

{As Amended by House Committee of the Whole}

{As Amended by Senate Committee of the Whole}

Session of 2018

Substitute for SENATE BILL No. 423

By Select Committee on Education Finance

4-4

1 AN ACT concerning education; relating to the instruction and financing
2 thereof; Kansas school equity and enhancement act; ~~BASE aid amount;~~
3 ~~enrollment weighting; preschool aged at risk students; consolidated~~
4 ~~school district total foundation aid; local option budget alternative~~
5 ~~calculation; funding reports; performance audits; bond authority;~~
6 ~~making and concerning appropriations for the fiscal years ending June~~
7 ~~30, 2019, June 30, 2020, and June 30, 2021, for the department of~~
8 ~~education; making and concerning appropriations for the fiscal year~~
9 ~~ending June 30, 2019, for the state board of regents; amending K.S.A.~~
10 ~~2017 Supp. 72-5132, 72-5141, 72-5144, 72-5149, 72-5155, 72-5171,~~
11 ~~72-5173 and 72-5461 and repealing the existing sections {making and~~
12 ~~concerning appropriations for the fiscal year ending June 30, 2019,~~
13 ~~for the department of education; amending K.S.A. 2017 Supp. 72-~~
14 ~~5132, 72-5133, 72-5143, 72-5145, 72-5148, 72-5149, 72-5150, 72-~~
15 ~~5151, 72-5155, 72-5170, 72-5171, 72-5173, 72-53,113, 72-53,116 and~~
16 ~~72-5461 and repealing the existing sections; also repealing K.S.A.~~
17 ~~2017 Supp. 72-1171, 72-5144, 72-6463, 72-6464, 72-6465, 72-6466,~~
18 ~~72-6467, 72-6468, 72-6469, 72-6470, 72-6471, 72-6472, 72-6473, 72-~~
19 ~~6474, 72-6475, 72-6477, 72-6478, 72-6479, 72-6480 and 72-6481}.~~

20 {WHEREAS, The educational interests of this state concern the
21 areas of social emotional learning, kindergarten readiness, individual
22 plans of study, graduation and postsecondary success; and

23 WHEREAS, In order to address such varied interests, the public
24 education system in this state must provide support and services for
25 students and their families, both in the classroom and in the
26 community; and

27 WHEREAS, For school year 2018-2019, the legislature has made
28 provision for instruction and support services for public school
29 students in the classroom in excess of \$4.89 billion in an effort to
30 update the school finance funding level and formula to account for
31 student population and inflation, since the last time the Kansas
32 supreme court found the provision of school finance to be acceptable;
33 and

34 WHEREAS, The legislature acknowledges that support services in

1 the community are also vital to student achievement; and

2 WHEREAS, For school year 2018-2019, the legislature has made
3 provision for support services outside of the classroom in excess of
4 \$188.6 million; and

5 WHEREAS, The support services for students outside of the
6 classroom are provided through a myriad of state agencies and
7 institutions, such as the state department of education, the department
8 for children and families, the department of health and environment,
9 the department of transportation, the office of the attorney general,
10 the state board of regents, the six regents' universities, the state
11 historical society and the state library; and

12 WHEREAS, The community support services that are provided
13 address the needs of all students from birth to high school graduate
14 through programs such as newborn screenings, infant and toddler
15 services, pre-k programs, Kansas early head start, Kansas reading
16 success, children's cabinet programs, parent education programs,
17 communities in schools, vocational rehabilitation case services,
18 independent living and life skills services, jobs for America's
19 graduates and excel in career technical education.

20 Now, therefore:}

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

22 Section 1.—

23 DEPARTMENT OF EDUCATION

24 (a) ~~There is appropriated for the above agency from the state general
25 fund for the fiscal year ending June 30, 2019, the following:~~

26 ~~State foundation aid (652-00-1000-0820).....\$20,720,000~~

27 ~~Special education services aid (652-00-1000-0700).....\$12,000,000~~

28 ~~Supplemental state aid (652-00-1000-0840).....\$1,620,000~~

29 ~~ACT and workkeys assessments program.....\$2,800,000~~

30 ~~Provided, That expenditures shall be made by the above agency from the
31 ACT and workkeys assessments program account to provide the ACT
32 college entrance exam and the three ACT workkeys assessments that are
33 required to earn a national career readiness certificate to each student
34 enrolled in grades nine through 12: Provided further, That no student
35 enrolled in grades nine through 12 of any school district shall be required
36 to pay any fees or costs to take such exam and assessments: And provided
37 further, That in no event shall any school district be required to provide for
38 more than one exam and three assessments per student: And provided
39 further, That the state board of education may enter into any contracts that
40 are necessary to promote statewide cost savings to administer such exams
41 and assessments:~~

42 ~~Mentor teacher (652-00-1000-0440).....\$500,000~~

43 ~~Professional development.....\$1,500,000~~

1 Statewide community mental health center
 2 and other mental health provider pilot program.....\$10,000,000
 3 *Provided*, That expenditures shall be made by the above agency to
 4 improve social-emotional wellness and outcomes for students by
 5 increasing schools' access to counselors, social workers and psychologists
 6 statewide, which includes establishing or expanding collaborative
 7 relationships with community mental health centers and other mental
 8 health providers, including a statewide pilot program for school districts
 9 and their respective community mental health centers and other mental
 10 health providers for fiscal year 2019: *Provided further*, That priority shall
 11 be given to school districts and schools that have not established
 12 collaborative relationships with community mental health centers or other
 13 mental health providers in their communities:

14 ABC early childhood intervention program.....\$1,760,000
 15 *Provided*, That expenditures shall be made by the above agency to
 16 implement the ABC early childhood intervention program: *Provided*, That
 17 such program shall use scientific, evidence-based practices to identify
 18 early childhood at-risk indicators: *Provided further*, That such program
 19 shall connect parents and legal guardians of children between the ages of
 20 six months and four years who are identified as early childhood at-risk
 21 with services to be provided by trained parent coaches: *And provided*
 22 further, That the above agency shall work in collaboration with and
 23 operationally fund the bureau of family health in the department for health
 24 and environment in the development, implementation and expansion of
 25 such program: *And provided further*, That both the above agency and the
 26 bureau of family health in the department for health and environment shall
 27 consult with the united methodist health ministry fund for the duration of
 28 the program: *And provided further*, That the above agency may expend an
 29 amount not to exceed \$264,000 from such account for research and
 30 evaluation of processes utilized by or related to such program:

31 Parent education program.....\$3,000,000
 32 *Provided*, That expenditures from the parent education program account
 33 for each such grant shall be matched by the school district in an amount
 34 that is equal to not less than 50% of the grant:

35 (b) On July 1, 2018, during the fiscal year ending June 30, 2019, any
 36 expenditures from the parent education program account (652-00-2000-
 37 2510) of the children's initiatives fund by section 2(e) of chapter 95 of the
 38 2017 Session Laws of Kansas for each grant shall be matched by the
 39 school district in an amount that is equal to not less than 50% of the grant,
 40 and on July 1, 2018, the provisions of section 2(e) of chapter 95 of the
 41 2017 Session Laws of Kansas that provide for such match to be in an
 42 amount that is equal to not less than 65% of the grant are hereby declared
 43 to be null and void and shall have no force and effect.

1 ~~early childhood at-risk indicators: *Provided further*, That such program~~
2 ~~shall connect parents and legal guardians of children between the ages of~~
3 ~~six months and four years who are identified as early childhood at-risk~~
4 ~~with services to be provided by trained parent coaches: *And provided*~~
5 ~~*further*, That the above agency shall work in collaboration with and~~
6 ~~operationally fund the bureau of family health in the department for health~~
7 ~~and environment in the development, implementation and expansion of~~
8 ~~such program: *And provided further*, That both the above agency and the~~
9 ~~bureau of family health in the department for health and environment shall~~
10 ~~consult with the united methodist health ministry fund for the duration of~~
11 ~~the program: *And provided further*, That the above agency may expend an~~
12 ~~amount not to exceed \$792,000 from such account for research and~~
13 ~~evaluation of processes utilized by or related to such program.~~

14 ~~Sec. 5. K.S.A. 2017 Supp. 72-5132 is hereby amended to read as~~
15 ~~follows: 72-5132. As used in the Kansas school equity and enhancement~~
16 ~~act, K.S.A. 2017 Supp. 72-5131 et seq., and amendments thereto:~~

17 ~~(a) "Adjusted enrollment" means the enrollment of a school district~~
18 ~~adjusted by adding the following weightings, if any, to the enrollment of a~~
19 ~~school district: At-risk student weighting; bilingual weighting; career~~
20 ~~technical education weighting; declining enrollment weighting; high-~~
21 ~~density at-risk student weighting; high enrollment weighting; low~~
22 ~~enrollment weighting; school facilities weighting; ancillary school~~
23 ~~facilities weighting; cost-of-living weighting; special education and related~~
24 ~~services weighting; and transportation weighting.~~

25 ~~(b) "Ancillary school facilities weighting" means an addend~~
26 ~~component assigned to the enrollment of school districts pursuant to~~
27 ~~K.S.A. 2017 Supp. 72-5158, and amendments thereto, on the basis of costs~~
28 ~~attributable to commencing operation of one or more new school facilities~~
29 ~~by such school districts.~~

30 ~~(c) (1) "At-risk student" means a student who is eligible for free~~
31 ~~meals under the national school lunch act, and who is enrolled in a school~~
32 ~~district that maintains an approved at-risk student assistance program.~~

33 ~~(2) The term "at-risk student" shall not include any student enrolled~~
34 ~~in kindergarten or any of the grades one through 12 who is in attendance~~
35 ~~less than full time, or any student who is over 19 years of age. The~~
36 ~~provisions of this paragraph shall not apply to any student who has an~~
37 ~~individualized education program.~~

38 ~~(d) "At-risk student weighting" means an addend component assigned~~
39 ~~to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-~~
40 ~~5151(a), and amendments thereto, on the basis of costs attributable to the~~
41 ~~maintenance of at-risk educational programs by such school districts.~~

42 ~~(e) "Base aid for student excellence" or "BASE aid" means an amount~~
43 ~~appropriated by the legislature in a fiscal year for the designated year. The~~

1 amount of BASE aid shall be as follows:

2 ~~(1) For school year 2017-2018, \$4,006;~~

3 ~~(2) For school year 2018-2019, \$4,128 ~~\$4,258;~~~~

4 ~~(2) for school year 2019-2020, \$4,334;~~

5 ~~(3) for school year 2020-2021, \$4,412;~~

6 ~~(4) for school year 2021-2022, \$4,492;~~

7 ~~(5) for school year 2022-2023, \$4,574; and~~

8 ~~(3)(6) for school year 2019-2020 ~~2023-2024~~, and each school year~~
9 ~~thereafter, the BASE aid shall be the BASE aid amount for the~~
10 ~~immediately preceding school year plus an amount equal to the average~~
11 ~~percentage increase in the consumer price index for all urban consumers in~~
12 ~~the midwest region as published by the bureau of labor statistics of the~~
13 ~~United States department of labor during the three immediately preceding~~
14 ~~school years.~~

15 ~~(f) "Bilingual weighting" means an addend component assigned to~~
16 ~~the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5150,~~
17 ~~and amendments thereto, on the basis of costs attributable to the~~
18 ~~maintenance of bilingual educational programs by such school districts.~~

19 ~~(g) "Board" means the board of education of a school district.~~

20 ~~(h) "Budget per student" means the general fund budget of a school~~
21 ~~district divided by the enrollment of the school district.~~

22 ~~(i) "Categorical fund" means and includes the following funds of a~~
23 ~~school district: Adult education fund; adult supplementary education fund;~~
24 ~~at-risk education fund; bilingual education fund; career and postsecondary~~
25 ~~education fund; driver training fund; educational excellence grant program~~
26 ~~fund; extraordinary school program fund; food service fund; parent~~
27 ~~education program fund; preschool-aged at-risk education fund;~~
28 ~~professional development fund; special education fund; and summer~~
29 ~~program fund.~~

30 ~~(j) "Cost-of-living weighting" means an addend component assigned~~
31 ~~to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-~~
32 ~~5159, and amendments thereto, on the basis of costs attributable to the cost~~
33 ~~of living in such school districts.~~

34 ~~(k) "Current school year" means the school year during which state~~
35 ~~foundation aid is determined by the state board under K.S.A. 2017 Supp.~~
36 ~~72-5134, and amendments thereto.~~

37 ~~(l) "Declining enrollment weighting" means an addend component~~
38 ~~assigned to the enrollment of school districts pursuant to K.S.A. 2017~~
39 ~~Supp. 72-5160, and amendments thereto, on the basis of costs attributable~~
40 ~~to the declining enrollment of such school districts.~~

41 ~~(m) "Enrollment" means:~~

42 ~~(1) The number of students regularly enrolled in kindergarten and~~
43 ~~grades one through 12 in the school district on September 20 of the~~

~~1 preceding school year plus the number of preschool-aged at-risk students
2 regularly enrolled in the school district on September 20 of the current
3 school year, except a student who is a foreign exchange student shall not
4 be counted unless such student is regularly enrolled in the school district
5 on September 20 and attending kindergarten or any of the grades one
6 through 12 maintained by the school district for at least one semester or
7 two quarters, or the equivalent thereof.~~

~~8 (2) If the enrollment in a school district in the preceding school year
9 has decreased from enrollment in the second preceding school year, the
10 enrollment of the school district in the current school year means the sum
11 of:~~

~~12 (A) The enrollment in the second preceding school year, excluding
13 students under paragraph (2)(B), minus enrollment in the preceding school
14 year of preschool-aged at-risk students, if any, plus enrollment in the
15 current school year of preschool-aged at-risk students, if any; and~~

~~16 (B) the adjusted enrollment in the second preceding school year of
17 any students participating in the tax credit for low income students
18 scholarship program pursuant to K.S.A. 2017 Supp. 72-4351 et seq., and
19 amendments thereto, in the preceding school year, if any, plus the adjusted
20 enrollment in the preceding school year of preschool-aged at-risk students
21 who are participating in the tax credit for low income students scholarship
22 program pursuant to K.S.A. 2017 Supp. 72-4351 et seq., and amendments
23 thereto, in the current school year, if any.~~

~~24 (3) For any school district that has a military student, as that term is
25 defined in K.S.A. 2017 Supp. 72-5139, and amendments thereto, enrolled
26 in such district, and that received federal impact aid for the preceding
27 school year, if the enrollment in such school district in the preceding
28 school year has decreased from enrollment in the second preceding school
29 year, the enrollment of the school district in the current school year means
30 whichever is the greater of:~~

~~31 (A) The enrollment determined under subsection (m)(2); or~~

~~32 (B) the sum of the enrollment in the preceding school year of
33 preschool-aged at-risk students, if any, and the arithmetic mean of the sum
34 of:~~

~~35 (i) The enrollment of the school district in the preceding school year
36 minus the enrollment in such school year of preschool-aged at-risk
37 students, if any;~~

~~38 (ii) the enrollment in the second preceding school year minus the
39 enrollment in such school year of preschool-aged at-risk students, if any;
40 and~~

~~41 (iii) the enrollment in the third preceding school year minus the
42 enrollment in such school year of preschool-aged at-risk students, if any.~~

~~43 (4) (A) For school year 2017-2018, the enrollment determined under~~

~~1 paragraph (1), (2) or (3), except if the school district offers kindergarten on
2 a full-time basis in such school year, students regularly enrolled in
3 kindergarten in the school district in the preceding school year shall be
4 counted as one student regardless of actual attendance during such
5 preceding school year.~~

~~6 (B) For school year 2018-2019 and each school year thereafter, the
7 enrollment determined under paragraph (1), (2) or (3), except if the school
8 district begins to offer kindergarten on a full-time basis in such school
9 year, students regularly enrolled in kindergarten in the school district in the
10 preceding school year shall be counted as one student regardless of actual
11 attendance during such preceding school year.~~

~~12 (n) "Enrollment weighting" means an addend component assigned to
13 the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5149;
14 and amendments thereto, on the basis of costs attributable to maintenance
15 of educational programs by such school districts.~~

~~16 (o) "February 20" has its usual meaning, except that in any year in
17 which February 20 is not a day on which school is maintained, it means
18 the first day after February 20 on which school is maintained.~~

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

~~28 (p)(q) "General fund" means the fund of a school district from which
29 operating expenses are paid and in which is deposited all amounts of state
30 foundation aid provided under this act, payments under K.S.A. 2017 Supp.
31 72-528, and amendments thereto, payments of federal funds made
32 available under the provisions of title I of public law 874, except amounts
33 received for assistance in cases of major disaster and amounts received
34 under the low-rent housing program and such other moneys as are
35 provided by law.~~

~~36 (q)(r) "General fund budget" means the amount budgeted for
37 operating expenses in the general fund of a school district.~~

~~38 (r)(s) "High-density at-risk student weighting" means an addend
39 component assigned to the enrollment of school districts pursuant to
40 K.S.A. 2017 Supp. 72-5151(b), and amendments thereto, on the basis of
41 costs attributable to the maintenance of at-risk educational programs by
42 such school districts.~~

~~43 (s) "High enrollment weighting" means an addend component~~

1 assigned to the enrollment of school districts pursuant to K.S.A. 2017-
2 Supp. 72-5149(b), and amendments thereto, on the basis of costs
3 attributable to maintenance of educational programs by such school
4 districts:

5 ~~(t) "Juvenile detention facility" means the same as such term is~~
6 ~~defined in K.S.A. 2017 Supp. 72-1173, and amendments thereto.~~

7 ~~(u) "Local foundation aid" means the sum of the following amounts:~~

8 ~~(1) An amount equal to any unexpended and unencumbered balance~~
9 ~~remaining in the general fund of the school district, except moneys~~
10 ~~received by the school district and authorized to be expended for the~~
11 ~~purposes specified in K.S.A. 2017 Supp. 72-5168, and amendments~~
12 ~~thereto;~~

13 ~~(2) an amount equal to any remaining proceeds from taxes levied~~
14 ~~under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto,~~
15 ~~prior to their repeal;~~

16 ~~(3) an amount equal to the amount deposited in the general fund in~~
17 ~~the current school year from moneys received in such school year by the~~
18 ~~school district under the provisions of K.S.A. 2017 Supp. 72-3123(a), and~~
19 ~~amendments thereto;~~

20 ~~(4) an amount equal to the amount deposited in the general fund in~~
21 ~~the current school year from moneys received in such school year by the~~
22 ~~school district pursuant to contracts made and entered into under authority~~
23 ~~of K.S.A. 2017 Supp. 72-3125, and amendments thereto;~~

24 ~~(5) an amount equal to the amount credited to the general fund in the~~
25 ~~current school year from moneys distributed in such school year to the~~
26 ~~school district under the provisions of articles 17 and 34 of chapter 12 of~~
27 ~~the Kansas Statutes Annotated, and amendments thereto, and under the~~
28 ~~provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes~~
29 ~~Annotated, and amendments thereto;~~

30 ~~(6) an amount equal to the amount of payments received by the~~
31 ~~school district under the provisions of K.S.A. 2017 Supp. 72-3423, and~~
32 ~~amendments thereto;~~

33 ~~(7) an amount equal to the amount of any grant received by the~~
34 ~~school district under the provisions of K.S.A. 2017 Supp. 72-3425, and~~
35 ~~amendments thereto; and~~

36 ~~(8) an amount equal to 70% of the federal impact aid of the school~~
37 ~~district.~~

38 ~~(v) "Low enrollment weighting" means an addend component~~
39 ~~assigned to the enrollment of school districts pursuant to K.S.A. 2017-~~
40 ~~Supp. 72-5149(a), and amendments thereto, on the basis of costs~~
41 ~~attributable to maintenance of educational programs by such school~~
42 ~~districts.~~

43 ~~(w) "Operating expenses" means the total expenditures and lawful~~

1 ~~transfers from the general fund of a school district during a school year for~~
2 ~~all purposes, except expenditures for the purposes specified in K.S.A.~~
3 ~~2017 Supp. 72-5168, and amendments thereto.~~

4 ~~(x)(w) "Preceding school year" means the school year immediately~~
5 ~~before the current school year.~~

6 ~~(y)(x) "Preschool-aged at-risk student" means: (1) An at-risk student~~
7 ~~who has attained the age of four years, is under the age of eligibility for~~
8 ~~attendance at kindergarten, and has been selected by the state board in~~
9 ~~accordance with guidelines governing the selection of students for~~
10 ~~participation in head start programs; and for~~

11 ~~(2) an at-risk student who has attained the age of three years, is~~
12 ~~under the age of eligibility for attendance at kindergarten and has been~~
13 ~~selected by the state board in accordance with guidelines governing the~~
14 ~~selection of students for participation in head start programs as long as~~
15 ~~such students do not replace four-year old preschool-aged at-risk students~~
16 ~~and only fill available openings.~~

17 ~~(z)(v) "Preschool-aged exceptional children" means exceptional~~
18 ~~children, except gifted children, who have attained the age of three years~~
19 ~~but are under the age of eligibility for attendance at kindergarten. The~~
20 ~~terms "exceptional children" and "gifted children" have the same meaning~~
21 ~~as those terms are defined in K.S.A. 2017 Supp. 72-3404, and amendments~~
22 ~~thereto.~~

23 ~~(aa)(z) "Psychiatric residential treatment facility" means the same as~~
24 ~~such term is defined in K.S.A. 2017 Supp. 72-1173, and amendments~~
25 ~~thereto.~~

26 ~~(bb)(aa) "School district" means a school district organized under the~~
27 ~~laws of this state that is maintaining public school for a school term in~~
28 ~~accordance with the provisions of K.S.A. 2017 Supp. 72-3115, and~~
29 ~~amendments thereto.~~

30 ~~(cc)(bb) "School facilities weighting" means an added component~~
31 ~~assigned to the enrollment of school districts pursuant to K.S.A. 2017~~
32 ~~Supp. 72-5156, and amendments thereto, on the basis of costs attributable~~
33 ~~to commencing operation of one or more new school facilities by such~~
34 ~~school districts.~~

35 ~~(dd)(cc) "School year" means the 12-month period ending June 30.~~

36 ~~(ee)(ad) "September 20" has its usual meaning, except that in any~~
37 ~~year in which September 20 is not a day on which school is maintained, it~~
38 ~~means the first day after September 20 on which school is maintained.~~

39 ~~(ff)(ee) "Special education and related services weighting" means an~~
40 ~~addend component assigned to the enrollment of school districts pursuant~~
41 ~~to K.S.A. 2017 Supp. 72-5157, and amendments thereto, on the basis of~~
42 ~~costs attributable to the maintenance of special education and related~~
43 ~~services by such school districts.~~

1 ~~(gg)(ff)~~ "State board" means the state board of education.

2 ~~(hh)(gg)~~ "State foundation aid" means the amount of aid distributed
3 ~~to a school district as determined by the state board pursuant to K.S.A.~~
4 ~~2017 Supp. 72-5134, and amendments thereto.~~

5 ~~(ii)(hh) (1)~~ "Student" means any person who is regularly enrolled in a
6 ~~school district and attending kindergarten or any of the grades one through~~
7 ~~12 maintained by the school district or who is regularly enrolled in a~~
8 ~~school district and attending kindergarten or any of the grades one through~~
9 ~~12 in another school district in accordance with an agreement entered into~~
10 ~~under authority of K.S.A. 2017 Supp. 72-13,101, and amendments thereto,~~
11 ~~or who is regularly enrolled in a school district and attending special~~
12 ~~education services provided for preschool-aged exceptional children by the~~
13 ~~school district.~~

14 ~~(2) (A)~~ Except as otherwise provided in this subsection, the following
15 ~~shall be counted as one student:~~

16 ~~(i)~~ A student in attendance full-time; and

17 ~~(ii)~~ a student enrolled in a school district and attending special
18 ~~education and related services, provided for by the school district.~~

19 ~~(B)~~ The following shall be counted as $\frac{1}{2}$ student:

20 ~~(i)~~ A student enrolled in a school district and attending special
21 ~~education and related services for preschool-aged exceptional children~~
22 ~~provided for by the school district; and~~

23 ~~(ii)~~ a preschool-aged at-risk student enrolled in a school district and
24 ~~receiving services under an approved at-risk student assistance plan~~
25 ~~maintained by the school district.~~

26 ~~(C)~~ A student in attendance part-time shall be counted as that
27 ~~proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance~~
28 ~~bears to full-time attendance.~~

29 ~~(D)~~ A student enrolled in and attending an institution of
30 ~~postsecondary education that is authorized under the laws of this state to~~
31 ~~award academic degrees shall be counted as one student if the student's~~
32 ~~postsecondary education enrollment and attendance together with the~~
33 ~~student's attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time,~~
34 ~~otherwise the student shall be counted as that proportion of one student (to~~
35 ~~the nearest $\frac{1}{10}$) that the total time of the student's postsecondary education~~
36 ~~attendance and attendance in grades 11 or 12, as applicable, bears to full-~~
37 ~~time attendance.~~

38 ~~(E)~~ A student enrolled in and attending a technical college, a career
39 ~~technical education program of a community college or other approved~~
40 ~~career technical education program shall be counted as one student, if the~~
41 ~~student's career technical education attendance together with the student's~~
42 ~~attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise~~
43 ~~the student shall be counted as that proportion of one student (to the~~

1 nearest $\frac{1}{10}$) that the total time of the student's career technical education
2 attendance and attendance in any of grades nine through 12 bears to full-
3 time attendance.

4 ~~(F) A student enrolled in a school district and attending a non-virtual~~
5 ~~school and also attending a virtual school shall be counted as that~~
6 ~~proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance~~
7 ~~at the non-virtual school bears to full-time attendance.~~

8 ~~(G) A student enrolled in a school district and attending special~~
9 ~~education and related services provided for by the school district and also~~
10 ~~attending a virtual school shall be counted as that proportion of one~~
11 ~~student (to the nearest $\frac{1}{10}$) that the student's attendance at the non-virtual~~
12 ~~school bears to full-time attendance.~~

13 ~~(H) (i) Except as provided in clause (ii), a student enrolled in a school~~
14 ~~district who is not a resident of Kansas shall be counted as follows:~~

15 ~~(a) For school years 2017-2018 and 2018-2019, one student;~~

16 ~~(b) for school year 2019-2020 and 2020-2021, $\frac{3}{4}$ of a student; and~~

17 ~~(c) for school year 2021-2022 and each school year thereafter, $\frac{1}{2}$ of a~~
18 ~~student.~~

19 ~~(ii) This subparagraph (H) shall not apply to:~~

20 ~~(a) A student whose parent or legal guardian is an employee of the~~
21 ~~school district where such student is enrolled; or~~

22 ~~(b) a student who attended public school in Kansas during school~~
23 ~~year 2016-2017 and who attended public school in Kansas during the~~
24 ~~immediately preceding school year.~~

25 ~~(3) The following shall not be counted as a student:~~

26 ~~(A) An individual residing at the Flint Hills job corps center;~~

27 ~~(B) except as provided in subsection (ii)(2) ~~(hh)(2)~~, an individual~~
28 ~~confined in and receiving educational services provided for by a school~~
29 ~~district at a juvenile detention facility; and~~

30 ~~(C) an individual enrolled in a school district but housed, maintained~~
31 ~~and receiving educational services at a state institution or a psychiatric~~
32 ~~residential treatment facility.~~

33 ~~(4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et~~
34 ~~seq., and amendments thereto, shall be counted in accordance with the~~
35 ~~provisions of K.S.A. 2017 Supp. 72-3715, and amendments thereto.~~

36 ~~(jj)(ii) "Total foundation aid" means an amount equal to the product~~
37 ~~obtained by multiplying the BASE aid by the adjusted enrollment of a~~
38 ~~school district.~~

39 ~~(kk)(jj) "Transportation weighting" means an addend component~~
40 ~~assigned to the enrollment of school districts pursuant to K.S.A. 2017~~
41 ~~Supp. 72-5148, and amendments thereto, on the basis of costs attributable~~
42 ~~to the provision or furnishing of transportation.~~

43 ~~(ll)(kk) "Virtual school" means the same as such term is defined in~~

1 K.S.A. 2017 Supp. 72-3712, and amendments thereto.

2 Sec. 6. K.S.A. 2017 Supp. 72-5141 is hereby amended to read as:
3 follows: 72-5141. (a) Notwithstanding the provisions of subsection (b), for
4 any school district formed by consolidation in accordance with article 7 of
5 chapter 72 of the Kansas Statutes Annotated, and amendments thereto, in
6 school years 2018-2019, 2019-2020 and 2020-2021, the state board shall
7 determine the total foundation aid of any such school district as the
8 greater of either the amount determined under this act or the amount
9 determined as follows:

10 (1) Determine the sum of the amount of the total foundation aid
11 received by each of the former school districts that comprise the
12 consolidated school district in the school year preceding the date the
13 consolidation was completed;

14 (2) for the first school year following the date of consolidation, the
15 total foundation aid shall be 105% of the sum determined under
16 subsection (a)(1);

17 (3) for the second school year following the date of consolidation, the
18 total foundation aid shall be 104% of the sum determined under
19 subsection (a)(1);

20 (4) for the third school year following the date of consolidation, the
21 total foundation aid shall be 103% of the sum determined under
22 subsection (a)(1);

23 (5) for the fourth school year following the date of consolidation, the
24 total foundation aid shall be 102% of the sum determined under
25 subsection (a)(1);

26 (6) for the fifth school year following the date of consolidation, the
27 total foundation aid shall be 101% of the sum determined under
28 subsection (a)(1);

29 (7) for the sixth school year following the date of consolidation, the
30 total foundation aid shall be 100% of the sum determined under
31 subsection (a)(1); and

32 (8) for the seventh school year following the date of consolidation,
33 and each school year thereafter, the total foundation aid shall be
34 determined as provided under this act.

35 (b) (1) Except as provided in subsection (a), for the purposes of this
36 act, the total foundation aid for any school district formed by consolidation
37 in accordance with the statutory provisions contained in article 7 of
38 chapter 72 of the Kansas Statutes Annotated, and amendments thereto,
39 shall be computed by the state board by determining the amount of the
40 total foundation aid each of the former school districts that comprise the
41 consolidated school district received in the school year preceding the date
42 the consolidation was completed, and calculating the sum of such
43 amounts. The sum is the total foundation aid of the consolidated school

1 ~~district for the school year in which the consolidation was completed.~~

2 ~~(2) If any of the former school districts had an enrollment of less than~~
3 ~~150 students in the school year preceding the consolidation, the total~~
4 ~~foundation aid of the newly consolidated school district for the two school~~
5 ~~years following the school year in which the consolidation was completed~~
6 ~~shall be the greater of: (A) The amount received in the school year in~~
7 ~~which the consolidation was completed; or (B) the amount the school~~
8 ~~district would receive under this act.~~

9 ~~(3) If all of the former school districts had an enrollment of at least~~
10 ~~150 students, but any had less than 200 students in the school year~~
11 ~~preceding the consolidation, the total foundation aid of the newly~~
12 ~~consolidated school district for the three school years following the school~~
13 ~~year in which the consolidation was completed shall be the greater of: (A)~~
14 ~~The amount received in the school year in which the consolidation was~~
15 ~~completed; or (B) the amount the school district would receive under this~~
16 ~~act.~~

17 ~~(4) If all of the former school districts had an enrollment of 200 or~~
18 ~~more students in the school year preceding the consolidation, the total~~
19 ~~foundation aid of the newly consolidated school district for the four school~~
20 ~~years following the school year in which the consolidation was completed~~
21 ~~shall be the greater of: (A) The amount received in the school year in~~
22 ~~which the consolidation was completed; or (B) the amount the school~~
23 ~~district would receive under this act.~~

24 ~~(5) If the consolidation involved the consolidation of three or more~~
25 ~~school districts, regardless of the number of students enrolled in the school~~
26 ~~districts, the total foundation aid of the newly consolidated school district~~
27 ~~for the four school years following the school year in which the~~
28 ~~consolidation was completed shall be the greater of: (A) The amount~~
29 ~~received in the school year in which the consolidation was completed; or~~
30 ~~(B) the amount the school district would receive under this act.~~

31 ~~(b)(c) (1) The provisions of this subsection shall apply to school~~
32 ~~districts that have been enlarged by the attachment of territory pursuant to~~
33 ~~the procedure established in article 6 of chapter 72 of the Kansas Statutes~~
34 ~~Annotated, and amendments thereto.~~

35 ~~(2) For the purposes of this act, the total foundation aid for any~~
36 ~~school district to which this subsection applies shall be computed by the~~
37 ~~state board of education as follows: (A) Determine the amount of the total~~
38 ~~foundation aid each of the former school districts that comprise the~~
39 ~~enlarged school district received in the school year preceding the date the~~
40 ~~attachment was completed; and (B) add the amounts determined under~~
41 ~~subparagraph (A). The sum is the total foundation aid of the enlarged~~
42 ~~school district for the school year in which the attachment is completed.~~

43 ~~(3) If any of the former school districts had an enrollment of less than~~

~~1 150 students in the school year preceding the attachment, the total
2 foundation aid of the enlarged school district for the two school years
3 following the school year in which the attachment was completed shall be
4 the greater of: (A) The amount received in the school year in which the
5 attachment was completed; or (B) the amount the school district would
6 receive under this act.~~

~~7 (4) If all of the former school districts had an enrollment of at least
8 150 students, but any had less than 200 students in the school year
9 preceding the attachment, the total foundation aid of the enlarged school
10 district for the three school years following the school year in which the
11 attachment was completed shall be the greater of: (A) The amount
12 received in the school year in which the attachment was completed; or (B)
13 the amount the school district would receive under this act.~~

~~14 (5) If all of the former school districts had an enrollment of 200 or
15 more students in the school year preceding the attachment, the total
16 foundation aid of the enlarged school district for the four school years
17 following the school year in which the attachment was completed shall be
18 the greater of: (A) The amount received in the school year in which the
19 attachment was completed; or (B) the amount the school district would
20 receive under this act.~~

~~21 (6) If three or more school districts, regardless of the number of
22 students enrolled in the school districts, are disorganized and attached to a
23 single school district, the total foundation aid of the enlarged school
24 district for the four school years following the school year in which the
25 attachment was completed shall be the greater of: (A) The amount
26 received in the school year in which the attachment was completed; or (B)
27 the amount the school district would receive under this act.~~

~~28 (7) Except as specifically provided by this paragraph for the
29 allocation of total foundation aid among school districts, the provisions of
30 paragraphs (1) through (6) shall be applicable to school districts to which
31 this paragraph applies. If a school district is disorganized in accordance
32 with article 6 of chapter 72 of the Kansas Statutes Annotated, and
33 amendments thereto, and the territory of such school district is attached to
34 more than one school district, the total foundation aid for each school
35 district to which any territory from the disorganized school district is
36 attached, shall be computed by the state board as follows: (A) Determine
37 the amount of total foundation aid received by the former school district in
38 the school year preceding the date the disorganization and attachment was
39 completed; (B) determine the amount of total foundation aid received by
40 the enlarged school district in the school year preceding the date the
41 disorganization and attachment was completed; (C) determine the assessed
42 valuation of the former school district in the school year preceding the date
43 the disorganization and attachment was completed; (D) determine the~~

1 ~~assessed valuation of the territory attached to each enlarged school district;~~
2 ~~(E) allocate the amount of the total foundation aid received by the former~~
3 ~~school district in the school year preceding the date the disorganization~~
4 ~~and attachment was completed to each of the enlarged school districts in~~
5 ~~the same proportion the assessed valuation of the territory attached to each~~
6 ~~school district bears to the assessed valuation of the former school district;~~
7 ~~and (F) add the amounts determined under subparagraphs (B) and (E). The~~
8 ~~sum is the total foundation aid of the enlarged school district for the school~~
9 ~~year in which the attachment is completed.~~

10 ~~Sec. 7. K.S.A. 2017 Supp. 72-5144 is hereby amended to read as~~
11 ~~follows: 72-5144. (a) (1) Subject to the provisions of subsection (c), the~~
12 ~~provisions of this subsection shall apply in any school year in which the~~
13 ~~amount of BASE aid is \$4,490 \$4,600 or less.~~

14 ~~(2) The board of education of a school district may adopt a local~~
15 ~~option budget that does not exceed the local option budget calculated as if~~
16 ~~the BASE aid was \$4,490 \$4,600, or that does not exceed the local option~~
17 ~~budget as calculated pursuant to K.S.A. 2017 Supp. 72-5143, and~~
18 ~~amendments thereto, whichever is greater.~~

19 ~~(b) The board of education of a school district may adopt a local~~
20 ~~option budget that does not exceed the local option budget calculated as if~~
21 ~~the school district received state aid for special education and related~~
22 ~~services equal to the amount of state aid for special education and related~~
23 ~~services received in school year 2008-2009, or that does not exceed the~~
24 ~~local option budget as calculated pursuant to K.S.A. 2017 Supp. 72-5143,~~
25 ~~and amendments thereto, whichever is greater.~~

26 ~~(c) The board of any school district may exercise the authority~~
27 ~~granted under subsection (a) or (b) or both subsections (a) and (b).~~

28 ~~(d) To the extent that the provisions of K.S.A. 2017 Supp. 72-5143,~~
29 ~~and amendments thereto, conflict with this section, this section shall~~
30 ~~control.~~

31 ~~(e) For school year 2019-2020, and each school year thereafter, the~~
32 ~~specified dollar amount used in subsection (a) for purposes of determining~~
33 ~~the local option budget of a school district shall be the specified dollar~~
34 ~~amount used for the immediately preceding school year plus an amount~~
35 ~~equal to the average percentage increase in the consumer price index for~~
36 ~~all urban consumers in the midwest region as published by the bureau of~~
37 ~~labor statistics of the United States department of labor during the three~~
38 ~~immediately preceding school years.~~

39 ~~Sec. 8. K.S.A. 2017 Supp. 72-5149 is hereby amended to read as~~
40 ~~follows: 72-5149. (a) The low enrollment weighting of each a school~~
41 ~~district shall be determined by the state board as follows:~~

42 ~~(1)(a) For school districts with an enrollment of fewer than 100~~
43 ~~students, multiply the enrollment of the school district by 1.014331-~~

~~0.979291. The resulting product is the low enrollment weighting of the school district;~~

~~(2)(b) — for school districts with an enrollment of at least 100 students, but fewer than 300 students;~~

~~(A)(1) — Subtract 100 from the enrollment of the school district;~~

~~(B)(2) — multiply the difference obtained under subsection (a)(2)(A) (b)(1) by 9.655;~~

~~(C)(3) — subtract the product obtained under subsection (a)(2)(B) (b)(2) from 7.337;~~

~~(D)(4) — divide the difference obtained under subsection (a)(2)(C) (b)(3) by 3.642.4;~~

~~(E)(5) — subtract one 1.03504 from the quotient obtained under subsection (a)(2)(D) (b)(4); and~~

~~(F)(6) — multiply the difference obtained under subsection (a)(2)(E) (b)(5) by the enrollment of the school district. The resulting product is the low enrollment weighting of the school district;~~

~~(3)(c) — for school districts with an enrollment of at least 300 students, but fewer than 1,622 students;~~

~~(A)(1) — Subtract 300 from the enrollment of the school district;~~

~~(B)(2) — multiply the difference obtained under subsection (a)(3)(A) (c)(1) by 1.2375;~~

~~(C)(3) — subtract the product obtained under subsection (a)(3)(B) (c)(2) from 5.406;~~

~~(D)(4) — divide the difference obtained under subsection (a)(3)(C) (c)(3) by 3.642.4;~~

~~(E)(5) — subtract one 1.03504 from the quotient obtained under subsection (c)(D) (c)(4); and~~

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

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

~~Sec. 9. K.S.A. 2017 Supp. 72-5155 is hereby amended to read as follows: 72-5155. (a) The career technical education weighting of each school district shall be determined by the state board by multiplying the full-time equivalent enrollment in approved career technical education programs during the preceding school year by 0.5. The resulting product is the career technical education weighting of the school district.~~

~~(b) — The provisions of this section shall expire on July 1, 2019.~~

~~Sec. 10. K.S.A. 2017 Supp. 72-5171 is hereby amended to read as follows: 72-5171. (a) On or before January 15 of each year, the state department of education shall prepare and submit reports on school district~~

1 ~~funding for each school district to the governor and the legislature.~~

2 ~~(b) Each report shall contain the information described in subsection~~
3 ~~(c) for the school district in terms of actual dollar amounts for the second~~
4 ~~and immediately preceding school years and budgeted dollar amounts for~~
5 ~~the current school year.~~

6 ~~(c) Each report shall contain the following information for the school~~
7 ~~district:~~

8 ~~(1) Full-time equivalent enrollment;~~

9 ~~(2) demographic information, including, but not limited to, gender,~~
10 ~~race, ethnicity, students who are economically disadvantaged, migrants,~~
11 ~~English language learners and students with disabilities;~~

12 ~~(3) total general and supplemental general funds, including a showing~~
13 ~~of funding provided by federal sources, state sources and local sources,~~
14 ~~and total funds per student;~~

15 ~~(4) total capital outlay funds, including a showing of such funding~~
16 ~~provided by federal sources, state sources and local sources, and capital~~
17 ~~outlay funds per student;~~

18 ~~(5) total bond and interest funds, including a showing of such funding~~
19 ~~provided by federal sources, state sources and local sources, and bond and~~
20 ~~interest funds per student;~~

21 ~~(6) total of all other funds not described in paragraphs (3), (4) and (5),~~
22 ~~excluding fund transfers, including a showing of such funding provided by~~
23 ~~federal sources, state sources and local sources, and total funds per~~
24 ~~student;~~

25 ~~(7) total funds per student of all funds described in paragraphs (3)~~
26 ~~through (6);~~

27 ~~(8) general fund moneys attributable to the following:~~

28 ~~(A) BASE aid;~~

29 ~~(B) high enrollment weighting;~~

30 ~~(C) low enrollment weighting;~~

31 ~~(D)(C) school facilities weighting;~~

32 ~~(E)(D) transportation weighting;~~

33 ~~(F)(E) at-risk student weighting;~~

34 ~~(G)(F) preschool-aged at-risk student weighting;~~

35 ~~(H)(G) high-density at-risk student weighting;~~

36 ~~(I)(H) career technical education weighting;~~

37 ~~(J)(I) special education and related services weighting;~~

38 ~~(K)(J) bilingual weighting;~~

39 ~~(L)(K) ancillary school facilities weighting;~~

40 ~~(M)(L) cost-of-living weighting;~~

41 ~~(N)(M) declining enrollment weighting; and~~

42 ~~(O)(N) virtual school state aid;~~

43 ~~(9) total expenditures on the following:~~

1 ~~(A) At-risk education programs and services;~~
2 ~~(B) preschool-aged at-risk education programs and services;~~
3 ~~(C) bilingual education programs and services;~~
4 ~~(D) career and technical education programs and services;~~
5 ~~(E) special education and related services; and~~
6 ~~(F) virtual school programs and services; and~~
7 ~~(10) total expenditures from the special retirement contributions~~
8 ~~fund; and~~

9 ~~(11) general obligation bond indebtedness.~~

10 ~~(d) The state board shall provide uniform guidelines for what~~
11 ~~constitutes total expenditures for the programs and services listed under~~
12 ~~subsection (c)(9).~~

13 ~~Sec. 11. K.S.A. 2017 Supp. 72-5173 is hereby amended to read as~~
14 ~~follows: 72-5173. The legislative post audit committee shall direct the~~
15 ~~legislative division of post audit to conduct the following performance~~
16 ~~audits in the fiscal year specified:~~

17 ~~(a) A performance audit of transportation services funding. The audit~~
18 ~~should include a comparison of the amount of transportation services~~
19 ~~funding school districts receive to the cost of providing transportation~~
20 ~~services. This performance audit shall be conducted during fiscal year~~
21 ~~2018, and the final audit report shall be submitted to the legislature on or~~
22 ~~before January 15, 2018.~~

23 ~~(b) A performance audit of at-risk education funding. The audit~~
24 ~~should evaluate the method of counting students for at-risk education~~
25 ~~funding, the level of the at-risk student weighting and high-density at-risk~~
26 ~~student weighting under the act and how school districts are expending~~
27 ~~moneys provided for at-risk education. This performance audit shall be~~
28 ~~conducted during fiscal year 2020-2021, and the final audit report shall be~~
29 ~~submitted to the legislature on or before January 15, 2020-2021.~~

30 ~~(c) A performance audit of bilingual education funding. The audit~~
31 ~~should evaluate the method of counting students for bilingual education~~
32 ~~funding, the level of the bilingual weighting under the act and how school~~
33 ~~districts are expending moneys provided for bilingual education. This~~
34 ~~performance audit shall be conducted during fiscal year 2023, and the final~~
35 ~~audit report shall be submitted to the legislature on or before January 15,~~
36 ~~2023.~~

37 ~~(d) A study of statewide virtual school programs administered in~~
38 ~~other states. The study shall include, but not be limited to, the following:~~

39 ~~(1) The aggregate cost incurred by each state administering a virtual~~
40 ~~school program, and the cost incurred by individual school districts or~~
41 ~~schools within each state;~~

42 ~~(2) the resources necessary for the implementation of each virtual~~
43 ~~school program, including, but not limited to, personnel, equipment,~~

1 ~~software and facility usage;~~

2 ~~(3) the scope of each virtual school program; and~~

3 ~~(4) the effectiveness of each virtual school program with respect to~~
4 ~~student performance and outcomes.~~

5 ~~The audit shall be conducted during fiscal year 2024 2019, and the final~~
6 ~~audit report shall be submitted to the legislature on or before January 15,~~
7 ~~2024 2019.~~

8 ~~(e) (1) A performance audit to provide a reasonable estimate of the~~
9 ~~cost of providing educational opportunities for every public school student~~
10 ~~in Kansas to achieve the performance outcome standards adopted by the~~
11 ~~state board of education. This performance audit shall be conducted three~~
12 ~~times as follows:~~

13 ~~(A) During fiscal year 2019, and the final report submitted to the~~
14 ~~legislature on or before January 15, 2019;~~

15 ~~(B) during fiscal year 2022, and the final report submitted to the~~
16 ~~legislature on or before January 15, 2022; and~~

17 ~~(C) during fiscal year 2025, and the final report submitted to the~~
18 ~~legislature on or before January 15, 2025.~~

19 ~~(2) Each *The* performance audit required under this subsection shall:~~

20 ~~(A) Include reasonable estimates of the costs of providing specialized~~
21 ~~education services as required by law, including, but not limited to, special~~
22 ~~education and related services, bilingual education and at-risk programs;~~
23 ~~and~~

24 ~~(B) account for other factors which may contribute to variations in~~
25 ~~costs incurred by school districts, including, but not limited to, total~~
26 ~~district enrollment and geographic location within the state.~~

27 ~~(3) In conducting each *the* performance audit required under this~~
28 ~~subsection:~~

29 ~~(A) Any examination of historical data and expenditures shall correct~~
30 ~~any recognized inadequacy of such data or expenditure through a~~
31 ~~statistically valid method of extrapolation; and~~

32 ~~(B) subject to the limitations of the division of legislative post audit~~
33 ~~budget and appropriations therefor, the legislative post auditor may enter~~
34 ~~into contracts with consultants as the post auditor deems necessary.~~

35 ~~(f) A performance audit to identify best practices in successful~~
36 ~~schools. The audit should include a comparison of the educational methods~~
37 ~~and other practices of demographically similar school districts that achieve~~
38 ~~significantly different student outcomes based on performance outcome~~
39 ~~standards adopted by the state board of education. This performance audit~~
40 ~~shall be conducted during fiscal year 2021, and the final audit report shall~~
41 ~~be submitted to the legislature on or before January 15, 2021. The audit~~
42 ~~shall be conducted a second time during fiscal year 2026, and the final~~
43 ~~audit report shall be submitted to the legislature on or before January 15,~~

~~2026 provide a reasonable estimate of the costs of providing special education and related services, including, but not limited to, other factors which may contribute to variations in costs incurred by school districts. This performance audit shall be conducted during fiscal year 2020, and the final audit report shall be submitted to the legislature on or before January 15, 2020.~~

~~Sec. 12. K.S.A. 2017 Supp. 72-5461 is hereby amended to read as follows: 72-5461. (a) Upon receiving an application under K.S.A. 2017 Supp. 72-5460, and amendments thereto, the state board of education shall review the application and examine the evidence furnished in support of the application.~~

~~(b) (1) Commencing in school year 2017-2018, the state board of education shall not approve any application submitted during the current school year if such approval would result in the aggregate amount of all general obligation bonds approved by the state board for such school year exceeding the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year as determined by the state board of education pursuant to subsection (c). For any application submitted during the current school year in excess of \$200,000,000, the state board shall apply an amount of \$200,000,000 when determining whether the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year has been exceeded.~~

~~(2) In determining whether to approve an application, the state board shall prioritize applications in accordance with the priorities set forth as follows in order of highest priority to lowest priority:~~

~~(A) Safety of the current facility and disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation;~~

~~(B) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;~~

~~(C) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology; and~~

~~(D) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.~~

~~(2)(3) The state board shall not consider a school district's eligibility for capital improvement state aid, or the amount of capital improvement state aid a school district would be eligible to receive, in determining whether to approve such district's application.~~

~~(3)(4) The provisions of subsection (b)(1) and (2) shall not apply to~~

1 ~~school districts that have not issued any general obligation bonds in the 25~~
2 ~~years prior to the current school year.~~

3 ~~(e) After reviewing the application and examining the supportive~~
4 ~~evidence, the state board of education shall issue an order either granting~~
5 ~~or denying the application. If the application is approved, the applicant~~
6 ~~board of education shall request the county election officer to hold an~~
7 ~~election to vote upon the question of issuing the increased amount of~~
8 ~~bonds in the manner provided by law.~~

9 ~~(d) Any application that is denied pursuant to subsection (b) may be~~
10 ~~tentatively approved by the state board of education for the immediately~~
11 ~~succeeding school year. The amount of general obligation bonds approved~~
12 ~~in any such application shall be counted first towards the aggregate~~
13 ~~amount of all general obligation bonds approved by the state board for~~
14 ~~such school year.~~

15 ~~(e) Commencing in school year 2017-2018, the state board of~~
16 ~~education shall determine the aggregate principal amount of general~~
17 ~~obligation bonds retired in the immediately preceding school year. In~~
18 ~~determining such amount, the state board of education shall adjust the~~
19 ~~aggregate principal amount of general obligation bonds retired in the~~
20 ~~immediately preceding school year by the three-year compounded~~
21 ~~producer price index industry data for new school building as reported by~~
22 ~~the bureau of labor statistics.~~

23 ~~(f) The provisions of subsections (b), (d) and (e) shall expire on June~~
24 ~~30, 2022.~~

25 ~~Sec. 13. K.S.A. 2017 Supp. 72-5132, 72-5141, 72-5144, 72-5149, 72-~~
26 ~~5155, 72-5171, 72-5173 and 72-5461 are hereby repealed.~~

27 **{Section 1.**

28 **DEPARTMENT OF EDUCATION**

29 **(a) There is appropriated for the above agency from the state**
30 **general fund for the fiscal year ending June 30, 2019, the following:**

31 **Operating expenditures**

32 **(including official hospitality) (652-00-1000-0053).....\$15,000**

33 **Provided, That during the fiscal year ending June 30, 2019, in addition**
34 **to the other purposes for which expenditures may be made by the**
35 **above agency from moneys appropriated for the operating**
36 **expenditures (including official hospitality) account for fiscal year**
37 **2019 by chapter 95 or 104 of the 2017 Session Laws of Kansas, this or**
38 **any other appropriation act of the 2018 regular session of the**
39 **legislature, expenditures shall be made by the above agency to**
40 **implement the jobs for America's graduates - Kansas pilot program:**
41 **Provided further, That such program shall select a total of 75 students**
42 **for participation in the program with 25 students selected from the**
43 **Wichita school district (U.S.D. no. 259), 25 students selected from the**

1 Topeka school district (U.S.D. no. 501) and 25 students selected from
 2 the Kansas City school district (U.S.D. no. 500): And provided further,
 3 That students shall be selected for participation in the program on or
 4 before September 20, 2018: And provided further, That the selected
 5 students shall enroll in and attend classes at schools operated by such
 6 student's resident school district for ½ of such student's total school
 7 attendance, and shall enroll in classes provided by a virtual school
 8 operated by the southeast Kansas education service center -
 9 Greenbush for the remaining ½ of such student's total school
 10 attendance: And provided further, That expenditures shall be made in
 11 an amount not to exceed \$15,000 to acquire laptop computer devices
 12 for use by students participating in such pilot program.

13 State foundation aid (652-00-1000-0820).....\$26,024,200

14 Special education services aid

15 (652-00-1000-0700).....\$32,400,363

16 Supplemental state aid (652-00-1000-0840).....\$5,994,000

17 ACT and workkeys assessments program.....\$2,800,000

18 Provided, That expenditures shall be made by the above agency from
 19 the ACT and workkeys assessments program account to provide the
 20 ACT college entrance exam and the three ACT workkeys assessments
 21 that are required to earn a national career readiness certificate to each
 22 student enrolled in grades nine through 12: Provided further, That no
 23 student enrolled in grades nine through 12 of any school district shall
 24 be required to pay any fees or costs to take such exam and
 25 assessments: And provided further, That in no event shall any school
 26 district be required to provide for more than one exam and three
 27 assessments per student: And provided further, That the state board
 28 of education may enter into any contracts that are necessary to
 29 promote statewide cost savings to administer such exams and
 30 assessments.

31 Mentor teacher (652-00-1000-0440).....\$500,000

32 Mental health intervention team pilot program.....\$4,190,776

33 Provided, That expenditures shall be made by the above agency to
 34 implement the mental health intervention team pilot program so as to
 35 improve social-emotional wellness and outcomes for students by
 36 increasing schools' access to counselors, social workers and
 37 psychologists statewide: Provided, That school districts participating
 38 in such program shall enter into the necessary memorandums of
 39 understanding and other necessary agreements with participating
 40 community mental health centers and the appropriate state agencies
 41 to implement the pilot program: Provided further, That mental health
 42 intervention teams shall consist of school liaisons employed by the
 43 participating school district, and clinical therapists and case managers

1 employed by the participating community mental health center: And
 2 provided further, That the following shall participate in the pilot
 3 program for fiscal year 2019: (1) 23 schools in the Wichita school
 4 district (U.S.D. no. 259); (2) 28 schools in the Topeka school district
 5 (U.S.D. no. 501); (3) 10 schools in the Kansas City school district
 6 (U.S.D. no. 500); (4) 5 schools in the Parsons school district (U.S.D. no.
 7 503); (5) 4 schools in the Garden City school district (U.S.D. no. 457);
 8 and (6) 9 schools served by the central Kansas cooperative in
 9 education: And provided further, That on or before June 30, 2019, the
 10 director of the division of health care finance of the department of
 11 health and environment shall certify to the director of the budget and
 12 the director of the legislative research department the aggregate
 13 amount of expenditures for fiscal year 2019 for treatment and services
 14 for students provided under the mental health intervention team pilot
 15 program, or provided based on a referral from such program.

16 MHIT pilot program – online database.....\$2,500,000
 17 MHIT school liaisons.....\$3,263,110

18 Provided, That expenditures shall be made by the above agency for
 19 mental health intervention team school liaisons employed by those
 20 school districts and education cooperatives participating in the mental
 21 health intervention team pilot program.

22 (b) During fiscal year 2019, upon certification by the
 23 commissioner of education that the necessary memorandums of
 24 understanding have been executed between the participating school
 25 districts and community mental health centers to implement the
 26 mental health intervention team pilot program, the director of
 27 accounts and reports shall transfer \$1,541,050 from the mental health
 28 intervention pilot program account in the state general fund of the
 29 department of education to the community mental health center
 30 improvement fund of the department for aging and disability services:
 31 *Provided*, That moneys transferred pursuant to this subsection shall be
 32 expended to provide treatment and services for students under the
 33 mental health intervention team pilot program who are uninsured or
 34 underinsured.

35 Sec. 2. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5132 is
 36 hereby amended to read as follows: 72-5132. As used in the Kansas
 37 school equity and enhancement act, K.S.A. 2017 Supp. 72-5131 et seq.,
 38 and amendments thereto:

39 (a) "Adjusted enrollment" means the enrollment of a school
 40 district adjusted by adding the following weightings, if any, to the
 41 enrollment of a school district: At-risk student weighting; bilingual
 42 weighting; career technical education weighting; ~~declining enrollment~~
 43 ~~weighting~~; high-density at-risk student weighting; high enrollment

1 weighting; low enrollment weighting; school facilities weighting;
2 ancillary school facilities weighting; cost-of-living weighting; special
3 education and related services weighting; and transportation
4 weighting.

5 (b) "Ancillary school facilities weighting" means an addend
6 component assigned to the enrollment of school districts pursuant to
7 K.S.A. 2017 Supp. 72-5158, and amendments thereto, on the basis of
8 costs attributable to commencing operation of one or more new school
9 facilities by such school districts.

10 (c) (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
12 school district that maintains an approved at-risk student assistance
13 program.

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

19 (d) "At-risk student weighting" means an addend component
20 assigned to the enrollment of school districts pursuant to K.S.A. 2017
21 Supp. 72-5151(a), and amendments thereto, on the basis of costs
22 attributable to the maintenance of at-risk educational programs by
23 such school districts.

24 (e) "Base aid for student excellence" or "BASE aid" means an
25 amount appropriated by the legislature in a fiscal year for the
26 designated year. The amount of BASE aid shall be as follows:

27 (1) For school year ~~2017-2018~~, \$4,006 **2018-2019, \$4,900;**

28 (2) **for school year** ~~2018-2019~~, \$4,128 **2019-2020, \$5,061;**

29 (3) *for school year 2020-2021, \$5,222;*

30 (4) *for school year 2021-2022, \$5,384;*

31 (5) *for school year 2022-2023, \$5,545; and*

32 ~~(3)~~**(6)** *for school year* ~~2019-2020~~ **2023-2024**, and each school year
33 thereafter, the BASE aid shall be the BASE aid amount for the
34 immediately preceding school year plus an amount equal to the
35 average percentage increase in the consumer price index for all urban
36 consumers in the midwest region as published by the bureau of labor
37 statistics of the United States department of labor during the three
38 immediately preceding school years *rounded to the nearest whole dollar*
39 *amount.*

40 (f) "Bilingual weighting" means an addend component assigned
41 to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-
42 5150, and amendments thereto, on the basis of costs attributable to the
43 maintenance of bilingual educational programs by such school

1 districts.

2 (g) "Board" means the board of education of a school district.

3 (h) "Budget per student" means the general fund budget of a
4 school district divided by the enrollment of the school district.

5 (i) "Categorical fund" means and includes the following funds of
6 a school district: Adult education fund; adult supplementary
7 education fund; at-risk education fund; bilingual education fund;
8 career and postsecondary education fund; driver training fund;
9 educational excellence grant program fund; extraordinary school
10 program fund; food service fund; parent education program fund;
11 preschool-aged at-risk education fund; professional development
12 fund; special education fund; and summer program fund.

13 (j) "Cost-of-living weighting" means an addend component
14 assigned to the enrollment of school districts pursuant to K.S.A. 2017
15 Supp. 72-5159, and amendments thereto, on the basis of costs
16 attributable to the cost of living in such school districts.

17 (k) "Current school year" means the school year during which
18 state foundation aid is determined by the state board under K.S.A.
19 2017 Supp. 72-5134, and amendments thereto.

20 ~~(l) "Declining enrollment weighting" means an addend component~~
21 ~~assigned to the enrollment of school districts pursuant to K.S.A. 2017-~~
22 ~~Supp. 72-5160, and amendments thereto, on the basis of costs attributable~~
23 ~~to the declining enrollment of such school districts.~~

24 ~~(m)~~(l) "Enrollment" means:

25 (1) The number of students regularly enrolled in kindergarten
26 and grades one through 12 in the school district on September 20 of
27 the preceding school year plus the number of preschool-aged at-risk
28 students regularly enrolled in the school district on September 20 of
29 the current school year, except a student who is a foreign exchange
30 student shall not be counted unless such student is regularly enrolled
31 in the school district on September 20 and attending kindergarten or
32 any of the grades one through 12 maintained by the school district for
33 at least one semester or two quarters, or the equivalent thereof.

34 (2) If the enrollment in a school district in the preceding school
35 year has decreased from enrollment in the second preceding school
36 year, the enrollment of the school district in the current school year
37 means the sum of:

38 (A) The enrollment in the second preceding school year, excluding
39 students under paragraph (2)(B), minus enrollment in the preceding
40 school year of preschool-aged at-risk students, if any, plus enrollment
41 in the current school year of preschool-aged at-risk students, if any;
42 and

43 (B) the adjusted enrollment in the second preceding school year

1 of any students participating in the tax credit for low income students
2 scholarship program pursuant to K.S.A. 2017 Supp. 72-4351 et seq.,
3 and amendments thereto, in the preceding school year, if any, plus the
4 adjusted enrollment in the preceding school year of preschool-aged at-
5 risk students who are participating in the tax credit for low income
6 students scholarship program pursuant to K.S.A. 2017 Supp. 72-4351
7 et seq., and amendments thereto, in the current school year, if any.

8 (3) For any school district that has a military student, as that
9 term is defined in K.S.A. 2017 Supp. 72-5139, and amendments
10 thereto, enrolled in such district, and that received federal impact aid
11 for the preceding school year, if the enrollment in such school district
12 in the preceding school year has decreased from enrollment in the
13 second preceding school year, the enrollment of the school district in
14 the current school year means whichever is the greater of:

15 (A) The enrollment determined under ~~subsection (m)~~ paragraph
16 (2); or

17 (B) the sum of the enrollment in the preceding school year of
18 preschool-aged at-risk students, if any, and the arithmetic mean of the
19 sum of:

20 (i) The enrollment of the school district in the preceding school
21 year minus the enrollment in such school year of preschool-aged at-
22 risk students, if any;

23 (ii) the enrollment in the second preceding school year minus the
24 enrollment in such school year of preschool-aged at-risk students, if
25 any; and

26 (iii) the enrollment in the third preceding school year minus the
27 enrollment in such school year of preschool-aged at-risk students, if
28 any.

29 ~~(4)(A) For school year 2017-2018, the enrollment determined under~~
30 ~~paragraph (1), (2) or (3), except if the school district offers kindergarten on~~
31 ~~a full-time basis in such school year, students regularly enrolled in~~
32 ~~kindergarten in the school district in the preceding school year shall be~~
33 ~~counted as one student regardless of actual attendance during such~~
34 ~~preceding school year.~~

35 ~~(B) For school year 2018-2019 and each school year thereafter, The~~
36 ~~enrollment determined under paragraph (1), (2) or (3), except if the~~
37 ~~school district begins to offer kindergarten on a full-time basis in such~~
38 ~~school year, students regularly enrolled in kindergarten in the school~~
39 ~~district in the preceding school year shall be counted as one student~~
40 ~~regardless of actual attendance during such preceding school year.~~

41 ~~(m)~~ (m) "February 20" has its usual meaning, except that in any
42 year in which February 20 is not a day on which school is maintained,
43 it means the first day after February 20 on which school is

1 maintained.

2 **(⊕)(n)** "Federal impact aid" means an amount equal to the
3 federally qualified percentage of the amount of moneys a school
4 district receives in the current school year under the provisions of title
5 I of public law 874 and congressional appropriations therefor,
6 excluding amounts received for assistance in cases of major disaster
7 and amounts received under the low-rent housing program. The
8 amount of federal impact aid shall be determined by the state board in
9 accordance with terms and conditions imposed under the provisions of
10 the public law and rules and regulations thereunder.

11 **(⊕)(o)** "General fund" means the fund of a school district from
12 which operating expenses are paid and in which is deposited all
13 amounts of state foundation aid provided under this act, payments
14 under K.S.A. 2017 Supp. 72-528, and amendments thereto, payments
15 of federal funds made available under the provisions of title I of public
16 law 874, except amounts received for assistance in cases of major
17 disaster and amounts received under the low-rent housing program
18 and such other moneys as are provided by law.

19 **(⊕)(p)** "General fund budget" means the amount budgeted for
20 operating expenses in the general fund of a school district.

21 **(⊕)(q)** "High-density at-risk student weighting" means an addend
22 component assigned to the enrollment of school districts pursuant to
23 K.S.A. 2017 Supp. 72-5151(b), and amendments thereto, on the basis
24 of costs attributable to the maintenance of at-risk educational
25 programs by such school districts.

26 **(⊕)(r)** "High enrollment weighting" means an addend component
27 assigned to the enrollment of school districts pursuant to K.S.A. 2017
28 Supp. 72-5149(b), and amendments thereto, on the basis of costs
29 attributable to maintenance of educational programs by such school
30 districts.

31 **(⊕)(s)** "Juvenile detention facility" means the same as such term is
32 defined in K.S.A. 2017 Supp. 72-1173, and amendments thereto.

33 **(⊕)(t)** "Local foundation aid" means the sum of the following
34 amounts:

35 **(1)** *The amount of the proceeds from the tax levied under the*
36 *authority of K.S.A. 2017 Supp. 72-5147, and amendments thereto, that is*
37 *levied to finance that portion of the school district's local option budget*
38 *that is required pursuant to K.S.A. 2017 Supp. 72-5143(a), and*
39 *amendments thereto, and not financed from any other source provided by*
40 *law;*

41 **(2)** *an amount equal to that portion of the school district's*
42 *supplemental state aid determined pursuant to K.S.A. 2017 Supp. 72-5145,*
43 *and amendments thereto, to equalize that portion of the school district's*

1 *local option budget that is required pursuant to K.S.A. 2017 Supp. 72-*
2 *5143(a), and amendments thereto, and not financed from any other source*
3 *provided by law;*

4 **(3) an amount equal to any unexpended and unencumbered**
5 **balance remaining in the general fund of the school district, except**
6 **moneys received by the school district and authorized to be expended**
7 **for the purposes specified in K.S.A. 2017 Supp. 72-5168, and**
8 **amendments thereto;**

9 **(~~2~~)4) an amount equal to any remaining proceeds from taxes**
10 **levied under authority of K.S.A. 72-7056 and 72-7072, and**
11 **amendments thereto, prior to their repeal;**

12 **(~~3~~)5) an amount equal to the amount deposited in the general**
13 **fund in the current school year from moneys received in such school**
14 **year by the school district under the provisions of K.S.A. 2017 Supp.**
15 **72-3123(a), and amendments thereto;**

16 **(~~4~~)6) an amount equal to the amount deposited in the general**
17 **fund in the current school year from moneys received in such school**
18 **year by the school district pursuant to contracts made and entered**
19 **into under authority of K.S.A. 2017 Supp. 72-3125, and amendments**
20 **thereto;**

21 **(~~5~~)7) an amount equal to the amount credited to the general fund**
22 **in the current school year from moneys distributed in such school year**
23 **to the school district under the provisions of articles 17 and 34 of**
24 **chapter 12 of the Kansas Statutes Annotated, and amendments**
25 **thereto, and under the provisions of articles 42 and 51 of chapter 79 of**
26 **the Kansas Statutes Annotated, and amendments thereto;**

27 **(~~6~~)8) an amount equal to the amount of payments received by**
28 **the school district under the provisions of K.S.A. 2017 Supp. 72-3423,**
29 **and amendments thereto;**

30 **(~~7~~)9) an amount equal to the amount of any grant received by**
31 **the school district under the provisions of K.S.A. 2017 Supp. 72-3425,**
32 **and amendments thereto; and**

33 **(~~8~~)10) an amount equal to 70% of the federal impact aid of the**
34 **school district.**

35 **(~~+~~)u) "Low enrollment weighting" means an addend component**
36 **assigned to the enrollment of school districts pursuant to K.S.A. 2017**
37 **Supp. 72-5149(a), and amendments thereto, on the basis of costs**
38 **attributable to maintenance of educational programs by such school**
39 **districts.**

40 **(~~w~~)v) "Operating expenses" means the total expenditures and**
41 **lawful transfers from the general fund of a school district during a**
42 **school year for all purposes, except expenditures for the purposes**
43 **specified in K.S.A. 2017 Supp. 72-5168, and amendments thereto.**

1 ~~(x)~~(w) "Preceding school year" means the school year
2 immediately before the current school year.

3 ~~(y)~~(x) "Preschool-aged at-risk student" means an at-risk student
4 who has attained the age of ~~four~~ three years, is under the age of
5 eligibility for attendance at kindergarten, and has been selected by the
6 state board in accordance with guidelines governing the selection of
7 students for participation in head start programs.

8 ~~(z)~~(y) "Preschool-aged exceptional children" means exceptional
9 children, except gifted children, who have attained the age of three
10 years but are under the age of eligibility for attendance at
11 kindergarten. The terms "exceptional children" and "gifted children"
12 have the same meaning as those terms are defined in K.S.A. 2017
13 Supp. 72-3404, and amendments thereto.

14 ~~(aa)~~(z) "Psychiatric residential treatment facility" means the
15 same as such term is defined in K.S.A. 2017 Supp. 72-1173, and
16 amendments thereto.

17 ~~(bb)~~(aa) "School district" means a school district organized under
18 the laws of this state that is maintaining public school for a school
19 term in accordance with the provisions of K.S.A. 2017 Supp. 72-3115,
20 and amendments thereto.

21 ~~(ee)~~(bb) "School facilities weighting" means an added component
22 assigned to the enrollment of school districts pursuant to K.S.A. 2017
23 Supp. 72-5156, and amendments thereto, on the basis of costs
24 attributable to commencing operation of one or more new school
25 facilities by such school districts.

26 ~~(dd)~~(cc) "School year" means the 12-month period ending June
27 30.

28 ~~(ee)~~(dd) "September 20" has its usual meaning, except that in any
29 year in which September 20 is not a day on which school is
30 maintained, it means the first day after September 20 on which school
31 is maintained.

32 ~~(ff)~~(ee) "Special education and related services weighting" means
33 an addend component assigned to the enrollment of school districts
34 pursuant to K.S.A. 2017 Supp. 72-5157, and amendments thereto, on
35 the basis of costs attributable to the maintenance of special education
36 and related services by such school districts.

37 ~~(gg)~~(ff) "State board" means the state board of education.

38 ~~(hh)~~(gg) "State foundation aid" means the amount of aid
39 distributed to a school district as determined by the state board
40 pursuant to K.S.A. 2017 Supp. 72-5134, and amendments thereto.

41 ~~(ii)~~(hh) (1) "Student" means any person who is regularly enrolled
42 in a school district and attending kindergarten or any of the grades
43 one through 12 maintained by the school district or who is regularly

1 enrolled in a school district and attending kindergarten or any of the
2 grades one through 12 in another school district in accordance with an
3 agreement entered into under authority of K.S.A. 2017 Supp. 72-
4 13,101, and amendments thereto, or who is regularly enrolled in a
5 school district and attending special education services provided for
6 preschool-aged exceptional children by the school district.

7 (2) (A) Except as otherwise provided in this subsection, the
8 following shall be counted as one student:

9 (i) A student in attendance full-time; and

10 (ii) a student enrolled in a school district and attending special
11 education and related services, provided for by the school district.

12 (B) The following shall be counted as $\frac{1}{2}$ student:

13 (i) A student enrolled in a school district and attending special
14 education and related services for preschool-aged exceptional children
15 provided for by the school district; and

16 (ii) a preschool-aged at-risk student enrolled in a school district
17 and receiving services under an approved at-risk student assistance
18 plan maintained by the school district.

19 (C) A student in attendance part-time shall be counted as that
20 proportion of one student (to the nearest $\frac{1}{10}$) that the student's
21 attendance bears to full-time attendance.

22 (D) A student enrolled in and attending an institution of
23 postsecondary education that is authorized under the laws of this state
24 to award academic degrees shall be counted as one student if the
25 student's postsecondary education enrollment and attendance together
26 with the student's attendance in either of the grades 11 or 12 is at least
27 $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of
28 one student (to the nearest $\frac{1}{10}$) that the total time of the student's
29 postsecondary education attendance and attendance in grades 11 or
30 12, as applicable, bears to full-time attendance.

31 (E) A student enrolled in and attending a technical college, a
32 career technical education program of a community college or other
33 approved career technical education program shall be counted as one
34 student, if the student's career technical education attendance together
35 with the student's attendance in any of grades nine through 12 is at
36 least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion
37 of one student (to the nearest $\frac{1}{10}$) that the total time of the student's
38 career technical education attendance and attendance in any of grades
39 nine through 12 bears to full-time attendance.

40 (F) A student enrolled in a school district and attending a non-
41 virtual school and also attending a virtual school shall be counted as
42 that proportion of one student (to the nearest $\frac{1}{10}$) that the student's
43 attendance at the non-virtual school bears to full-time attendance.

1 (G) A student enrolled in a school district and attending special
 2 education and related services provided for by the school district and
 3 also attending a virtual school shall be counted as that proportion of
 4 one student (to the nearest $\frac{1}{10}$) that the student's attendance at the
 5 non-virtual school bears to full-time attendance.

6 (H) (i) Except as provided in clause (ii), a student enrolled in a
 7 school district who is not a resident of Kansas shall be counted as
 8 follows:

9 (a) For school ~~years~~ year ~~2017-2018~~ and 2018-2019, one student;

10 (b) for school ~~year~~ years 2019-2020 and 2020-2021, $\frac{3}{4}$ of a
 11 student; and

12 (c) for school year 2021-2022 and each school year thereafter, $\frac{1}{2}$
 13 of a student.

14 (ii) This subparagraph (H) shall not apply to:

15 (a) A student whose parent or legal guardian is an employee of
 16 the school district where such student is enrolled; or

17 (b) a student who attended public school in Kansas during school
 18 year 2016-2017 and who attended public school in Kansas during the
 19 immediately preceding school year.

20 (3) The following shall not be counted as a student:

21 (A) An individual residing at the Flint Hills job corps center;

22 (B) except as provided in ~~subsection (ii)~~ paragraph (2), an
 23 individual confined in and receiving educational services provided for
 24 by a school district at a juvenile detention facility; and

25 (C) an individual enrolled in a school district but housed,
 26 maintained and receiving educational services at a state institution or
 27 a psychiatric residential treatment facility.

28 (4) A student enrolled in virtual school pursuant to K.S.A. 72-
 29 3711 et seq., and amendments thereto, shall be counted in accordance
 30 with the provisions of K.S.A. 2017 Supp. 72-3715, and amendments
 31 thereto.

32 ~~(j)~~(ii) "Total foundation aid" means an amount equal to the
 33 product obtained by multiplying the BASE aid by the adjusted
 34 enrollment of a school district.

35 ~~(k)~~(jj) "Transportation weighting" means an addend component
 36 assigned to the enrollment of school districts pursuant to K.S.A. 2017
 37 Supp. 72-5148, and amendments thereto, on the basis of costs
 38 attributable to the provision or furnishing of transportation.

39 ~~(h)~~(kk) "Virtual school" means the same as such term is defined
 40 in K.S.A. 2017 Supp. 72-3712, and amendments thereto.

41 Sec. 3. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5133 is
 42 hereby amended to read as follows: 72-5133. (a) The state school
 43 district finance fund, established by K.S.A. 1991 Supp. 72-7081, prior

1 to its repeal, is hereby continued in existence and shall consist of: (1)
2 All moneys credited to such fund under K.S.A. 2017 Supp. 72-6463
3 through 72-6481, prior to ~~their expiration July 1, 2017~~; and (2) all
4 amounts transferred to such fund under K.S.A. 2017 Supp. 72-5136,
5 72-5142, 72-5143, 72-5158, 72-5159 and 72-5160, and amendments
6 thereto.

7 (b) The state school district finance fund shall be used for the
8 purpose of school district finance and for no other governmental
9 purpose. It is the intent of the legislature that the fund shall remain
10 intact and inviolate for such purpose, and moneys in the fund shall not
11 be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a,
12 and amendments thereto.

13 (c) Amounts in the state school district finance fund shall be
14 allocated and distributed to school districts as a portion of state
15 foundation aid provided for under this act.

16 Sec. 4. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5143 is
17 hereby amended to read as follows: 72-5143. (a) In each school year,
18 the board of education of a school district ~~may~~ shall adopt, by
19 resolution, a local option budget that does not exceed the state prescribed
20 percentage equal to 15% of the school district's total foundation aid.

21 (b) Subject to the limitations of subsection (a), in each school year, ~~If~~
22 the board of education of a school district desires local option budget
23 authority above the amount required under subsection (a), the board
24 may adopt, by resolution, a local option budget in an amount that does
25 not exceed:

26 (1) ~~The amount that the board was authorized to adopt under any~~
27 ~~resolution adopted pursuant to K.S.A. 2017 Supp. 72-6471, prior to its~~
28 ~~expiration; or~~

29 (2) ~~the state-wide average for the preceding school year as~~
30 ~~determined by the state board pursuant to subsection (i) 27.5% of the~~
31 ~~school district's total foundation aid. The adoption of a resolution~~
32 ~~pursuant to this section shall require a majority vote of the members~~
33 ~~of the board. Such resolution shall be effective upon adoption and~~
34 ~~shall require no other procedure, authorization or approval.~~

35 (c) If the board of a school district desires ~~to increase its local~~
36 ~~option budget authority above the amount authorized under~~
37 ~~subsection (b), the board may adopt, by resolution, such budget in an~~
38 ~~amount not to exceed the state prescribed percentage. The adoption of~~
39 ~~a resolution pursuant to this subsection shall require a majority vote~~
40 ~~of the members of the board. The resolution shall be published at least~~
41 ~~once in a newspaper having general circulation in the school district.~~
42 ~~The resolution shall be published in substantial compliance with the~~
43 ~~following form:~~

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
6 authorized to adopt a local option budget in each school year in an
7 amount not to exceed ____% of the amount of total foundation aid.
8 The local option budget authorized by this resolution may be adopted,
9 unless a petition in opposition to the same, signed by not less than ~~5%~~
10 10% of the qualified electors of the school district, is filed with the
11 county election officer of the home county of the school district within
12 ~~30~~ 40 days after publication of this resolution. If a petition is filed, the
13 county election officer shall submit the question of whether adoption
14 of the local option budget shall be authorized to the electors of the
15 school district at an election called for the purpose or at the next
16 general election, as is specified by the board of education of the school
17 district.

18 CERTIFICATE

19 This is to certify that the above resolution was duly adopted by the
20 board of education of unified school district No. _____,
21 _____ County, Kansas, on the ____ day of _____, ____.

22 _____
23 Clerk of the board of education.

24 All of the blanks in the resolution shall be filled appropriately. If a
25 sufficient petition is not filed, the board may adopt a local option
26 budget. If a sufficient petition is filed, the board may notify the county
27 election officer of the date of an election to be held to submit the
28 question of whether adoption of a local option budget shall be
29 authorized. Any such election shall be noticed, called and held in the
30 manner provided by K.S.A. 10-120, and amendments thereto. If the
31 board fails to notify the county election officer within 30 days after a
32 sufficient petition is filed, the resolution shall be deemed abandoned
33 and no like resolution shall be adopted by the board within the nine
34 months following publication of the resolution.

35 (d) Unless specifically stated otherwise in the resolution, the
36 authority to adopt a local option budget shall be continuous and
37 permanent. ~~The board of any school district that is authorized to adopt a~~
38 ~~local option budget may choose not to adopt such a budget or may adopt a~~
39 ~~budget in an amount less than the amount authorized. If the board of any~~
40 ~~school district whose authority to adopt a local option budget is not~~
41 ~~continuous and permanent refrains from adopting a local option budget,~~
42 ~~the authority of such school district to adopt a local option budget shall not~~
43 ~~be extended by such refrainment beyond the period specified in the~~

1 resolution authorizing adoption of such budget.

2 (e) The board of any school district may initiate procedures to
3 renew or increase the authority to adopt a local option budget at any
4 time during a school year after the tax levied pursuant to K.S.A. 2017
5 Supp. 72-5147, and amendments thereto, is certified to the county
6 clerk under any existing authorization.

7 (f) (1) Except as provided in paragraph (2), the board of any
8 school district authorized to adopt a local option budget prior to July
9 1, 2017, under a resolution that authorized the adoption of such
10 budget in accordance with the provisions of K.S.A. 2017 Supp. 72-
11 6471, prior to its expiration July 1, 2017, may continue to operate
12 under such resolution for the period of time specified in the resolution
13 if such resolution adopted a local option budget equal to or greater
14 than the amount required in subsection (a), or may abandon the
15 resolution and operate under the provisions of this section. Any such
16 school district shall operate under the provisions of this section after
17 the period of time specified in any previously adopted resolution has
18 expired.

19 (2) *Any resolution adopted prior to July 1, 2017, pursuant to K.S.A.*
20 *72-6433(e)(2), prior to its repeal, that authorized the adoption of a local*
21 *option budget and that was not subsequently submitted to and approved by*
22 *a majority of the qualified electors of the school district voting at an*
23 *election called and held thereon shall expire on June 30, 2018, and shall*
24 *have no force and effect during school year 2018-2019 or any subsequent*
25 *school year.*

26 (g) Any resolution adopted pursuant to this section may revoke or
27 repeal any resolution previously adopted by the board. If the
28 resolution does not revoke or repeal previously adopted resolutions, all
29 resolutions that are in effect shall expire on the same date. The
30 maximum amount of the local option budget of a school district under
31 all resolutions in effect shall not exceed the state prescribed
32 percentage in any school year.

33 (h) *For school year 2019-2020 and each school year thereafter, the*
34 *board of any school district that desires to increase its local option budget*
35 *authority for the immediately succeeding school year shall submit written*
36 *notice of such intent to the state board by April 1 of the current school*
37 *year. Such notice shall include the local option budget authority, expressed*
38 *as a percentage of the school district's total foundation aid, to be adopted*
39 *for the immediately succeeding school year. The board of a school district*
40 *shall not adopt a local option budget in excess of the authority stated in a*
41 *notice submitted pursuant to this subsection.*

42 (h)(i) (1) There is hereby established in each school district that
43 adopts a local option budget a supplemental general fund, which shall

1 consist of all amounts deposited therein or credited thereto according
2 to law.

3 (2) (A) Of the moneys deposited in or otherwise credited to the
4 supplemental general fund of a school district pursuant to K.S.A. 2017
5 Supp. 72-5147, and amendments thereto, an amount that is
6 proportional to that amount of such school district's total foundation
7 aid attributable to the at-risk student weighting as compared to such
8 district's total foundation aid shall be transferred to the at-risk
9 education fund of such school district and shall be expended in
10 accordance with K.S.A. 2017 Supp. 72-5153, and amendments thereto.

11 (B) *Of the moneys deposited in or otherwise credited to the*
12 *supplemental general fund of a school district pursuant to K.S.A. 2017*
13 *Supp. 72-5147, and amendments thereto, an amount that is proportional to*
14 *that amount of such school district's total foundation aid attributable to*
15 *the bilingual weighting as compared to such district's total foundation aid*
16 *shall be transferred to the bilingual education fund of such school district*
17 *and shall be expended in accordance with K.S.A. 2017 Supp. 72-3613, and*
18 *amendments thereto.*

19 (3) ~~Subject to the limitations imposed under subsection (h)(3)-~~
20 ~~paragraph (4), amounts in the supplemental general fund may be~~
21 ~~expended for any purpose for which expenditures from the general~~
22 ~~fund are authorized or may be transferred to any categorical fund of~~
23 ~~the school district. Amounts in the supplemental general fund~~
24 ~~attributable to any percentage over 25% of total foundation aid~~
25 ~~determined for the current school year may be transferred to the~~
26 ~~capital improvements fund of the school district and the capital outlay~~
27 ~~fund of the school district if such transfers are specified in the~~
28 ~~resolution authorizing the adoption of a local option budget in excess~~
29 ~~of 25%.~~

30 (3)(4) Amounts in the supplemental general fund may not be
31 expended for the purpose of making payments under any lease-
32 purchase agreement involving the acquisition of land or buildings that
33 is entered into pursuant to the provisions of K.S.A. 2017 Supp. 72-
34 1149, and amendments thereto.

35 (4)(5) (A) ~~Except as provided in subsection (h)(4)(B)-~~
36 ~~subparagraph (B), any unexpended moneys remaining in the~~
37 ~~supplemental general fund of a school district at the conclusion of any~~
38 ~~school year in which a local option budget is adopted shall be~~
39 ~~maintained in such fund.~~

40 (B) If the school district received supplemental state aid in the
41 school year, the state board shall determine the ratio of the amount of
42 supplemental general state aid received to the amount of the local
43 option budget of the school district for the school year and multiply

1 the total amount of the unexpended moneys remaining by such ratio.
2 An amount equal to the amount of the product shall be transferred to
3 the general fund of the school district or remitted to the state treasurer
4 in accordance with the provisions of K.S.A. 75-4215, and amendments
5 thereto. Upon receipt of any such remittance, the state treasurer shall
6 deposit the same in the state treasury to the credit of the state school
7 district finance fund.

8 ~~(i) Each year, the state board shall determine the statewide average~~
9 ~~percentage of local option budgets legally adopted by school districts for~~
10 ~~the preceding school year.~~

11 (j) The provisions of this section shall be subject to the provisions
12 of K.S.A. 2017 Supp. 72-5144, and amendments thereto.

13 (k) As used in this section:

14 (1) "Authorized to adopt a local option budget" means that a
15 school district has adopted a resolution pursuant to subsection (c).

16 (2) "State prescribed percentage" means ~~33%~~ 30.5% of the total
17 foundation aid of the school district in the current school year.

18 (3) For purposes of determining the school district's local option
19 budget under subsections (a), (b) and (c), "total foundation aid"
20 means the same as such term is defined in K.S.A. 2017 Supp. 72-5132,
21 and amendments thereto, except the state aid for special education
22 and related services shall be divided by an amount equal to 85% of the
23 BASE aid amount, and the resulting quotient shall be used in
24 determining the school district's total foundation aid.

25 Sec. 5. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5145 is
26 hereby amended to read as follows: 72-5145. (a) In each school year,
27 each school district that has adopted a local option budget is eligible to
28 receive supplemental state aid. Except as provided by K.S.A. 2017
29 Supp. 72-5146, and amendments thereto, supplemental state aid shall
30 be determined by the state board as provided in subsection (b).

31 (b) The state board shall:

32 (1) ~~(A) For school year 2017-2018, determine the amount of the~~
33 ~~assessed valuation per student in the preceding school year of each school~~
34 ~~district; and~~

35 ~~(B) for school year 2018-2019 and each school year thereafter,~~
36 Determine the average assessed valuation per student of each school
37 district by adding the assessed valuation per student for each of the
38 three immediately preceding school years and dividing the resulting
39 sum by three;

40 (2) rank the school districts from low to high on the basis of the
41 amounts of assessed valuation per student determined under
42 subsection (b)(1);

43 (3) identify the amount of the assessed valuation per student

1 located at the 81.2 percentile of the amounts ranked under subsection
2 (b)(2);

3 (4) divide the assessed valuation per student of the school district
4 as determined under subsection (b)(1) by the amount identified under
5 subsection (b)(3); and

6 (5) (A) if the quotient obtained under subsection (b)(4) equals or
7 exceeds one, the school district shall not receive supplemental state
8 aid; or

9 (B) if the quotient obtained under subsection (b)(4) is less than
10 one, subtract the quotient obtained under subsection (b)(4) from one,
11 and multiply the difference by the amount of the local option budget
12 of the school district for the immediately preceding school year. The
13 resulting product is the amount of supplemental state aid the school
14 district is to receive for the school year.

15 (c) Payments of supplemental state aid shall be distributed to
16 school districts on the dates prescribed by the state board. The state
17 board shall certify to the director of accounts and reports the amount
18 due each school district, and the director of accounts and reports shall
19 draw a warrant on the state treasurer payable to the treasurer of the
20 school district. Upon receipt of the warrant, the treasurer of the school
21 district shall credit the amount thereof to the supplemental general
22 fund of the school district to be used for the purposes of such fund.

23 (d) For the purposes of determining the total amount of state
24 moneys paid to school districts, all moneys appropriated as
25 supplemental state aid shall be deemed to be state moneys for
26 educational and support services for school districts.

27 **Sec. 6. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5148 is**
28 **hereby amended to read as follows: 72-5148. (a) (1) The transportation**
29 **weighting of each school district shall be determined by the state**
30 **board as follows:**

31 ~~(1) Determine the total expenditures of the school district during the~~
32 ~~preceding school year from all funds for transporting students of public~~
33 ~~and nonpublic schools on regular school routes;~~

34 ~~(2) determine the sum of: (A) The number of students who were~~
35 ~~included in the enrollment of the school district in the preceding school~~
36 ~~year who resided less than $2\frac{1}{2}$ miles by the usually traveled road from the~~
37 ~~school building such students attended and for whom transportation was~~
38 ~~made available by the school district; and (B) the number of nonresident~~
39 ~~students who were included in the enrollment of the school district for the~~
40 ~~preceding school year and for whom transportation was made available by~~
41 ~~the school district;~~

42 ~~(3) determine the number of students who were included in the~~
43 ~~enrollment of the district in the preceding school year who resided $2\frac{1}{2}$~~

- 1 miles or more by the usually traveled road from the school building such
 2 students attended and for whom transportation was made available by the
 3 school district;
- 4 ~~(4) multiply the number of students determined under subsection (a)~~
 5 ~~(3) by 2.8;~~
- 6 ~~(5) divide the amount determined under subsection (a)(2) by the~~
 7 ~~product obtained under subsection (a)(4);~~
- 8 ~~(6) add one to the quotient obtained under subsection (a)(5);~~
- 9 ~~(7) multiply the sum obtained under subsection (a)(6) by the amount~~
 10 ~~determined under subsection (a)(3);~~
- 11 ~~(8) divide the amount determined under subsection (a)(1) by the~~
 12 ~~product obtained under subsection (a)(7). The resulting quotient is the per-~~
 13 ~~student cost of transportation;~~
- 14 ~~(9) on a density-cost graph, plot the per-student cost of transportation~~
 15 ~~for each school district;~~
- 16 ~~(10) construct a curve of best fit for the points so plotted;~~
- 17 ~~(11) locate the index of density for the school district on the base line~~
 18 ~~of the density-cost graph and from the point on the curve of best fit~~
 19 ~~directly above this point of index of density follow a line parallel to the~~
 20 ~~base line to the point of intersection with the vertical line, which point is~~
 21 ~~the formula per-student cost of transportation of the school district;~~
- 22 ~~(12) divide the formula per-student cost of transportation of the~~
 23 ~~school district by the BASE aid; and~~
- 24 ~~(13) multiply the quotient obtained under subsection (a)(12) by the~~
 25 ~~number of students who are included in the enrollment of the school~~
 26 ~~district, are residing 2¹/₂ miles or more by the usually traveled road to the~~
 27 ~~school building they attend, and for whom transportation is being made~~
 28 ~~available by, and at the expense of, the district.~~
- 29 *(A) Divide the BASE aid amount for the current school year by the*
 30 *BASE aid amount for school year 2018-2019;*
- 31 *(B) multiply the number of transported students by the per capita*
 32 *allowance that corresponds to the density figure for the school district as*
 33 *determined in subsection (a)(2);*
- 34 *(C) multiply the product obtained under subsection (a)(1)(B) by 1.00;*
- 35 *(D) multiply the product obtained under subsection (a)(1)(C) by the*
 36 *quotient obtained under subsection (a)(1)(A);*
- 37 *(E) divide the product obtained under subsection (a)(1)(D) by the*
 38 *current year BASE amount. The result is the transportation weighting of*
 39 *the school district.*
- 40 *(2) The per capita allowance shall be determined using the following*
 41 *chart:*
- | | |
|--------------------------------|-----------------------------|
| 42 <i>Density Figure Range</i> | <i>Per Capita Allowance</i> |
| 43 <i>0.000 - 0.059</i> | <i>\$1,620</i> |

1	0.060 - 0.069	\$1,580
2	0.070 - 0.079	\$1,540
3	0.080 - 0.089	\$1,500
4	0.090 - 0.099	\$1,480
5	0.100 - 0.109	\$1,450
6	0.110 - 0.119	\$1,430
7	0.120 - 0.129	\$1,410
8	0.130 - 0.139	\$1,390
9	0.140 - 0.149	\$1,370
10	0.150 - 0.159	\$1,350
11	0.160 - 0.169	\$1,340
12	0.170 - 0.179	\$1,320
13	0.180 - 0.199	\$1,300
14	0.200 - 0.209	\$1,290
15	0.210 - 0.219	\$1,270
16	0.220 - 0.239	\$1,250
17	0.240 - 0.269	\$1,230
18	0.270 - 0.289	\$1,210
19	0.290 - 0.319	\$1,190
20	0.320 - 0.349	\$1,170
21	0.350 - 0.389	\$1,150
22	0.390 - 0.429	\$1,130
23	0.430 - 0.469	\$1,110
24	0.470 - 0.519	\$1,090
25	0.520 - 0.579	\$1,070
26	0.580 - 0.639	\$1,050
27	0.640 - 0.709	\$1,030
28	0.710 - 0.789	\$1,010
29	0.790 - 0.879	\$990
30	0.880 - 0.989	\$970
31	0.990 - 1.109	\$950
32	1.110 - 1.249	\$930
33	1.250 - 1.399	\$910
34	1.400 - 1.589	\$890
35	1.590 - 1.799	\$870
36	1.800 - 2.039	\$850
37	2.040 - 2.319	\$830
38	2.320 - 2.659	\$810
39	2.660 - 3.049	\$790
40	3.050 - 3.509	\$770
41	3.510 - 4.049	\$750
42	4.050 - 4.699	\$730
43	4.700 - 5.469	\$710

1	5.470 - 6.399	\$690
2	6.400 - 7.519	\$670
3	7.520 - 8.879	\$650
4	8.880 - 10.549	\$630
5	10.550 - 12.589	\$610
6	12.590 - 15.129	\$590
7	15.130 - 18.289	\$570
8	18.290 +	\$550

9 **(b) (1) For school years 2017-2018 through 2020-2021, the**
 10 **transportation weighting of the school district shall be either the**
 11 **product determined under subsection ~~(a)(13)~~ (a)(1)(E), or that portion**
 12 **of such school district's general state aid for school year 2016-2017**
 13 **that was attributable to the school district's transportation weighting,**
 14 **whichever is greater.**

15 **(2) For school year 2021-2022, and each school year thereafter,**
 16 **the transportation weighting of the school district shall be the product**
 17 **determined under subsection ~~(a)(13)~~ (a)(1)(E).**

18 *(3) In no event shall the transportation weighting of the school*
 19 *district result in the portion of such school district's state foundation aid*
 20 *attributable to the transportation weighting being in excess of 110% of*
 21 *such school district's total expenditures from all funds for transporting*
 22 *students for the immediately preceding school year.*

23 **(c) For the purpose of providing accurate and reliable data on**
 24 **student transportation, the state board is authorized to adopt rules**
 25 **and regulations prescribing procedures that school districts shall**
 26 **follow in reporting pertinent information, including uniform reporting**
 27 **of expenditures for transportation.**

28 **(d) As used in this section:**

29 **(1) "Curve of best fit" means the curve on a density-cost graph drawn**
 30 **so the sum of the distances squared from such line to each of the points**
 31 **plotted on the graph is the least possible.**

32 **(2) "Density-cost graph" means a drawing having: (A) A horizontal or**
 33 **base line divided into equal intervals of density, beginning with zero on the**
 34 **left; and (B) a scale for per-student cost of transportation to be shown on a**
 35 **line perpendicular to the base line at the left end thereof, such scale to**
 36 **begin with zero dollars at the base line ascending by equal per-student cost**
 37 **intervals.**

38 **(3) "Index of density" means the number of students who are**
 39 **included in the enrollment of a school district in the current school year,**
 40 **are residing the designated distance or more by the usually traveled road**
 41 **from the school building they attend, and for whom transportation is being**
 42 **made available on regular school routes by the school district, divided by**
 43 **the number of square miles of territory in the school district "Density**

1 **figure" means the area of the school district in square miles divided by**
2 **the number of transported students.**

3 (2) *"Transported students" means the number of students who were*
4 *included in the enrollment of the school district in the preceding year who*
5 *resided 2½ miles or more by the usually traveled road from the school*
6 *building such students attended and for whom transportation was made*
7 *available.*

8 **Sec. 7. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5149 is**
9 **hereby amended to read as follows: 72-5149. (a) The low enrollment**
10 **weighting of each school district shall be determined by the state**
11 **board as follows:**

12 (1) **For school districts with an enrollment of fewer than 100**
13 **students, multiply the enrollment of the school district by 1.014331.**
14 **The resulting product is the low enrollment weighting of the school**
15 **district;**

16 (2) **for school districts with an enrollment of at least 100 students,**
17 **but fewer than 300 students:**

18 (A) **Subtract 100 from the enrollment of the school district;**

19 (B) **multiply the difference obtained under subsection (a)(2)(A) by**
20 **9.655;**

21 (C) **subtract the product obtained under subsection (a)(2)(B)**
22 **from 7,337;**

23 (D) **divide the difference obtained under subsection (a)(2)(C) by**
24 **3,642.4;**

25 (E) **subtract one from the quotient obtained under subsection (a)**
26 **(2)(D); and**

27 (F) **multiply the difference obtained under subsection (a)(2)(E) by**
28 **the enrollment of the school district. The resulting product is the low**
29 **enrollment weighting of the school district;**

30 (3) **for school districts with an enrollment of at least 300 students,**
31 **but fewer than 1,622 students:**

32 (A) **Subtract 300 from the enrollment of the school district;**

33 (B) **multiply the difference obtained under subsection (a)(3)(A) by**
34 **1.2375;**

35 (C) **subtract the product obtained under subsection (a)(3)(B)**
36 **from 5,406;**

37 (D) **divide the difference obtained under subsection (a)(3)(C) by**
38 **3,642.4;**

39 (E) **subtract one from the quotient obtained under subsection ~~(e)~~**
40 **~~(E)~~ (a)(3)(D); and**

41 (F) **multiply the difference obtained under subsection (a)(3)(E) by**
42 **the enrollment of the school district. The resulting product is the low**
43 **enrollment weighting of the school district.**

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

5 **Sec. 8. K.S.A. 2017 Supp. 72-5150 is hereby amended to read as**
6 **follows: 72-5150. The bilingual weighting of each school district shall**
7 **be determined by the state board as follows:**

8 **(a) Determine the full-time equivalent enrollment in approved**
9 **programs of bilingual education—during the preceding school year and**
10 **multiply such enrollment by 0.395;**

11 **(b) determine the number of students enrolled in approved**
12 **programs of bilingual education—during the preceding school year and**
13 **multiply such enrollment by 0.185; and**

14 **(c) the bilingual weighting shall be either the amount determined**
15 **under subsection (a) or (b), whichever is greater.**

16 **Sec. 9. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5151 is**
17 **hereby amended to read as follows: 72-5151. (a) The at-risk student**
18 **weighting of each school district shall be determined by the state**
19 **board as follows:**

20 **(1) Determine the number of at-risk students included in the**
21 **enrollment of the school district; and**

22 **(2) for a school district with an enrollment that consists of 10% or**
23 **more at-risk students, multiply the number determined under**
24 **subsection (a)(1) by 0.484. The resulting sum is the at-risk student**
25 **weighting of the school district; or**

26 **(3) for a school district with an enrollment that consists of less than**
27 **10% at-risk students, multiply the number of students equal to 10% of**
28 **such school district's enrollment by 0.484. The resulting sum is the at-risk**
29 **student weighting of the school district. A school district whose at-risk**
30 **student weighting is determined pursuant to this paragraph shall submit a**
31 **report to the state board in such form and manner as required by the state**
32 **board that identifies those students enrolled in such school district who are**
33 **receiving at-risk program services and the criteria each such student**
34 **satisfies in order to receive at-risk program services. The state board shall**
35 **adopt rules and regulations that establish the criteria for eligibility for at-**
36 **risk program services. The provisions of this paragraph shall only apply to**
37 **those school districts that offer instruction in kindergarten and grades one**
38 **through 12.**

39 **(b) Except as provided in subsection (b)(4), the high-density at-**
40 **risk student weighting of each school district shall be determined by**
41 **the state board as follows:**

42 **(1) (A) If the enrollment of the school district is at least 35% at-**
43 **risk students, but less than 50% at-risk students:**

- 1 **(i) Subtract 35% from the percentage of at-risk students included**
2 **in the enrollment of the school district;**
- 3 **(ii) multiply the difference determined under subsection (b)(1)(A)**
4 **(i) by 0.7; and**
- 5 **(iii) multiply the product determined under subsection (b)(1)(A)**
6 **(ii) by the number of at-risk students included in the enrollment of the**
7 **school district; or**
- 8 **(B) if the enrollment of the school district is 50% or more at-risk**
9 **students, multiply the number of at-risk students included in the**
10 **enrollment of the school district by 0.105; or**
- 11 **(2) (A) if the enrollment of a school in the school district is at least**
12 **35% at-risk students, but less than 50% at-risk students:**
- 13 **(i) Subtract 35% from the percentage of at-risk students included**
14 **in the enrollment of such school;**
- 15 **(ii) multiply the difference determined under subsection (b)(2)(A)**
16 **(i) by 0.7; and**
- 17 **(iii) multiply the product determined under subsection (b)(2)(A)**
18 **(ii) by the number of at-risk students included in the enrollment of**
19 **such school; or**
- 20 **(B) if the enrollment of a school in the school district is 50% or**
21 **more at-risk students, multiply the number of at-risk students**
22 **included in the enrollment of such school by 0.105; and**
- 23 **(C) add the products determined under subsections (b)(2)(A)(iii)**
24 **and (b)(2)(B) for each such school in the school district, respectively.**
- 25 **(3) The high-density at-risk weighting of the school district shall**
26 **be the greater of the product determined under subsection (b)(1) or**
27 **the sum determined under subsection (b)(2)(C).**
- 28 **(4) Commencing in school year 2018-2019, school districts that**
29 **qualify to receive the high-density at-risk weighting pursuant to this**
30 **section shall spend any money attributable to the school district's**
31 **high-density at-risk weighting on the at-risk best practices developed**
32 **by the state board pursuant to K.S.A. 2017 Supp. 72-5153(d), and**
33 **amendments thereto. If a school district that qualifies for the high-**
34 **density at-risk weighting does not spend such money on such best**
35 **practices, the state board shall notify the school district that it shall**
36 **either spend such money on such best practices or shall show**
37 **improvement within five years of notification. Improvement shall**
38 **include, but not be limited to, the following: (A) The percentage of**
39 **students at grade level on state math and English language arts**
40 **assessments; (B) the percentage of students that are college and career**
41 **ready on state math and English language arts assessments; (C) the**
42 **average composite ACT score; or (D) the four-year graduation rate. If**
43 **a school district does not spend such money on such best practices and**

1 does not show improvement within five years, the school district shall
2 not qualify to receive the high-density at-risk weighting in the
3 succeeding school year.

4 (5) The provisions of this subsection shall expire on July 1, 2019
5 2020.

6 Sec. 10. K.S.A. 2017 Supp. 72-5155 is hereby amended to read as
7 follows: 72-5155. ~~(a)~~ The career technical education weighting of each
8 school district shall be determined by the state board by multiplying
9 the full-time equivalent enrollment in approved career technical
10 education programs during the preceding school year by 0.5. The
11 resulting product is the career technical education weighting of the
12 school district.

13 ~~(b)~~ The provisions of this section shall expire on July 1, 2019.

14 Sec. 11. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5170 is
15 hereby amended to read as follows: 72-5170. (a) (1) In order to
16 accomplish the mission for Kansas education, the state board shall
17 design and adopt a school district accreditation system based upon
18 improvement in performance that equals or exceeds the educational
19 goal set forth in K.S.A. 2017 Supp. 72-3218(c), and amendments
20 thereto, and is measurable. The state board shall hold all school
21 districts accountable to the Kansans can outcomes, or any successor
22 outcomes established by the state board, through the Kansas
23 education systems accreditation rules and regulations, or any
24 successor accreditation system adopted by the state board. The state
25 board shall establish rigorous accountability measures in the areas of
26 social emotional learning, kindergarten readiness, individual plans of
27 study, graduation and postsecondary success. The state board also
28 shall ensure that all school districts and the public schools operated by
29 such districts have programs and initiatives in place for providing
30 those educational capacities set forth in K.S.A. 2017 Supp. 72-3218(c),
31 and amendments thereto. On or before January 15, 2018, and each
32 January 15 thereafter, the state board shall prepare and submit a
33 report on the school district accreditation system to the governor and
34 the legislature.

35 (2) *The accountability measures established pursuant to paragraph*
36 *(1) shall be applied both at the district level and at the school level. Such*
37 *accountability measures shall be reported by the state board for each*
38 *school district and each school by publication on the internet website of*
39 *the state department of education. Each school district also shall report*
40 *such accountability measures for such school district and each school*
41 *operated by such district by publication on such school district's internet*
42 *website.*

43 (3) *If a school district is not fully accredited and a corrective action*

1 *plan is required by the state board, such corrective action plan, and any*
2 *subsequent reports prepared by the state board regarding the progress of*
3 *such school district in implementing and executing such corrective action*
4 *plan, shall be published on the state department of education's internet*
5 *website and such school district's internet website.*

6 (4) *If a school district is not accredited, the superintendent, or the*
7 *superintendent's designee, shall appear before the committee on education*
8 *of the house of representatives and the committee on education of the*
9 *senate during the regular legislative session that occurs during the same*
10 *school year in which such school district is not accredited. Such school*
11 *district shall provide a report to such committees on the challenges and*
12 *obstacles that are preventing such school district from becoming*
13 *accredited.*

14 (b) **The state board shall establish curriculum standards that**
15 **reflect high academic standards for the core academic areas of**
16 **mathematics, science, reading, writing and social studies. The**
17 **curriculum standards shall be reviewed at least every seven years.**
18 **Nothing in this subsection shall be construed in any manner so as to**
19 **impinge upon any school district's authority to determine its own**
20 **curriculum.**

21 (c) **The state board shall provide for statewide assessments in the**
22 **core academic areas of mathematics, science, reading, writing and**
23 **social studies. The board shall ensure compatibility between the**
24 **statewide assessments and the curriculum standards established**
25 **pursuant to subsection (b). Such assessments shall be administered at**
26 **three grade levels, as determined by the state board. The state board**
27 **shall determine performance levels on the statewide assessments, the**
28 **achievement of which represents high academic standards in the**
29 **academic area at the grade level to which the assessment applies. The**
30 **state board should specify high academic standards both for**
31 **individual performance and school performance on the assessments.**

32 (d) **Each school year, on such date as specified by the state board,**
33 **each school district shall submit the Kansas education system**
34 **accreditation report to the state board in such form and manner as**
35 **prescribed by the state board.**

36 (e) **Whenever the state board determines that a school district has**
37 **failed either to meet the accreditation requirements established by**
38 **rules and regulations or standards adopted by the state board or**
39 **provide curriculum based on state standards and courses required by**
40 **state law, the state board shall so notify the school district. Such notice**
41 **shall specify the accreditation requirements that the school district has**
42 **failed to meet and the curriculum that it has failed to provide. Upon**
43 **receipt of such notice, the board of education of such school district is**

1 encouraged to reallocate the resources of the school district to remedy
2 all deficiencies identified by the state board.

3 (f) Each school in every school district shall establish a school site
4 council composed of the principal and representatives of teachers and
5 other school personnel, parents of students attending the school, the
6 business community and other community groups. School site councils
7 shall be responsible for providing advice and counsel in evaluating
8 state, school district, and school site performance goals and objectives
9 and in determining the methods that should be employed at the school
10 site to meet these goals and objectives. Site councils may make
11 recommendations and proposals to the school board regarding
12 budgetary items and school district matters, including, but not limited
13 to, identifying and implementing the best practices for developing
14 efficient and effective administrative and management functions. Site
15 councils also may help school boards analyze the unique environment
16 of schools, enhance the efficiency and maximize limited resources,
17 including outsourcing arrangements and cooperative opportunities as
18 a means to address limited budgets.

19 Sec. 12. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5171 is
20 hereby amended to read as follows: 72-5171. (a) On or before January
21 15 of each year, the state department of education shall prepare and
22 submit reports on school district funding for each school district to the
23 governor and the legislature.

24 (b) Each report shall contain the information described in
25 subsection (c) for the school district in terms of actual dollar amounts
26 for the second and immediately preceding school years and budgeted
27 dollar amounts for the current school year.

28 (c) Each report shall contain the following information for the
29 school district:

- 30 (1) Full-time equivalent enrollment;
- 31 (2) demographic information, including, but not limited to,
32 gender, race, ethnicity, students who are economically disadvantaged,
33 migrants, English language learners and students with disabilities;
- 34 (3) total general and supplemental general funds, including a
35 showing of funding provided by federal sources, state sources and
36 local sources, and total funds per student;
- 37 (4) total capital outlay funds, including a showing of such funding
38 provided by federal sources, state sources and local sources, and
39 capital outlay funds per student;
- 40 (5) total bond and interest funds, including a showing of such
41 funding provided by federal sources, state sources and local sources,
42 and bond and interest funds per student;
- 43 (6) total of all other funds not described in paragraphs (3), (4)

1 and (5), excluding fund transfers, including a showing of such funding
 2 provided by federal sources, state sources and local sources, and total
 3 funds per student;

4 (7) total funds per student of all funds described in paragraphs
 5 (3) through (6);

6 (8) general fund moneys attributable to the following:

7 (A) BASE aid;

8 (B) high enrollment weighting;

9 (C) low enrollment weighting;

10 (D) school facilities weighting;

11 (E) transportation weighting;

12 (F) at-risk student weighting;

13 (G) preschool-aged at-risk student weighting;

14 (H) high-density at-risk student weighting;

15 (I) career technical education weighting;

16 (J) special education and related services weighting;

17 (K) bilingual weighting;

18 (L) ancillary school facilities weighting;

19 (M) cost-of-living weighting;

20 (N) declining enrollment weighting; and

21 (O) virtual school state aid;

22 (9) total expenditures on the following:

23 (A) At-risk education programs and services;

24 (B) preschool-aged at-risk education programs and services;

25 (C) bilingual education programs and services;

26 (D) career and technical education programs and services;

27 (E) special education and related services; and

28 (F) virtual school programs and services; ~~and~~

29 (10) total expenditures from the special retirement contributions
 30 fund;

31 (11) *expenditures and fund transfers from the supplemental general*
 32 *fund for those programs and services set forth in paragraph (9) and any*
 33 *other accounting category for which there is an expenditure or transfer*
 34 *from such fund; and*

35 (12) general obligation bond indebtedness.

36 (d) The state board shall provide uniform guidelines for what
 37 constitutes total expenditures for the programs and services listed
 38 under subsection (c)(9).

39 Sec. 13. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5173 is
 40 hereby amended to read as follows: 72-5173. The legislative post audit
 41 committee shall direct the legislative division of post audit to conduct
 42 the following performance audits in the fiscal year specified:

43 (a) A performance audit of transportation services funding. The

1 audit should include a comparison of the amount of transportation
2 services funding school districts receive to the cost of providing
3 transportation services. This performance audit shall be conducted
4 during fiscal year 2018, and the final audit report shall be submitted
5 to the legislature on or before January 15, 2018.

6 (b) A performance audit of at-risk education funding. The audit
7 should evaluate the method of counting students for at-risk education
8 funding, the level of the at-risk student weighting and high-density at-
9 risk student weighting under the act and how school districts are
10 expending moneys provided for at-risk education. This performance
11 audit shall be conducted during fiscal year 2020, and the final audit
12 report shall be submitted to the legislature on or before January 15,
13 2020.

14 (c) A performance audit of bilingual education funding. The audit
15 should evaluate the method of counting students for bilingual
16 education funding, the level of the bilingual weighting under the act
17 and how school districts are expending moneys provided for bilingual
18 education. This performance audit shall be conducted during fiscal
19 year ~~2023~~ 2022, and the final audit report shall be submitted to the
20 legislature on or before January 15, ~~2023~~ 2022.

21 (d) A study of statewide virtual school programs administered in
22 other states. The study shall include, but not be limited to, the
23 following:

24 (1) The aggregate cost incurred by each state administering a
25 virtual school program, and the cost incurred by individual school
26 districts or schools within each state;

27 (2) the resources necessary for the implementation of each virtual
28 school program, including, but not limited to, personnel, equipment,
29 software and facility usage;

30 (3) the scope of each virtual school program; and

31 (4) the effectiveness of each virtual school program with respect
32 to student performance and outcomes.

33 The audit shall be conducted during fiscal year ~~2024~~ 2023, and the
34 final audit report shall be submitted to the legislature on or before
35 January 15, ~~2024~~ 2023.

36 (e) (1) A performance audit to provide a reasonable estimate of
37 the cost of providing educational opportunities for every public school
38 student in Kansas to achieve the performance outcome standards
39 adopted by the state board of education. This performance audit shall
40 be conducted ~~three~~ two times as follows:

41 (A) ~~During fiscal year 2019, and the final report submitted to the~~
42 ~~legislature on or before January 15, 2019;~~

43 (B) ~~during fiscal year 2022~~ 2021, and the final report submitted to

1 the legislature on or before January 15, ~~2022~~ 2021; and

2 ~~(C)~~(B) during fiscal year ~~2025~~ 2024, and the final report
3 submitted to the legislature on or before January 15, ~~2025~~ 2024.

4 (2) Each performance audit required under this subsection shall:

5 (A) Include reasonable estimates of the costs of providing
6 specialized education services as required by law, including, but not
7 limited to, ~~special education and related services~~, bilingual education
8 and at-risk programs; and

9 (B) account for other factors which may contribute to variations
10 in costs incurred by school districts, including, but not limited to, total
11 district enrollment and geographic location within the state.

12 (3) In conducting each performance audit required under this
13 subsection:

14 (A) Any examination of historical data and expenditures shall
15 correct any recognized inadequacy of such data or expenditure
16 through a statistically valid method of extrapolation; and

17 (B) subject to the limitations of the division of legislative post
18 audit budget and appropriations therefor, the legislative post auditor
19 may enter into contracts with consultants as the post auditor deems
20 necessary.

21 ~~(f) A performance audit to identify best practices in successful~~
22 ~~schools. The audit should include a comparison of the educational methods~~
23 ~~and other practices of demographically similar school districts that achieve~~
24 ~~significantly different student outcomes based on performance outcome~~
25 ~~standards adopted by the state board of education. This performance audit~~
26 ~~shall be conducted during fiscal year 2021, and the final audit report shall~~
27 ~~be submitted to the legislature on or before January 15, 2021. The audit~~
28 ~~shall be conducted a second time during fiscal year 2026, and the final~~
29 ~~audit report shall be submitted to the legislature on or before January 15,~~
30 ~~2026 provide a reasonable estimate of the costs of providing special~~
31 ~~education and related services, including, but not limited to, other~~
32 ~~factors which may contribute to variations in costs incurred by school~~
33 ~~districts. This performance audit shall be conducted during fiscal year~~
34 ~~2019, and the final audit report shall be submitted to the legislature on~~
35 ~~or before January 15, 2019.~~

36 Sec. 14. On and after July 1, 2018, K.S.A. 2017 Supp. 72-53,113 is
37 hereby amended to read as follows: 72-53,113. (a) The board of
38 education of any school district may make an annual tax levy at a mill
39 rate not to exceed the statutorily prescribed mill rate upon the taxable
40 tangible property in the school district for the purposes specified in
41 this act and, with respect to any redevelopment district established
42 prior to July 1, 2017, pursuant to K.S.A. 12-1771, and amendments
43 thereto, for the purpose of paying a portion of the principal and

1 interest on bonds issued by cities under the authority of K.S.A. 12-
 2 1774, and amendments thereto, for the financing of redevelopment
 3 projects upon property located within the school district. No levy shall
 4 be made under this act until a resolution is adopted by the board of
 5 education in the following form:

6 Unified School District No. _____,
 7 _____ County, Kansas.

8 **RESOLUTION**

9 **Be It Resolved that:**

10 The above-named school board shall be authorized to make an
 11 annual tax levy in an amount not to exceed _____ mills upon the
 12 taxable tangible property in the school district for the purpose of
 13 acquisition, construction, reconstruction, repair, remodeling, additions
 14 to, furnishing, maintaining and equipping of school district property
 15 and equipment necessary for school district purposes, including: (1)
 16 Computer software; (2) performance uniforms; (3) housing and
 17 boarding pupils enrolled in an area vocational school operated under
 18 the board; (4) architectural expenses; (5) building sites; (6)
 19 undertaking and maintenance of asbestos control projects; (7) school
 20 buses; and (8) ~~utility expenses;~~ (9) ~~property and casualty insurance;~~ and
 21 ~~(10) other fixed assets,~~ and with respect to any redevelopment district
 22 established prior to July 1, 2017, pursuant to K.S.A. 12-1771, and
 23 amendments thereto, for the purpose of paying a portion of the
 24 principal and interest on bonds issued by cities under the authority of
 25 K.S.A. 12-1774, and amendments thereto, for the financing of
 26 redevelopment projects upon property located within the school
 27 district. The tax levy authorized by this resolution may be made,
 28 unless a petition in opposition to the same, signed by not less than
 29 10% of the qualified electors of the school district, is filed with the
 30 county election officer of the home county of the school district within
 31 40 calendar days after the last publication of this resolution. In the
 32 event a petition is filed, the county election officer shall submit the
 33 question of whether the tax levy shall be authorized to the electors in
 34 the school district at an election called for that purpose or at the next
 35 general election, as is specified by the board of education of the above
 36 school district.

37 **CERTIFICATE**

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

41 _____
 42 Clerk of the board of education.

43 All of the blanks in the above resolution shall be appropriately

1 filled. The blank preceding the word "mills" shall be filled with a
2 specific number. The resolution shall be published once a week for two
3 consecutive weeks in a newspaper having general circulation in the
4 school district. If no petition as specified above is filed in accordance
5 with the provisions of the resolution, the board of education may make
6 the tax levy specified in the resolution. If a petition is filed as provided
7 in the resolution, the board of education may notify the county
8 election officer of the date of an election to be held to submit the
9 question of whether the tax levy shall be authorized. If the board of
10 education fails to notify the county election officer within 60 calendar
11 days after a petition is filed, the resolution shall be deemed abandoned
12 and no like resolution shall be adopted by the board of education
13 within the nine months following the first publication of the
14 resolution.

15 (b) As used in this act:

16 (1) "Unconditionally authorized to make a capital outlay tax
17 levy" means that the school district has adopted a resolution under
18 this section, has published the same, and either that the resolution was
19 not protested or that it was protested and an election has been held by
20 which the tax levy specified in the resolution was approved;

21 (2) "statutorily prescribed mill rate" means: (A) Eight mills; (B)
22 the mill levy rate in excess of eight mills if the resolution fixing such
23 rate was approved at an election prior to the effective date of this act;
24 or (C) the mill levy rate in excess of eight mills if no petition or no
25 sufficient petition was filed in protest to a resolution fixing such rate in
26 excess of eight mills and the protest period for filing such petition has
27 expired;

28 (3) "asbestos control project" means any activity which is
29 necessary or incidental to the control of asbestos-containing material
30 in buildings of school districts and includes, but not by way of
31 limitation, any activity undertaken for the removal or encapsulation of
32 asbestos-containing material, for any remodeling, renovation,
33 replacement, rehabilitation or other restoration necessitated by such
34 removal or encapsulation, for conducting inspections, reinspections
35 and periodic surveillance of buildings, performing response actions,
36 and developing, implementing and updating operations and
37 maintenance programs and management plans;

38 (4) "asbestos" means the asbestiform varieties of chrysotile
39 (serpentine), crocidolite (riebeckite), amosite
40 (cummingtonitegrunerite), anthophyllite, tremolite, and actinolite;
41 and

42 (5) "asbestos-containing material" means any material or
43 product which contains more than 1% asbestos.

1 **Sec. 15. On and after July 1, 2018, K.S.A. 2017 Supp. 72-53,116 is**
2 **hereby amended to read as follows: 72-53,116. (a) Any moneys in the**
3 **capital outlay fund of any school district and any moneys received**
4 **from issuance of bonds under K.S.A. 2017 Supp. 72-53,117 or 72-**
5 **53,122, and amendments thereto, may be used for the purpose of the**
6 **acquisition, construction, reconstruction, repair, remodeling, additions**
7 **to, furnishing, maintaining and equipping of school district property**
8 **and equipment necessary for school district purposes, including: (1)**
9 **Computer software; (2) performance uniforms; (3) housing and**
10 **boarding pupils enrolled in an area vocational school operated under**
11 **the board of education; (4) architectural expenses; (5) building sites;**
12 **(6) undertaking and maintenance of asbestos control projects; (7)**
13 **school buses; and (8) utility expenses; (9) property and casualty**
14 **insurance; and (10) other fixed assets.**

15 **(b) The board of education of any school district is hereby**
16 **authorized to invest any portion of the capital outlay fund of the**
17 **school district which is not currently needed in investments authorized**
18 **by K.S.A. 12-1675, and amendments thereto, in the manner prescribed**
19 **therein, or may invest the same in direct obligations of the United**
20 **States government maturing or redeemable at par and accrued**
21 **interest within three years from date of purchase, the principal and**
22 **interest whereof is guaranteed by the government of the United States.**
23 **All interest received on any such investment shall upon receipt thereof**
24 **be credited to the capital outlay fund.**

25 **Sec. 16. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5461 is**
26 **hereby amended to read as follows: 72-5461. (a) Upon receiving an**
27 **application under K.S.A. 2017 Supp. 72-5460, and amendments**
28 **thereto, the state board of education shall review the application and**
29 **examine the evidence furnished in support of the application.**

30 **(b) (1) Commencing in school year 2017-2018, the state board of**
31 **education shall not approve any application submitted during the**
32 **current school year if such approval would result in the aggregate**
33 **amount of all general obligation bonds approved by the state board**
34 **for such school year exceeding the aggregate principal amount of all**
35 **general obligation bonds retired in the immediately preceding school**
36 **year adjusted for inflation pursuant to paragraph (4). For any**
37 **application submitted during the current school year in excess of**
38 **\$175,000,000, the state board shall apply only an amount of**
39 **\$175,000,000 of such application when determining whether the**
40 **aggregate principal amount of all general obligation bonds retired in**
41 **the immediately preceding school year has been exceeded. In**
42 **determining whether to approve an application, the state board shall**
43 **prioritize applications in accordance with the priorities set forth as**

1 follows in order of highest priority to lowest priority:

2 (A) Safety of the current facility and disability access to such
3 facility as demonstrated by a state fire marshal report, an inspection
4 under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or
5 other similar evaluation;

6 (B) enrollment growth and imminent overcrowding as
7 demonstrated by successive increases in enrollment of the school
8 district in the immediately preceding three school years;

9 (C) impact on the delivery of educational services as
10 demonstrated by restrictive inflexible design or limitations on
11 installation of technology; and

12 (D) energy usage and other operational inefficiencies as
13 demonstrated by a district-wide energy usage analysis, district-wide
14 architectural analysis or other similar evaluation.

15 (2) The state board shall not consider a school district's eligibility
16 for capital improvement state aid, or the amount of capital
17 improvement state aid a school district would be eligible to receive, in
18 determining whether to approve such district's application.

19 (3) The provisions of subsection (b)(1) shall not apply to school
20 districts that have not issued any general obligation bonds in the 25
21 years prior to the current school year.

22 (4) *The state board shall adjust the aggregate principal amount of all*
23 *general obligation bonds retired in the immediately preceding school year*
24 *by adding an amount equal to the five-year compounded percentage*
25 *increase in the producer price index industry data for new school building*
26 *construction as published by the bureau of labor statistics of the United*
27 *States department of labor for the five immediately preceding school*
28 *years.*

29 (c) After reviewing the application and examining the supportive
30 evidence, the state board of education shall issue an order either
31 granting or denying the application. If the application is approved, the
32 applicant board of education shall request the county election officer
33 to hold an election to vote upon the question of issuing the increased
34 amount of bonds in the manner provided by law.

35 (d) Any application that is denied pursuant to subsection (b) may
36 be tentatively approved by the state board of education for the
37 immediately succeeding school year. The amount of general obligation
38 bonds approved in any such application shall be counted first towards
39 the aggregate amount of all general obligation bonds approved by the
40 state board for such school year.

41 (e) Commencing in school year 2017-2018, the state board of
42 education shall determine the aggregate principal amount of general
43 obligation bonds retired in the immediately preceding school year.

1 **(f) The provisions of subsections (b), (d) and (e) shall expire on**
2 **June 30, 2022.**

3 **Sec. 17. K.S.A. 2017 Supp. 72-5150 and 72-5155 are hereby**
4 **repealed.**

5 **Sec. 18. On and after July 1, 2018, K.S.A. 2017 Supp. 72-1171, 72-**
6 **5132, 72-5133, 72-5143, 72-5144, 72-5145, 72-5148, 72-5149, 72-5151,**
7 **72-5170, 72-5171, 72-5173, 72-53,113, 72-53,116, 72-5461, 72-6463, 72-**
8 **6464, 72-6465, 72-6466, 72-6467, 72-6468, 72-6469, 72-6470, 72-6471,**
9 **72-6472, 72-6473, 72-6474, 72-6475, 72-6477, 72-6478, 72-6479, 72-**
10 **6480 and 72-6481 are hereby repealed.}**

11 **Sec. ~~14~~ {19.}** This act shall take effect and be in force from and after
12 its publication in the ~~statute book~~ **{Kansas register}**.