state board of such determination. Except as provided in
33 subsection (b), upon receipt of such notice, the state board shall recompute
34 the adjusted enrollment of the school district and the general fund budget
35 of the school district based on the adjusted enrollment of the school district
36 excluding the at-risk student weighting and high density at-risk student
37 weighting, if any, assigned to such student.

38 (b) If a student becomes ineligible to receive free meals under the
39 national school lunch act for failure to submit, in a timely manner, any
40 documentation necessary for verification of eligibility as required by the
41 national school lunch act, but subsequently submits such documentation,
42 such student shall not be excluded from the calculation of the adjusted
43 enrollment of the school district if the school district forwards a copy of

In recognition of the continuing work of the state board to provide a more student-focused educational system that allocates resources to individual students, the senate committee on education shall review the bilingual weighting during the 2018 legislative session to ensure that such weighting is reasonably calculated to have every student meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

1 (b) Any balance remaining in the preschool-aged at-risk education
 2 fund at the end of the budget year shall be carried forward into the
 3 preschool-aged at-risk education fund for succeeding budget years. Such
 4 fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-
 5 2937, and amendments thereto. In preparing the budget of such school
 6 district, the amounts credited to and the amount on hand in the preschool-
 7 aged at-risk education fund, and the amount expended therefrom shall be
 8 included in the annual budget for the information of the residents of the
 9 school district. Interest earned on the investment of moneys in any such
 10 fund shall be credited to that fund.

11 (c) Each year the board of each school district shall prepare and
 12 submit to the state board a report on the preschool-aged at-risk student
 13 assistance or programs provided by the school district. Such report shall
 14 include the number of students who were served or provided assistance,
 15 the type of service provided, the research upon which the school district
 16 relied in determining that a need for service or assistance existed, the
 17 results of providing such service or assistance and any other information
 18 required by the state board.

19 New Sec. 27. (a) The career technical education weighting of each
 20 school district shall be determined by the state board by multiplying the
 21 full-time equivalent enrollment in approved career technical education
 22 programs during the preceding school year by 0.5. The resulting product is
 23 the career technical education weighting of the school district.

24 ~~(b) The provisions of this section shall expire on July 1, 2018.~~
 25 New Sec. 28. (a) For each school year in which the school facilities
 26 weighting may be assigned to the enrollment of the school district, such
 27 weighting of such school district shall be determined by the state board as
 28 follows:

29 (1) Determine the number of students included in the enrollment of
 30 the school district who are attending a new school facility;

31 (2) multiply the number of students determined under subsection (a)
 32 (1) by 0.25. The resulting product is the school facilities weighting of the
 33 school district.

34 (b) The school facilities weighting may be assigned to the enrollment
 35 of a school district only if:

36 (1) The school district adopted a local option budget for school year
 37 2014-2015 in an amount equal to at least 25% of the amount of the state
 38 financial aid determined for the school district in such school year
 39 pursuant to K.S.A. 72-6433, prior to its repeal;

40 (2) the contractual bond obligations incurred by the school district
 41 were approved by the electors of the school district at an election held on
 42 or before July 1, 2015; and

43 (3) (A) the school district commences operation of a new school

In recognition of the continuing work of the state board to provide a more student-focused educational system that allocates resources to individual students, the senate committee on education shall review the bilingual weighting during the 2018 legislative session to ensure that such weighting is reasonably calculated to have every student meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.