

House Substitute for SENATE BILL No. 387

By Committee on K-12 Education Budget

3-14

1 AN ACT concerning education; making and concerning appropriations for
2 the fiscal years ending June 30, 2024, June 30, 2025, and June 30,
3 2026, for the state department of education; establishing the education
4 funding task force and requiring such task force to review and make
5 recommendations regarding the state's school finance system prior to
6 the expiration of the Kansas school equity and enhancement act;
7 abolishing the special education and related services funding task force;
8 revising the special education state aid statewide excess costs
9 calculation to count additional funding; requiring the state board of
10 education to determine excess costs for each school district; requiring
11 the state board of education to establish a special education state aid
12 equalization distribution method and to distribute certain amounts of
13 special education state aid pursuant to such method; requiring each
14 school district to transfer the amount attributable to the special
15 education and related services weighting from the supplemental general
16 fund to the school district's special education fund; requiring each
17 school district to submit annually to the state board of education an at-
18 risk student accountability plan and to measure and show academic
19 improvement in certain student cohort groups; holding school districts
20 accountable to meeting the student cohort group improvement goals;
21 revising requirements relating to school district at-risk education fund
22 expenditure; prohibiting the state board of education from substantially
23 revising curriculum standards in English language arts and mathematics
24 until 75% of all students achieve a certain academic proficiency level;
25 requiring school districts to give enrollment priority to students who
26 reside in Kansas over students who do not reside in the state except
27 under certain circumstances; authorizing certain nonresident students to
28 continue enrollment in a school district of nonresidence; authorizing a
29 school district to deem nonresident students as not in good standing
30 prior to enrollment and an appeal process for students who are denied
31 enrollment pursuant to such action; requiring school district student
32 transfer policy revisions to be published on the school district's website;
33 exempting virtual schools from open enrollment requirements; limiting
34 the legislative option to purchase school district buildings and
35 authorizing the legislative coordinating council to deny the legislative
36 option when the legislature is not in session; prohibiting school districts

1 from refusing to convey a building or property solely because the buyer
 2 or lessee may use or intends to use the building or property for
 3 nonpublic school purposes; establishing requirements for the
 4 determination of virtual school state aid for certain students who are
 5 funded on a per credit hour basis; requiring virtual school state aid be
 6 determined using full-time equivalent enrollment; authorizing students
 7 enrolled in a virtual school to participate in activities regulated by the
 8 Kansas state high school activities association; amending K.S.A. 72-
 9 3422 and 72-5143 and K.S.A. 2023 Supp. 72-1439, 72-3123, 72-3124,
 10 72-3126, 72-3127, 72-3216, 72-3715, 72-5153, 72-5170, 72-5193 and
 11 72-7121 and repealing the existing sections; also repealing K.S.A. 2023
 12 Supp. 72-3442.

13

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

15

New Section 1.

16

DEPARTMENT OF EDUCATION

17

(a) On the effective date of this act, of the \$29,810,273 appropriated
 18 for the above agency for the fiscal year ending June 30, 2024, by section
 19 2(a) of chapter 98 of the 2023 Session Laws of Kansas from the state
 20 general fund in the KPERS – school employer contributions – non-USDs
 21 account (652-00-1000-0100), the sum of \$714,470 is hereby lapsed.

22

(b) On the effective date of this act, of the \$531,880,516 appropriated
 23 for the above agency for the fiscal year ending June 30, 2024, by section
 24 2(a) of chapter 98 of the 2023 Session Laws of Kansas from the state
 25 general fund in the KPERS – school employer contributions – USDs
 26 account (652-00-1000-0110), the sum of \$341 is hereby lapsed.

27

(c) On the effective date of this act, of the \$2,558,881,605
 28 appropriated for the above agency for the fiscal year ending June 30, 2024,
 29 by section 4(a) of chapter 94 of the 2022 Session Laws of Kansas from the
 30 state general fund in the state foundation aid account (652-00-1000-0820),
 31 the sum of \$81,919,737 is hereby lapsed.

32

(d) On the effective date of this act, of the \$568,150,000 appropriated
 33 for the above agency for the fiscal year ending June 30, 2024, by section
 34 4(a) of chapter 94 of the 2022 Session Laws of Kansas from the state
 35 general fund in the supplemental state aid account (652-00-1000-0840),
 36 the sum of \$14,574,571 is hereby lapsed.

37

(e) On the effective date of this act, the \$40,000 appropriated for the
 38 above agency for the fiscal year ending June 30, 2024, by section 2(a) of
 39 chapter 98 of the 2023 Session Laws of Kansas from the state general fund
 40 in the career technical education pilot account (652-00-1000-0940) is
 41 hereby lapsed.

42

New Sec. 2.

43

DEPARTMENT OF EDUCATION

1 (a) There is appropriated for the above agency from the state general
2 fund for the fiscal year ending June 30, 2025, the following:

3 Operating expenditures (including
4 official hospitality) (652-00-1000-0053).....\$15,207,808
5 *Provided*, That any unencumbered balance in the operating expenditures
6 (including official hospitality) account in excess of \$100 as of June 30,
7 2024, is hereby reappropriated for fiscal year 2025.

8 Center for READing (652-00-1000-0080).....\$80,000
9 *Provided*, That the above agency shall expend moneys in such account to
10 provide a project manager grant to the center for reading at Pittsburg state
11 university to: (1) Assist in the development and support of a science of
12 reading curricula for the state educational institutions and colleges based
13 on the knowledge and practice standards that have been adopted by the
14 state department of education; (2) develop and support a recommended
15 dyslexia textbook list for in-class learning for school districts to use; (3)
16 develop and support a recommended dyslexia resources list for in-class
17 learning for school districts to use; (4) provide knowledge and support for
18 a train the trainer program and professional development curriculum for
19 school districts to use; and (5) provide knowledge and support for
20 developing a list of qualified trainers for school districts to hire.

21 KPERS – school employer
22 contributions – non-USDs (652-00-1000-0100).....\$25,215,128
23 *Provided*, That any unencumbered balance in the KPERS-school employer
24 contributions – non-USDs account in excess of \$100 as of June 30, 2024,
25 is hereby reappropriated for fiscal year 2025.

26 KPERS – school employer
27 contributions-USDs (652-00-1000-0110).....\$506,277,807
28 *Provided*, That any unencumbered balance in the KPERS-school employer
29 contributions – USDs account in excess of \$100 as of June 30, 2024, is
30 hereby reappropriated for fiscal year 2025.

31 ACT and workkeys assessments
32 program (652-00-1000-0140).....\$2,800,000
33 Mental health intervention
34 team pilot (652-00-1000-0150).....\$13,534,722
35 *Provided*, That any unencumbered balance in the mental health
36 intervention team pilot account in excess of \$100 as of June 30, 2024, is
37 hereby reappropriated for fiscal year 2025: *Provided further*, That
38 expenditures shall be made from the mental health intervention team pilot
39 account during fiscal year 2025 for mental health intervention team school
40 liaisons employed by those school districts participating in the mental
41 health intervention team pilot program: *And provided further*, That the
42 salaries and wages for school liaisons shall be matched by participating
43 school districts on the basis of \$3 of state moneys for \$1 of school district

1 moneys: *And provided further*, That each school district that participated in
 2 the mental health intervention team pilot program during fiscal year 2024
 3 shall continue to receive an amount of moneys during fiscal year 2025 not
 4 less than the amount from such account or fund such school district
 5 received in fiscal year 2024 if the school district maintains a substantially
 6 similar program participation level in fiscal year 2025: *And provided*
 7 *further*, That the remaining unencumbered moneys in the mental health
 8 intervention team pilot account shall be used to expand the program to
 9 school districts that have not previously participated in the program: *And*
 10 *provided further*, That, if such remaining moneys are not fully expended on
 11 new school district programs, the above agency shall expend such moneys
 12 on school districts that seek to expand existing programs: *And provided*
 13 *further*, That the department of education shall provide a report on or
 14 before January 1, 2025, to the director of the budget and the director of
 15 legislative research that includes performance measures that illustrate the
 16 effectiveness of the mental health intervention team program.

17 Career and technical education transportation

18 state aid (652-00-1000-0190).....	\$1,482,338
19 Juvenile transitional crisis	
20 center pilot (652-00-1000-0210).....	\$300,000
21 Education commission of	
22 the states (652-00-1000-0220).....	\$67,700
23 School safety hotline (652-00-1000-0230).....	\$10,000
24 School safety and	
25 security grants (652-00-1000-0235).....	\$5,000,000

26 *Provided*, That expenditures shall be made by the above agency from the
 27 school safety and security grants account for fiscal year 2025 for the
 28 purpose of implementing a pilot program for participating school districts
 29 and schools of school districts to acquire and utilize firearm detection
 30 software that can reduce the threat and impact of gun violence by
 31 providing a firearm detection solution that integrates into existing digital
 32 security cameras at participating school districts: *Provided further*, That,
 33 notwithstanding the provisions of K.S.A. 72-1151 and 75-3739, and
 34 amendments thereto, such pilot program shall use the proprietary firearm
 35 detection technology developed by zeroeyes, which: (1) Is designated as
 36 qualified anti-terrorism technology under the federal SAFETY act, 6
 37 U.S.C. 441 et seq.; (2) complies with industry standard information
 38 security frameworks, including ISO 2001 and SOC 2 type 2; (3) is
 39 managed through a constantly monitored operations center that is staffed
 40 by highly trained analysts to ensure rapid communication of possible
 41 threats to end users; (4) is developed in the United States without the use
 42 of any third-party or open-source data; (5) is protected by an awarded
 43 patent that includes a training database populated with frames of actual

1 videos of firearms that were taken in relevant environments across diverse
 2 industries; and (6) integrates with existing security camera infrastructure at
 3 schools of school districts: *And provided further*, That, prior to
 4 implementing such pilot program, the state board of education shall
 5 establish an application process to evaluate the number of school districts
 6 and schools of school districts that seek to participate in the pilot program:
 7 *And provided further*, That the state board of education may select the
 8 school districts and schools of school districts that will participate in the
 9 pilot program from the applications received: *And provided further*, That,
 10 on or before January 31, 2025, the state board of education shall prepare
 11 and submit a report on the implementation of the pilot program to the
 12 house standing committee on K-12 education budget and the senate
 13 standing committee on education, or any successor committees.

14 School district juvenile detention
 15 facilities and Flint Hills job corps
 16 center grants (652-00-1000-0290).....\$5,060,528

17 *Provided*, That any unencumbered balance in the school district juvenile
 18 detention facilities and Flint Hills job corps center grants account in excess
 19 of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025:
 20 *Provided further*, That expenditures shall be made from the school district
 21 juvenile detention facilities and Flint Hills job corps center grants account
 22 for grants to school districts in amounts determined pursuant to and in
 23 accordance with the provisions of K.S.A. 72-1173, and amendments
 24 thereto.

25 School food assistance (652-00-1000-0320).....\$2,510,486
 26 Virtual math education

27 program (652-00-1000-0330).....\$2,000,000

28 *Provided*, That expenditures from the virtual math education program
 29 account shall be used by the above agency for the purpose of
 30 implementing a virtual math program to be used by school districts:

31 *Provided further*, That the above agency is hereby authorized to select and
 32 implement a virtual math program that shall be customized to Kansas
 33 curriculum standards, be evidence-based, not impose any fee or cost upon
 34 students, provide tutoring in multiple languages, provide professional
 35 development for the implementation of the program and have been
 36 implemented in other states during the preceding eight fiscal years: *And*
 37 *provided further*, That any school district shall be authorized to use such
 38 program: *And provided further*, That the above agency shall recommend
 39 that all school districts use such program: *And provided further*, That all
 40 school districts shall track and report to the above agency twice during
 41 school year 2024-2025, as determined by the above agency, on the number
 42 of attendance centers and students who are and who are not using such
 43 program or other virtual math program, the number of teachers

1 participating in the professional development provided by such program or
 2 other virtual math program and the effect of any such virtual math program
 3 on student academic proficiency: *And provided further*, That the above
 4 agency shall compile such reports and submit a summary report to the
 5 house of representatives standing committee on K-12 education budget
 6 and the senate standing committee on education during the 2025 regular
 7 session of the legislature: *And provided further*, That such report shall
 8 include all available information reported to the above agency for school
 9 year 2024-2025.

10 Mentor teacher (652-00-1000-0440).....\$2,300,000

11 *Provided*, That, notwithstanding the provisions of K.S.A. 72-2561 et seq.,
 12 and amendments thereto, or any other statute, expenditures shall be made
 13 by the above agency from the mentor teacher account for fiscal year 2025
 14 in an amount not less than \$1,000,000 for grants to school districts to
 15 provide mentor teacher program stipends to teachers who mentor other
 16 teachers in kindergarten or any of the grades one through five and target
 17 such mentorship activities toward the science of reading.

18 Educable deaf-blind and severely handicapped
 19 children's programs aid (652-00-1000-0630).....\$110,000

20 Special education services aid (652-00-1000-0700).....\$75,000,000
 21 *Provided*, That if section 5, and amendments thereto, and the amendments
 22 to K.S.A. 72-3422 and 72-5143, and amendments thereto, as provided in
 23 this act are not enacted into law, then on July 1, 2024, the \$75,000,000
 24 appropriated for the above agency from the state general fund for the fiscal
 25 year ending June 30, 2025, by this section in the special education services
 26 aid account is hereby lapsed.

27 Governor's teaching excellence scholarships
 28 and awards (652-00-1000-0770).....\$360,693

29 State foundation aid (652-00-1000-0820).....\$29,601,655

30 Professional development
 31 state aid (652-00-1000-0860).....\$3,670,000

32 *Provided*, That, notwithstanding the provisions of the professional
 33 development act, K.S.A. 72-2544 et seq., and amendments thereto, or any
 34 other statute, expenditures shall be made by the above agency from the
 35 professional development state aid account for fiscal year 2025 in an
 36 amount not less than \$1,900,000 to distribute professional development
 37 state aid to eligible school districts for the provision of professional
 38 development programs, courses and activities that target professional
 39 development in mathematics or the science of reading.

40 Computer science education
 41 advancement grant (652-00-1000-0920).....\$1,000,000

42 *Provided*, That expenditures shall be made by the above agency from the
 43 computer science education advancement grant account for fiscal year

1 2025 to provide grants to high-quality professional learning providers to
2 develop and implement teacher professional development programs for the
3 computer science courses as established in K.S.A. 2023 Supp. 72-3258,
4 and amendments thereto.

5 Children's cabinet public-private
6 partnership pilot program.....\$5,000,000

7 *Provided*, That all expenditures from the children's cabinet public-private
8 partnership pilot program account shall be provided to a community
9 foundation-led project that funds operational support to childcare
10 providers in rural and frontier communities and can serve as a regional
11 model for addressing childcare supply challenges: *Provided further*, That
12 all such expenditures from such account shall require a match of private
13 moneys on the basis of \$1 state moneys for \$1 private moneys: *And*
14 *provided further*, That it is the intent of the legislature that the
15 appropriation to the children's cabinet public-private partnership pilot
16 program account made by this act is intended to be a one-time
17 appropriation and that no moneys shall be appropriated to such account for
18 fiscal year 2026.

19 (b) There is appropriated for the above agency from the following
20 special revenue fund or funds for the fiscal year ending June 30, 2025, all
21 moneys now or hereafter lawfully credited to and available in such fund or
22 funds, except that expenditures other than refunds authorized by law and
23 transfers to other state agencies shall not exceed the following:

24 School district capital improvement fund.....No limit

25 School district capital outlay state aid fund.....No limit

26 Educational technology
27 coordinator fund (652-00-2157).....No limit

28 *Provided*, That expenditures shall be made by the above agency for the
29 fiscal year ending June 30, 2025, from the educational technology
30 coordinator fund of the department of education to provide data on the
31 number of school districts served and cost savings for those districts in
32 fiscal year 2025 in order to assess the cost effectiveness of the position of
33 educational technology coordinator.

34 SparkWheel program fund (652-00-2221).....No limit

35 Inservice education workshop
36 fee fund (652-00-2230).....No limit

37 *Provided*, That expenditures may be made from the inservice education
38 workshop fee fund for operating expenditures, including official
39 hospitality, incurred for inservice workshops and conferences: *Provided*
40 *further*, That the state board of education is hereby authorized to fix,
41 charge and collect fees for inservice workshops and conferences: *And*
42 *provided further*, That such fees shall be fixed in order to recover all or
43 part of such operating expenditures incurred for inservice workshops and

1 conferences: *And provided further*, That all fees received for inservice
 2 workshops and conferences shall be deposited in the state treasury in
 3 accordance with the provisions of K.S.A. 75-4215, and amendments
 4 thereto, and shall be credited to the inservice education workshop fee fund.
 5 Federal indirect cost
 6 reimbursement fund (652-00-2312).....No limit
 7 Conversion of materials and
 8 equipment fund (652-00-2420).....No limit
 9 School bus safety fund (652-00-2532).....No limit
 10 State safety fund (652-00-2538).....No limit
 11 *Provided*, That notwithstanding the provisions of K.S.A. 8-272, and
 12 amendments thereto, or any other statute, funds shall be distributed during
 13 fiscal year 2025 as soon as moneys are available.
 14 Motorcycle safety fund (652-00-2633).....No limit
 15 Teacher and administrator
 16 fee fund (652-00-2723).....No limit
 17 Service clearing fund (652-00-2869).....No limit
 18 ARPA supplemental (652-00-3028).....No limit
 19 Reimbursement for
 20 services fund (652-00-3056).....No limit
 21 ESSA – student support academic enrichment –
 22 federal fund (652-00-3113).....No limit
 23 NAEP fee fund.....No limit
 24 Educationally deprived
 25 children – state operations –
 26 federal fund (652-00-3131).....No limit
 27 Food assistance –
 28 federal fund (652-00-3230).....No limit
 29 Elementary and secondary school aid –
 30 federal fund (652-00-3233).....No limit
 31 Education of handicapped children
 32 fund – federal (652-00-3234).....No limit
 33 Community-based
 34 child abuse prevention –
 35 federal fund (652-00-3319).....No limit
 36 TANF children's programs –
 37 federal fund (652-00-3323).....No limit
 38 21st century community learning centers –
 39 federal fund (652-00-3519).....No limit
 40 State assessments –
 41 federal fund (652-00-3520).....No limit
 42 Rural and low-income schools program –
 43 federal fund (652-00-3521).....No limit

1	Language assistance state grants –	
2	federal fund (652-00-3522).....	No limit
3	State grants for improving teacher quality –	
4	federal fund (652-00-3526).....	No limit
5	State grants for improving	
6	teacher quality – federal fund –	
7	state operations (652-00-3527).....	No limit
8	Food assistance – school	
9	breakfast program –	
10	federal fund (652-00-3529).....	No limit
11	Food assistance – national	
12	school lunch program –	
13	federal fund (652-00-3530).....	No limit
14	Food assistance – child	
15	and adult care food program –	
16	federal fund (652-00-3531).....	No limit
17	Elementary and secondary school aid –	
18	federal fund – local education	
19	agency fund (652-00-3532).....	No limit
20	Education of handicapped	
21	children fund – state operations –	
22	federal fund (652-00-3534).....	No limit
23	Education of handicapped	
24	children fund – preschool –	
25	federal fund (652-00-3535).....	No limit
26	Education of handicapped	
27	children fund – preschool state	
28	operations – federal (652-00-3536).....	No limit
29	Elementary and secondary school	
30	aid – federal fund – migrant	
31	education fund (652-00-3537).....	No limit
32	Elementary and secondary school aid –	
33	federal fund – migrant education –	
34	state operations (652-00-3538).....	No limit
35	Vocational education title II –	
36	federal fund (652-00-3539).....	No limit
37	Vocational education title II – federal fund –	
38	state operations (652-00-3540).....	No limit
39	Educational research grants and	
40	projects fund (652-00-3592).....	No limit
41	ARPA agency state fiscal	
42	recovery fund (652-00-3756).....	No limit
43	<i>Provided, That, notwithstanding any memorandum of agreement between</i>	

1 the office of recovery and the above agency concerning the use of state
 2 fiscal recovery fund moneys allocated to the above agency for the Kansas
 3 connect and learn initiative, during the fiscal year ending June 30, 2025,
 4 expenditures shall be made by the above agency from the ARPA agency
 5 state fiscal recovery fund account in the amount of \$2,500,000 for
 6 payments to school districts for the provision of special education and
 7 related services in amounts determined pursuant to and in accordance with
 8 the provisions of K.S.A. 72-3422, and amendments thereto.

9 ARPA capital projects fund (652-00-3761).....No limit
 10 Local school district contribution program

11 checkoff fund (652-00-7005).....No limit
 12 *Provided*, That notwithstanding the provisions of K.S.A. 79-3221n, and
 13 amendments thereto, or any other statute, during the fiscal year ending
 14 June 30, 2025, any moneys in such fund where a taxpayer fails to
 15 designate a unified school district on such taxpayer's individual income tax
 16 return may be expended by the above agency to distribute to unified
 17 school districts.

18 Governor's teaching excellence
 19 scholarships program
 20 repayment fund (652-00-7221).....No limit

21 *Provided*, That all expenditures from the governor's teaching excellence
 22 scholarships program repayment fund shall be made in accordance with
 23 K.S.A. 72-2166, and amendments thereto: *Provided further*, That each
 24 such grant shall be required to be matched on a \$1-for-\$1 basis from
 25 nonstate sources: *And provided further*, That award of each such grant shall
 26 be conditioned upon the recipient entering into an agreement requiring the
 27 grant to be repaid if the recipient fails to complete the course of training
 28 under the national board for professional teaching standards certification
 29 program: *And provided further*, That all moneys received by the
 30 department of education for repayment of grants made under the
 31 governor's teaching excellence scholarships program shall be deposited in
 32 the state treasury in accordance with the provisions of K.S.A. 75-4215, and
 33 amendments thereto, and shall be credited to the governor's teaching
 34 excellence scholarships program repayment fund.

35 Private donations, gifts, grants and
 36 bequests fund (652-00-7307).....No limit

37 Family and children
 38 investment fund (652-00-7375).....No limit

39 (c) There is appropriated for the above agency from the children's
 40 initiatives fund for the fiscal year ending June 30, 2025, the following:

41 Children's cabinet
 42 accountability fund (652-00-2000-2402).....\$375,000

43 *Provided*, That any unencumbered balance in the children's cabinet

1 accountability fund account in excess of \$100 as of June 30, 2024, is
2 hereby reappropriated for fiscal year 2025.

3 CIF grants (652-00-2000-2408).....\$23,720,493
4 *Provided*, That any unencumbered balance in the CIF grants account in
5 excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year
6 2025.

7 Parent education program (652-00-2000-2510).....\$9,437,635
8 *Provided*, That any unencumbered balance in the parent education
9 program account in excess of \$100 as of June 30, 2024, is hereby
10 reappropriated for fiscal year 2025: *Provided further*, That expenditures
11 from the parent education program account for each such grant shall be
12 matched by the school district in an amount that is equal to not less than
13 50% of the grant.

14 Pre-K pilot (652-00-2000-2535).....\$4,200,000
15 *Provided*, That any unencumbered balance in the pre-K pilot account in
16 excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year
17 2025.

18 Early childhood infrastructure (652-00-2000-2555).....\$1,408,512
19 *Provided*, That any unencumbered balance in the early childhood
20 infrastructure account in excess of \$100 as of June 30, 2024, is hereby
21 reappropriated for fiscal year 2025.

22 Imagination library (652-00-2000-2560).....\$1,500,000
23 *Provided*, That any unencumbered balance in the imagination library
24 account in excess of \$100 as of June 30, 2024, is hereby reappropriated for
25 fiscal year 2025: *Provided further*, That the children's cabinet shall operate
26 the nonprofit corporation organized under section 501(c)(3) of the internal
27 revenue code of 1986, according to the corporation's articles of
28 incorporation, to receive gifts, donations, grants and other moneys and
29 engage in fundraising projects for the benefit of the Dolly Parton's
30 imagination library book gifting program to develop, implement, promote
31 and sustain reading by the children of Kansas.

32 (d) On July 1, 2024, or as soon thereafter as moneys are available,
33 notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and
34 amendments thereto, or any other statute, the director of accounts and
35 reports shall transfer \$50,000 from the family and children trust account of
36 the family and children investment fund (652-00-7375-7900) of the
37 department of education to the SparkWheel program fund (652-00-2221-
38 2400) of the department of education.

39 (e) On March 30, 2025, and June 30, 2025, or as soon thereafter as
40 moneys are available, notwithstanding the provisions of K.S.A. 8-267 or
41 8-272, and amendments thereto, or any other statute, the director of
42 accounts and reports shall transfer \$550,000 from the state safety fund
43 (652-00-2538-2030) to the state general fund: *Provided*, That the transfer

1 of such amount shall be in addition to any other transfer from the state
 2 safety fund to the state general fund as prescribed by law: *Provided*
 3 *further*, That the amount transferred from the state safety fund to the state
 4 general fund pursuant to this subsection is to reimburse the state general
 5 fund for accounting, auditing, budgeting, legal, payroll, personnel and
 6 purchasing services and any other governmental services that are
 7 performed on behalf of the department of education by other state agencies
 8 that receive appropriations from the state general fund to provide such
 9 services.

10 (f) On July 1, 2024, and quarterly thereafter, the director of accounts
 11 and reports shall transfer \$81,250 from the state highway fund (276-00-
 12 4100-4100) of the department of transportation to the school bus safety
 13 fund (652-00-2532-2300) of the department of education.

14 (g) On July 1, 2024, the director of accounts and reports shall transfer
 15 an amount certified by the commissioner of education from the motorcycle
 16 safety fund (652-00-2633-2050) of the department of education to the
 17 motorcycle safety fund (561-00-2366-2360) of the state board of regents:
 18 *Provided*, That the amount to be transferred shall be determined by the
 19 commissioner of education based on the amounts required to be paid
 20 pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

21 (h) On July 1, 2024, or as soon thereafter as moneys are available, the
 22 director of accounts and reports shall transfer \$70,000 from the USAC E-
 23 rate program federal fund (561-00-3920-3920) of the state board of regents
 24 to the education technology coordinator fund (652-00-2157-2157) of the
 25 department of education.

26 (i) There is appropriated for the above agency from the Kansas
 27 endowment for youth fund for the fiscal year ending June 30, 2025, the
 28 following:

29 Children's cabinet administration (652-00-7000-7001).....\$276,533

30 *Provided*, That any unencumbered balance in the children's cabinet
 31 administration account in excess of \$100 as of June 30, 2024, is hereby
 32 reappropriated for fiscal year 2025.

33 (j) During the fiscal year ending June 30, 2025, the commissioner of
 34 education, with the approval of the director of the budget, may transfer any
 35 part of any item of appropriation for fiscal year 2025 from the state general
 36 fund for the department of education to another item of appropriation for
 37 fiscal year 2025 from the state general fund for the department of
 38 education. The commissioner of education shall certify each such transfer
 39 to the director of accounts and reports and shall transmit a copy of each
 40 such certification to the director of legislative research.

41 (k) There is appropriated for the above agency from the expanded
 42 lottery act revenues fund for the fiscal year ending June 30, 2025, the
 43 following:

1 KPERS – school employer
 2 contribution (652-00-1700-1700).....\$42,826,858
 3 *Provided*, That during the fiscal year ending June 30, 2025, the amount
 4 appropriated from the expanded lottery act revenues fund in the KPERS –
 5 school employer contribution account (652- 00-1700-1700) for the
 6 department of education shall be for the purpose of reducing the unfunded
 7 actuarial liability of the Kansas public employees retirement system
 8 attributable to the state of Kansas and participating employers under
 9 K.S.A. 74-4931, and amendments thereto, in accordance with K.S.A. 74-
 10 8768, and amendments thereto.

11 (l) On July 1, 2024, the director of accounts and reports shall transfer
 12 all moneys in the communities in schools program fund to the SparkWheel
 13 program fund. On July 1, 2024, all liabilities of the communities in schools
 14 program fund are hereby transferred to and imposed on the SparkWheel
 15 program fund and the communities in schools program fund is hereby
 16 abolished.

17 New Sec. 3.

18 DEPARTMENT OF EDUCATION

19 (a) There is appropriated for the above agency from the state general
 20 fund for the fiscal year ending June 30, 2026, the following:

21 State foundation aid (652-00-1000-0820).....\$3,027,848,697

22 *Provided*, That any unencumbered balance in the state foundation aid
 23 account in excess of \$100 as of June 30, 2025, is hereby reappropriated for
 24 fiscal year 2026.

25 Supplemental state aid (652-00-1000-0840).....\$601,800,000

26 *Provided*, That any unencumbered balance in the supplemental state aid
 27 account in excess of \$100 as of June 30, 2025, is hereby reappropriated for
 28 fiscal year 2026.

29 Special education services aid (652-00-1000-0700).....\$610,518,818

30 *Provided*, That any unencumbered balance in the special education
 31 services aid account in excess of \$100 as of June 30, 2025, is hereby
 32 reappropriated for fiscal year 2026: *Provided further*; That expenditures
 33 shall not be made from the special education services aid account for the
 34 provision of instruction for any homebound or hospitalized child, unless
 35 the categorization of such child as exceptional is conjoined with the
 36 categorization of the child within one or more of the other categories of
 37 exceptionality: *And provided further*; That expenditures shall be made from
 38 this account for grants to school districts in amounts determined pursuant
 39 to and in accordance with the provisions of K.S.A. 72-3425, and
 40 amendments thereto: *And provided further*; That expenditures shall be
 41 made from the amount remaining in this account, after deduction of the
 42 expenditures specified in the foregoing provisos, for payments to school
 43 districts in amounts determined pursuant to and in accordance with the

1 provisions of K.S.A. 72-3422, and amendments thereto: *And provided*
 2 *further*, That if section 5, and amendments thereto, and the amendments to
 3 K.S.A. 72-3422 and 72-5143, and amendments thereto, as provided in this
 4 act are not enacted into law, then on July 1, 2025, the \$75,000,000
 5 appropriated for the above agency from the state general fund for the fiscal
 6 year ending June 30, 2026, by this section in the special education services
 7 aid account is hereby lapsed.

8 (b) There is appropriated for the above agency from the following
 9 special revenue fund or funds for the fiscal year ending June 30, 2026, all
 10 moneys now or hereafter lawfully credited to and available in such fund or
 11 funds, except that expenditures other than refunds authorized by law and
 12 transfers to other state agencies shall not exceed the following:

- 13 State school district finance fund (652-00-7393).....No limit
- 14 Mineral production
- 15 education fund (652-00-7669-7669).....No limit

16 New Sec. 4. (a) There is hereby established the education funding
 17 task force. The task force shall be composed of the following 11 voting
 18 members:

- 19 (1) Two members of the house of representatives appointed by the
 20 speaker of the house of representatives;
- 21 (2) one member of the house of representatives appointed by the
 22 minority leader of the house of representatives;
- 23 (3) two members of the senate appointed by the president of the
 24 senate;
- 25 (4) one member of the senate appointed by the minority leader of the
 26 senate;
- 27 (5) one member of the state board of education appointed by the state
 28 board of education;
- 29 (6) one member, who shall be a parent of a student who attends
 30 kindergarten or any of the grades one through 12 at a school district in the
 31 state, appointed by the speaker of the house of representatives;
- 32 (7) one member, who shall be a current or retired public school
 33 teacher, appointed by the president of the senate;
- 34 (8) one member, who shall be a superintendent of a rural school
 35 district, appointed by the state board of education; and
- 36 (9) one member, who shall be a superintendent of an urban school
 37 district, appointed by the state board of education.

38 (b) The task force shall consist of the following four ex officio
 39 members who shall be nonvoting members:

- 40 (1) The deputy commissioner of fiscal and administrative services of
 41 the state department of education or the deputy commissioner's designee;
- 42 (2) the chairperson of the Kansas children's cabinet or the
 43 chairperson's designee;

1 (3) the director of the division of the budget or the director's
2 designee; and

3 (4) the director of special education and title services of the state
4 department of education or the director's designee.

5 (c) Any superintendent who is appointed as a member of the task
6 force pursuant to subsection (a)(8) or (a)(9) may designate another
7 individual to attend any or all meetings of the task force as such member's
8 designee.

9 (d) The education funding task force shall review the:

10 (1) Current school finance system in Kansas, including, but not
11 limited to, the Kansas school equity and enhancement act;

12 (2) current methods for determining and disbursing special education
13 state aid;

14 (3) inputs of the current school finance system, including, but not
15 limited to, funding levels, funding sources and funding impacts;

16 (4) outputs of the current school finance system, including, but not
17 limited to, academic achievement outcomes and other measures of student
18 success;

19 (5) current academic reporting requirements with respect to state
20 assessments and student achievement; and

21 (6) achievement goals established by the state department of
22 education in the consolidated state plan submitted to the federal
23 department of education pursuant to the elementary and secondary
24 education act of 1965, as amended by the every student succeeds act,
25 including, but not limited to, the goal to have 75% of all students and
26 student subgroups achieve proficiency on the statewide assessments in
27 English language arts and mathematics by 2030, which has been defined
28 by the state board of education as requiring students to score in
29 performance levels 3 and 4 combined on such statewide assessments.

30 (e) The task force shall prepare and submit a report to the legislature
31 and the governor on or before January 11, 2027. Such report shall include
32 recommendations regarding:

33 (1) The establishment of a school finance formula that will replace
34 the Kansas school equity and enhancement act after its expiration. When
35 making such recommendations, the task force shall pursue the following
36 goals for such school finance formula:

37 (A) The formula shall be reasonably calculated to have all students
38 meet or exceed the educational goal established in K.S.A. 72-3218(c), and
39 amendments thereto;

40 (B) the formula shall provide adequate, consistent and reliable school
41 funding;

42 (C) the formula shall provide equitable school funding; and

43 (D) the formula shall provide meaningful accountability measures;

- 1 (2) whether revisions to the current methods for determining and
- 2 disbursing special education state aid are advisable or necessary; and
- 3 (3) any other recommendations related to school finance.
- 4 (f) (1) Members shall be appointed to the education funding task
- 5 force on or before November 30, 2024. In even-numbered years, the
- 6 chairperson of the task force shall be designated by the speaker of the
- 7 house of representatives and the vice chairperson shall be designated by
- 8 the president of the senate. In odd-numbered years, the chairperson of the
- 9 task force shall be designated by the president of the senate and the vice
- 10 chairperson shall be designated by the speaker of the house of
- 11 representatives. Any vacancy in the membership of the task force shall be
- 12 filled by appointment in the same manner prescribed by this section for the
- 13 original appointment.
- 14 (2) A quorum of the task force shall be six voting members. All
- 15 actions of the task force may be taken by a majority of members present
- 16 when there is a quorum.
- 17 (3) If approved by the legislative coordinating council, members of
- 18 the task force attending meetings authorized by the task force shall be paid
- 19 amounts for expenses, mileage and subsistence as provided in K.S.A. 75-
- 20 3223(e), and amendments thereto.
- 21 (4) The staff of the office of revisor of statutes, the legislative
- 22 research department and the division of legislative administrative services
- 23 shall provide such assistance as may be requested by the task force.
- 24 (5) The task force may meet at any time and at any place within the
- 25 state upon the call of the chairperson.
- 26 (g) This section shall expire on July 1, 2027.
- 27 New Sec. 5. (a) Each year, prior to making any special education state
- 28 aid distributions to school districts pursuant to K.S.A. 72-3422, and
- 29 amendments thereto, the state board of education shall determine each
- 30 school district's excess cost as follows:
- 31 (1) Determine the school district's weighted full-time equivalent
- 32 student enrollment excluding the special education weighted full-time
- 33 equivalent as provided on the legal maximum general fund calculation
- 34 data computed by the state department of education excluding the special
- 35 education and related services weighting, bilingual weighting,
- 36 transportation weighting, career technical education weighting and at-risk
- 37 student weighting;
- 38 (2) multiply the amount determined in paragraph (1) by the base aid
- 39 for student excellence established pursuant to K.S.A. 72-5132, and
- 40 amendments thereto;
- 41 (3) divide the amount obtained in paragraph (2) by the total number
- 42 of unweighted full-time equivalent students enrolled in the school district
- 43 on September 20;

1 (4) determine the total full-time equivalent enrollment of exceptional
2 children receiving special education and related services provided by all
3 school districts;

4 (5) multiply the amount of the quotient obtained in paragraph (3) by
5 the full-time equivalent enrollment determined in paragraph (4);

6 (6) multiply the amount of the product obtained in paragraph (5) by
7 the school district's local option budget authorized percent;

8 (7) add the amount determined in paragraph (5) to the amount
9 determined in paragraph (6);

10 (8) determine the amount of federal funds received by the school
11 district for the provision of special education and related services;

12 (9) determine the amount of revenue received by the school district
13 for medicaid reimbursements and rendered under contracts with the state
14 institutions for the provision of special education and related services by
15 the state institution;

16 (10) add the amounts determined under paragraphs (7) through (9);

17 (11) determine the total amount of expenditures of the school district
18 for the provision of special education and related services;

19 (12) subtract the amount of the sum obtained under paragraph (10)
20 from the amount determined under paragraph (11); and

21 (13) divide the amount determined under paragraph (12) by the sum
22 of one plus the school district's local option budget authorized percent. The
23 amount determined under this paragraph shall be the school district's
24 excess cost.

25 (b) To determine excess costs pursuant to subsection (a) for any
26 school district that has paid for the provision of special education and
27 related services under an interlocal agreement or as a member of a
28 cooperative, the state board of education shall assign the costs for the
29 provision of special education and related services to each participating
30 school district in an amount that bears the same relation as the amount paid
31 by the school district in the current school year for the provision of special
32 education and related services bears to the aggregate of all amounts paid
33 by all school districts that are subject to such interlocal agreement or that
34 are participating in such cooperative membership agreement.

35 (c) Each year, the state department of education shall:

36 (1) Report to each school district the school district's excess cost
37 determined pursuant to subsection (a);

38 (2) publish the excess cost determinations made for each school
39 district pursuant to subsection (a) on the state department of education's
40 website; and

41 (3) on or before January 31 of each year, prepare and submit a report
42 to the house standing committee on K-12 education budget and the senate
43 standing committee on education, or any successor committees, that

1 provides a computation of school district excess costs as determined
2 pursuant to subsection (a) and the special education services aid
3 equalization distribution schedule established by the state board of
4 education for distributions of special education state aid pursuant to K.S.A.
5 72-3422(e), and amendments thereto.

6 (d) This section shall take effect and be in force from and after July 1,
7 2024.

8 New Sec. 6. (a) Commencing in school year 2024-2025, each school
9 district board of education shall submit annually to the state board of
10 education an at-risk student accountability plan to attain at-risk student
11 proficiency in accordance with this section and to ensure the provision of
12 programs and services that are above and beyond regular education
13 services to students who are eligible for at-risk programs and services.
14 Such plan shall be submitted to the state board of education on a form and
15 in the manner required by the state board. The purpose of each school
16 district's at-risk student accountability plan is to:

17 (1) Demonstrate that the school district is using evidenced-based
18 instruction, as defined in K.S.A. 72-5153, and amendments thereto, for the
19 education of students who are identified as eligible to receive at-risk
20 programs and services;

21 (2) measure longitudinal academic improvement in a quantitative
22 manner;

23 (3) establish quantitative student academic improvement goals for
24 certain identified student cohort groups and strive to meet such goals
25 through the provision of evidence-based instruction that is provided to
26 such cohort groups above and beyond regular educational services;

27 (4) ensure that at-risk education fund moneys are expended in
28 accordance with the law by providing services above and beyond regular
29 education services; and

30 (5) continue the process of identifying certain student cohort groups
31 and providing evidence-based instruction above and beyond that of a
32 regular education to such identified student cohort groups until the school
33 district achieves the state board of education's goal to have 75% of all
34 students achieve proficiency by scoring at performance level 3 or 4 on the
35 state assessments for English language arts and mathematics.

36 (b) Each at-risk student accountability plan shall identify not fewer
37 than one cohort group of students who are enrolled and attending grade
38 three each school year that such cohort group is required to be identified
39 and not fewer than one cohort group of students enrolled in and attending
40 kindergarten or any of the grades one through eight each school year that
41 such cohort group is required to be identified. Except as provided in this
42 subsection, one of the student cohort groups identified by the school
43 district for either such grade level shall be the students who are eligible for

1 free meals pursuant to the national school lunch program. For the other
2 grade level, the school district shall identify any other student cohort group
3 that corresponds to one of the subgroups identified for state assessment
4 purposes or shall identify a cohort group of students who are identified as
5 eligible to receive at-risk educational programs and services pursuant to
6 the same at-risk identification criteria established pursuant to K.S.A. 72-
7 5153a, and amendments thereto. A school district shall not identify a
8 cohort group of students pursuant to this subsection if such cohort group is
9 comprised of 10 or fewer students. If both cohort groups of students who
10 are eligible for free meals are comprised of 10 or fewer students, the
11 school district shall identify another cohort group pursuant to this
12 subsection.

13 (c) (1) Each school district board of education shall establish a four-
14 year quantitative academic improvement goal for each identified student
15 cohort group in accordance with this subsection and shall repeat such
16 process every four years as provided in this section. The academic
17 improvement goal established for a cohort group pursuant to this section
18 shall be related to the achievement of academic proficiency in the areas of
19 English language arts and mathematics. Once a school district establishes a
20 four-year quantitative academic improvement goal for a cohort group on
21 the school district's at-risk accountability plan, the school district shall not
22 revise or revoke such goal for such cohort group in order to meet or
23 exceed such goal.

24 (2) To attain the four-year quantitative academic improvement goal
25 for each identified student cohort group, the school district board of
26 education shall identify and implement two through four targeted supports
27 or interventions for each identified student cohort group. Such supports or
28 interventions shall be selected from the state board of education's list of
29 approved at-risk educational programs established pursuant to K.S.A. 72-
30 5153, and amendments thereto. The purpose of the targeted supports or
31 interventions is to provide evidence-based instruction above and beyond
32 regular education services to the identified student cohort group and
33 evaluate whether such targeted supports or interventions have a positive
34 impact on academic improvement. A school district board of education
35 may select different targeted supports or interventions for each identified
36 student cohort group and may change such targeted supports or
37 interventions if the chosen targeted supports or interventions are not
38 having a positive impact academic improvement.

39 (d) (1) Each school district board of education shall conduct a four-
40 year longitudinal academic evaluation of each student cohort group
41 identified on the school district's at-risk student accountability plan to
42 evaluate whether such students improved upon attainment of academic
43 proficiency and met or exceeded the quantitative academic improvement

1 goal established by the school district board of education.

2 (2) To evaluate whether the student cohort group that is first
3 identified in grade three pursuant to this section is achieving at a level that
4 is sufficient to meet or exceed the four-year quantitative academic
5 improvement goal established for such cohort group, the school district
6 shall select and specify in the school district's at-risk accountability plan
7 not more than two quantitative measures to evaluate the cohort group's
8 achievement. One of such quantitative measures used by the school district
9 shall be the English language arts and mathematics state assessments. The
10 school district may choose one additional quantitative measure to evaluate
11 such cohort group's progress from the list of approved quantitative
12 measures in paragraph (4).

13 (3) To evaluate whether the other student cohort group that is first
14 identified in kindergarten or any of the grades one through eight pursuant
15 to this section is achieving at a level that is sufficient to meet or exceed the
16 four-year quantitative academic improvement goal established for such
17 cohort group, the school district shall select and specify on the school
18 district's at-risk accountability plan not more than two quantitative
19 measures to evaluate such cohort group's achievement. If such identified
20 student cohort group will take the English language arts and mathematics
21 state assessments in a school year that such cohort group is evaluated
22 pursuant to this section, the school district shall use such state assessments
23 to evaluate the cohort group's achievement and may choose one additional
24 quantitative measure to evaluate such cohort group's progress from the list
25 of approved quantitative measures in paragraph (4). If such identified
26 student cohort group will not take the English language arts and
27 mathematics state assessments in a school year that such cohort group is
28 evaluated, the school district shall use one or two quantitative measures to
29 evaluate such cohort group's progress from the list of approved
30 quantitative measures in paragraph (4).

31 (4) Subject to the requirements of paragraphs (2) and (3), the
32 quantitative measures that a school district may use to evaluate whether an
33 identified student cohort group is achieving at a level that is sufficient to
34 meet or exceed the four-year quantitative academic improvement goal
35 established for such cohort group shall only include the following:

- 36 (A) The English language arts and mathematics state assessments;
37 (B) a formative assessment approved by the state board of education;
38 (C) a summative assessment approved by the state board of
39 education; or
40 (D) ACT or ACT workkeys assessments.

41 (e) If the identified student cohort group meets or exceeds the
42 quantitative academic improvement goal established for such cohort group
43 at the end of the four-year period, the school district board of education

1 shall repeat the process established pursuant to this section by identifying
2 another student cohort group, establishing a four-year quantitative
3 academic improvement goal for such cohort group and conducting a four-
4 year longitudinal academic evaluation of such cohort group in accordance
5 with this section.

6 (f) If the identified student cohort group does not meet or exceed the
7 quantitative academic improvement goal established for such cohort group
8 at the end of the four-year period:

9 (1) The state board of education shall deem such school district as not
10 meeting at-risk improvement requirements on the school district's at-risk
11 student achievement report published on the state board's website pursuant
12 to subsection (j) until such school district meets the quantitative academic
13 improvement goal established by the school district board of education for
14 the subsequent cohort group identified pursuant to subsection (b) that
15 replaces the cohort group that did not meet or exceed the four-year
16 longitudinal academic improvement goal;

17 (2) the school district board of education shall continue to evaluate
18 the longitudinal academic performance of such student cohort group for
19 one additional school year; and

20 (3) the school district board of education shall repeat the process
21 established pursuant to this section by identifying another student cohort
22 group pursuant to subsection (b), establishing a four-year quantitative
23 academic improvement goal for such cohort group and conducting a four-
24 year longitudinal academic evaluation of such cohort group in accordance
25 with this section.

26 (g) (1) Notwithstanding the provisions of K.S.A. 72-5131 et seq., and
27 amendments thereto, the school district's at-risk student weighting and
28 high-density at-risk student weighting entitlements in the school year
29 following the school year in which the school district failed to meet or
30 exceed a four-year quantitative academic improvement goal for either
31 student cohort group identified pursuant to this section shall be determined
32 and adjusted by the state board as follows:

33 (A) If only one student cohort group identified on the school district's
34 at-risk accountability plan fails to meet or exceed the quantitative
35 academic improvement goal established by the school district board of
36 education, the state board of education shall:

37 (i) Determine the BASE aid amount that was in effect in the final
38 year of the four-year evaluation period of such cohort group;

39 (ii) determine the difference between the BASE aid amount in the
40 current school year pursuant to K.S.A. 72-5132, and amendments thereto,
41 and the BASE aid amount determined pursuant to subsection (g)(1)(A)(i);

42 (iii) multiply the amount determined pursuant to subsection (g)(1)(A)
43 (ii) by 0.50;

1 (iv) add the amount determined pursuant to subsection (g)(1)(A)(i) to
2 the amount determined pursuant to subsection (g)(1)(A)(iii); and

3 (v) multiply the sum determined pursuant to subsection (g)(1)(A)(iv)
4 by the school district's at-risk student weighting and high-density at-risk
5 student weighting determined pursuant to K.S.A. 72-5151, and
6 amendments thereto. The computed amount is the amount of state aid
7 attributable to the at-risk student weighting and high-density at-risk
8 weighting that the school district shall be entitled to receive in the current
9 school year; or

10 (B) if both student cohort groups identified on the school district's at-
11 risk accountability plan fail to meet or exceed the quantitative academic
12 improvement goals established by the school district board of education,
13 the state board of education shall:

14 (i) Determine the BASE aid amount that was in effect in the final
15 year of the four-year evaluation period of such cohort groups; and

16 (ii) multiply the amount determined pursuant to subsection (g)(1)(B)
17 (i) by the school district's at-risk student weighting and high-density at-risk
18 student weighting determined pursuant to K.S.A. 72-5151, and
19 amendments thereto. The computed amount is the amount of state aid
20 attributable to the at-risk student weighting and high-density at-risk
21 student weighting that the school district shall be entitled to receive in the
22 current school year; and

23 (2) the state board of education shall determine a school district's at-
24 risk student weighting and high-density at-risk student weighting
25 entitlements pursuant to this subsection for the school year following the
26 year in which the cohort group identified on the school district's at-risk
27 accountability plan fails to meet or exceed the four-year quantitative
28 academic improvement goal established by the school district board of
29 education.

30 (h) Each school district board of education shall continue to follow
31 the school district's at-risk student accountability plan and update the plan
32 annually or as may be necessary to repeat the process established pursuant
33 to this section every four years by identifying another student cohort
34 group, establishing a four-year quantitative academic improvement goal
35 for such cohort group and conducting a four-year longitudinal academic
36 evaluation of such cohort group in accordance with this section. Such
37 process shall continue until the school district achieves the state board of
38 education's goal to have 75% of all students enrolled in school districts
39 who took the statewide assessments during the preceding school year
40 achieve academic proficiency by scoring at performance level 3 or 4 on
41 the statewide assessments in both English language arts and mathematics.

42 (i) (1) Each school district board of education shall submit annually
43 to the state board of education an at-risk student achievement report on a

1 form and in the manner established by the state board that includes:

2 (A) The school district's at-risk student accountability plan to attain
3 student proficiency established in accordance with this section that
4 includes the cohort groups identified by the board of education of the
5 school district and the quantitative academic improvement goals
6 established for such cohort groups;

7 (B) the current progress of the school district's plan to attain at-risk
8 student proficiency and an estimation of whether the school district
9 expects to meet or exceed the longitudinal academic improvement goals
10 established by the school district board of education pursuant to this
11 section;

12 (C) the at-risk educational programs, services and resources and the
13 provisional at-risk educational programs that the school district is using to
14 support student achievement for students identified as eligible to receive
15 at-risk program services and the targeted supports and interventions from
16 the state board of education's list of approved at-risk educational programs
17 that the school district is using to provide evidence-based instruction
18 above and beyond regular education services to achieve the longitudinal
19 academic improvement goals established for each cohort group;

20 (D) the number of students identified as eligible to receive at-risk or
21 provisional at-risk educational programs and services who were served or
22 provided assistance under the school district's approved at-risk program;
23 and

24 (E) the data and research that the school district utilized to determine
25 what programs and services are needed to implement the district's
26 approved at-risk program.

27 (2) Each school district may provide a supplemental narrative to
28 accompany the school district's at-risk student achievement report to
29 provide information regarding annual progress reports or reasons why the
30 school district was able to meet or not meet the four-year longitudinal
31 academic improvement goals established for each cohort group identified
32 on the school district's at-risk student accountability plan pursuant to this
33 section.

34 (3) To achieve uniform reporting of the number of students who are
35 provided at-risk programs and services above and beyond that of a regular
36 education, school districts shall report the information required pursuant to
37 this subsection in a uniform manner required by the state board.

38 (j) The state board of education shall publish the plans and reports
39 submitted by school districts on the state board of education's website
40 through the link on the state department of education's website homepage
41 titled "accountability reports" with such reports published under a link
42 titled "school district at-risk student accountability plans and reports."
43 Each school district board of education shall publish the school district's

1 report on the school district's website and provide a link to the state
2 department of education's website where all such reports are displayed.

3 (k) On or before January 31 each year, the state department of
4 education shall prepare and present a summary of the reports submitted
5 pursuant to subsection (i) to the house of representatives standing
6 committee on K-12 education budget and the senate standing committee
7 on education or any successor committees.

8 (l) As used in this section, "longitudinal" means the repeated
9 examination and progress monitoring of the same individuals of a
10 particular cohort group of students over a period of time.

11 (m) The provisions of this section shall take effect and be in force
12 from and after July 1, 2024.

13 New Sec. 7. (a) Except as otherwise provided in subsection (b), in
14 each school year, if a school district has open seats remaining after
15 completion of the nonresident student transfer application process
16 established pursuant to K.S.A. 72-3123, and amendments thereto, the
17 board of education of the school district may consider applications for
18 enrollment submitted by students who are residents of another state. The
19 board of education of the school district shall give priority to nonresident
20 students who reside in Kansas over those students who reside in another
21 state prior to considering applications submitted by students who are
22 residents of another state.

23 (b) If a student who is a resident of another state has a parent or
24 person acting as parent employed by a school district in this state, the
25 board of education of such school district may permit such student to
26 enroll in and attend the school district as if the student is a resident of the
27 school district.

28 Sec. 8. On and after July 1, 2024, K.S.A. 2023 Supp. 72-1439 is
29 hereby amended to read as follows: 72-1439. (a) Within 30 days after the
30 board of education of a school district adopts a resolution to dispose of a
31 school district building pursuant to K.S.A. 72-3216, and amendments
32 thereto, such board of education shall submit written notice of its intention
33 to dispose of such building to the legislature. Such notice shall be filed
34 with the chief clerk of the house of representatives and the secretary of the
35 senate and shall contain the following:

36 (1) A description of the school district's use of such building
37 immediately prior to the decision to dispose of such building;

38 (2) the reason for such building's disuse and the decision to dispose of
39 such building;

40 (3) the legal description of the real property to be disposed of; and

41 (4) a copy of the resolution adopted by the board of education.

42 (b) (1) If the notice required under subsection (a) is received by the
43 legislature during a regular legislative session, then the legislature shall

1 have 45 days to adopt a concurrent resolution in accordance with
2 subsection (c) stating the legislature's intention for the state to acquire such
3 building.

4 (2) If the notice required under subsection (a) is received when the
5 legislature is not in regular session, then *not more than 45 days after such*
6 *notice is received by the legislature, the legislative coordinating council*
7 *may deny the legislative option authorized pursuant to this section for the*
8 *state to acquire the school district building. If the legislative coordinating*
9 *council denies the legislative option for the state to acquire the school*
10 *district building pursuant to this paragraph, the provisions of subsections*
11 *(c) and (d) shall not apply, and the school district may proceed with*
12 *disposing of such building in accordance with state law. If the legislative*
13 *coordinating council does not deny the legislative option for the state to*
14 *acquire the school district building within such 45-day period, then the*
15 legislature shall have 45 days from the commencement of the next regular
16 session to adopt a concurrent resolution in accordance with subsection (c)
17 stating the legislature's intention for the state to acquire such building.

18 ~~(3) If the legislature does not adopt a concurrent resolution in~~
19 ~~accordance with subsection (c) within the 45-day period, then the school~~
20 ~~district may proceed with the disposition of such school district building in~~
21 ~~accordance with state law.~~

22 (c) The legislature may adopt a concurrent resolution stating the
23 legislature's intention that the state acquire the school district building.
24 Such concurrent resolution shall include:

25 (1) The name of the school district that owns such building;

26 (2) the information contained in the written notice as described in
27 subsection (a)(1) through (3); and

28 (3) the state agency that intends to acquire such building and the
29 intended use of such building upon acquisition.

30 (d) Upon adoption of a concurrent resolution in accordance with
31 subsection (c), the state agency named in such resolution shall have 180
32 days to complete the acquisition of such school district building and take
33 title to the real property. Upon request of the state agency acquiring the
34 school district building, the legislative coordinating council may extend
35 the 180-day period for a period of not more than 60 days. The board of
36 education of the school district shall not sell, gift, lease or otherwise
37 convey such building or any of the real property described in the written
38 notice or take any action or refrain from taking any action that would
39 diminish the value of such property during the 180-day period or any
40 extension thereof. ~~If the state agency does not take title to the property~~
41 ~~within the 180-day period or any extension thereof, then the school district~~
42 ~~may proceed with disposition of such school district building in~~
43 ~~accordance with state law and any written agreements entered into~~

1 ~~between such state agency and the school district.~~

2 (e) *If the legislature does not adopt a concurrent resolution in*
 3 *accordance with subsection (c) within the 45-day period or if the state*
 4 *agency does not take title to the property within the 180-day period or any*
 5 *extension thereof pursuant to subsection (d), the board may dispose of the*
 6 *property in such manner and upon such terms and conditions as the board*
 7 *deems to be in the best interest of the school district. Conveyances of*
 8 *school buildings and other school properties pursuant to this section shall*
 9 *be executed by the president of the board and attested by the clerk.*

10 (f) *The provisions of this section shall not apply to any school district*
 11 *building for which the school district did not receive any payment of*
 12 *capital improvement state aid pursuant to K.S.A. 72-5462, and*
 13 *amendments thereto, for the purchase, acquisition, construction, repair,*
 14 *remodeling, equipping, furnishing or improving of or making additions to*
 15 *such school district building.*

16 (g) ~~For purposes of~~ *As used in this section, the term:*

17 (1) *"Building" means any building that was used in any prior school*
 18 *year as an attendance center for students enrolled in kindergarten or any*
 19 *of the grades one through 12.*

20 (2) *"State agency" means any state agency, department, authority,*
 21 *institution, division, bureau or other state governmental entity.*

22 Sec. 9. K.S.A. 2023 Supp. 72-3123 is hereby amended to read as
 23 follows: 72-3123. (a) Beginning in school year 2024-2025, ~~any child of~~
 24 ~~school age pursuant to K.S.A. 72-3118, and amendments thereto, may~~
 25 ~~attend a school operated by a school district where such child does not~~
 26 ~~reside if such school district has open seats as determined pursuant to this~~
 27 ~~section.~~

28 ~~(b)~~ *the board of education of any school district shall permit*
 29 *nonresident students to enroll in and attend the schools of the district if*
 30 *such school district has open seats as determined pursuant to this section.*

31 ~~(e)~~(b) *Each school district shall determine capacity in each school of*
 32 *the school district for the following school year as follows:*

33 (1) *For kindergarten and grades one through eight, the classroom*
 34 *student-teacher ratio in each grade level; and*

35 (2) *for grades nine through 12, the student-teacher ratio for each*
 36 *school building or program in each school building, including, but not*
 37 *limited to, advanced placement or international baccalaureate programs.*

38 ~~(d)~~(c) (1) *On or before May 1 of each year, each school board shall*
 39 *determine for each grade level in each school building of the school*
 40 *district for the next succeeding school year the:*

41 (A) *Capacity as determined pursuant to subsection ~~(e)~~(b);*

42 (B) *number of students expected to attend school in the school*
 43 *district; and*

1 (C) number of open seats available to nonresident students.

2 (2) On or before June 1 of each year, each school district shall publish
3 on such school district's website the number of open seats available to
4 nonresident students in each grade level for each school building of the
5 school district for the next succeeding school year.

6 (3) From ~~June~~ *January* 1 through June ~~30~~ *15*, each school district
7 shall accept applications from nonresident students *who are seeking to*
8 *enroll in and attend the school district in the next succeeding school year.*
9 Applications shall be on a form and in a manner determined by the school
10 district.

11 (4) If the number of applications for a grade level in a school building
12 is less than the number of available seats for such grade level in such
13 school building, the nonresident students shall be accepted for enrollment
14 and attendance at such school district. If the number of applications for a
15 grade level in a school building is greater than the number of available
16 seats for such grade level in such school building, the school district shall
17 randomly select nonresident students using a confidential lottery process.
18 Such process shall be completed on or before July 15 of each year.

19 (5) The school district shall provide to the parent or person acting as
20 parent of a nonresident student who was not accepted for or denied
21 enrollment at such school district the reason for the nonacceptance or
22 denial and an explanation of the nonresident student selection process *on*
23 *or before July 30 of each year.*

24 (6) *If a school district denies an application of a nonresident student*
25 *due to the school district deeming the nonresident student as not in good*
26 *standing, the parent or person acting as parent of such student may appeal*
27 *such denial to the school district board of education.*

28 ~~(e)~~(d) (1) Subject to capacity, school districts shall give priority to
29 any sibling of a nonresident student who ~~was~~ *is enrolled in and attending*
30 *such school district or who is accepted to enroll in and attend such school*
31 *district. Priority shall be given when the nonresident student is first*
32 *accepted and, if necessary, at any other time the school district considers*
33 *transfer applications. Any such sibling shall not be subject to the open seat*
34 *lottery.*

35 (2) Subject to capacity, school districts shall give priority to any
36 nonresident student who is a military student as defined in K.S.A. 72-
37 5139, and amendments thereto. Priority shall be given when the military
38 student is first accepted and, if necessary, at any other time the school
39 district considers transfer applications. Any such military student shall not
40 be subject to the open seat lottery.

41 (3) Any child who is in the custody of the department for children
42 and families and who is living in the home of a nonresident student who
43 transfers may attend school in the receiving school district.

1 (4) Any nonresident student who has a parent or person acting as
2 parent employed by a school district shall be permitted to enroll in and
3 attend such school district as if the student is a resident of the school
4 district. Any such student shall not be subject to the open-seat lottery
5 established pursuant to subsection ~~(d)~~(c) when enrolling in and attending
6 the school district where the parent or person acting as parent is employed.

7 (5) Any child who is experiencing homelessness shall be permitted to
8 enroll in and attend the school district of origin or the school district of
9 residence.

10 ~~(f)~~(e) A school district shall not:

11 (1) Charge tuition or fees to any nonresident student who transfers to
12 such school district pursuant to this section except fees that are otherwise
13 charged to every student enrolled in and attending school in the district; or

14 (2) accept or deny a nonresident student transfer based on ethnicity,
15 national origin, gender, income level, disabling condition, proficiency in
16 the English language, measure of achievement, aptitude or athletic ability.

17 ~~(g)~~(f) (1) A nonresident student ~~who has been~~ accepted for enrollment
18 and attendance at a receiving school district *on or after June 1, 2024*, shall
19 be permitted to continue such enrollment and attendance in such school
20 district until such student graduates from high school, unless such student
21 is deemed as no longer in good standing pursuant to subsection (g).

22 (2) *A nonresident student who was enrolled in and attended a school*
23 *district of nonresidence during school year 2023-2024 shall be permitted*
24 *to continue such enrollment and attendance in such school district until*
25 *such student graduates from high school, unless such student is deemed as*
26 *no longer in good standing pursuant to subsection (g).*

27 (3) *A nonresident student who was enrolled in and attended a school*
28 *district of residence during school year 2023-2024 shall be permitted to*
29 *continue such enrollment and attendance in such school district until such*
30 *student graduates from high school, unless such student is deemed as no*
31 *longer in good standing pursuant to subsection (g).*

32 (g) A receiving school district may deem ~~a~~ any nonresident student as
33 not in good standing in accordance with such school district's nonresident
34 transfer policy, *including any nonresident student who has not previously*
35 *attended or been enrolled in the receiving school district. If a school*
36 *district deems a nonresident student as not in good standing, such school*
37 *district may deny such student's enrollment or continued enrollment in the*
38 *school district. Prior to making any determination to deem a nonresident*
39 *student as not in good standing, a district shall consider a student's status*
40 *as a homeless child and the resulting factors of homelessness on such*
41 *student's standing.*

42 (h) A student may always enroll at any time in the school district
43 where such student resides.

1 (i) Except for a child in the custody of the department for children
2 and families or a child who is experiencing homelessness, a nonresident
3 student shall not transfer more than once per school year to one or more
4 receiving school districts pursuant to the provisions of this section.

5 (j) *Neither a resident school district nor* a receiving school district
6 shall ~~not~~ be required to provide transportation to nonresident students
7 *unless otherwise required by applicable law.* If space is available on school
8 district transportation vehicles, a school district may provide nonresident
9 students an in-district bus stop where transportation may be provided by
10 such school district to and from such bus stop and the school for such
11 nonresident students. A school district shall ensure that transportation for
12 nonresident homeless students is provided comparably to that of housed
13 students.

14 (k) Each school district board of education shall submit *annually* to
15 the state department of education the school district's policy adopted
16 pursuant to K.S.A. 2023 Supp. 72-3126, and amendments thereto, the
17 number of nonresident student transfers approved and denied by such
18 board in each grade level and whether the denials were based on capacity
19 or in accordance with the policy adopted pursuant to K.S.A. 2023 Supp.
20 72-3126, and amendments thereto. The state department of education shall
21 collect and report such data on such department's website and make such
22 data available to the legislative division of post audit.

23 (l) (1) Each year, the state department of education, as part of the
24 department's enrollment audit, shall audit the nonresident student capacity
25 and enrollment.

26 (2) In calendar year 2027, *subject to a request made by the house*
27 *standing committee on K-12 education budget or the senate standing*
28 *committee on education, or any successor committees,* the legislative post
29 audit committee shall direct the legislative division of post audit to
30 conduct an audit of nonresident student transfers pursuant to this section.
31 *If requested,* such audit shall be reported to the legislative post audit
32 committee on or before January 15, 2028, and subsequently presented to
33 the house standing committee on K-12 education budget and the senate
34 standing committee on education, or any successor committees.

35 (m) Nothing in this section shall be construed to exempt any
36 nonresident student who transfers to a receiving school district pursuant to
37 this section from the policies and requirements of the activities association
38 referred to in K.S.A. 72-7114, and amendments thereto.

39 (n) The provisions of this section shall not apply to any:

40 (1) School located on a military installation as defined in K.S.A. 72-
41 8268, and amendments thereto; *or*

42 (2) *virtual school as defined in K.S.A. 72-3712, and amendments*
43 *thereto.*

1 Sec. 10. K.S.A. 2023 Supp. 72-3124 is hereby amended to read as
2 follows: 72-3124. (a) The board of education of any school district shall
3 allow any *nonresident* student ~~who is not a resident of the district~~ to enroll
4 in and attend school in such district pursuant to K.S.A. 72-3123, and
5 amendments thereto. The board of education of such district may furnish
6 or provide transportation to any nonresident student who is enrolled in and
7 attending school in the district. If the district agrees to furnish or provide
8 transportation to a nonresident student, such transportation shall be
9 furnished or provided until the end of the school year. Prior to providing or
10 furnishing transportation to a nonresident student, the receiving school
11 district shall notify the board of education of the sending school district
12 that transportation will be furnished or provided for such student.

13 (b) Nonresident students shall be counted as regularly enrolled in and
14 attending school in the receiving school district for the purpose of
15 computations under the Kansas school equity and enhancement act, K.S.A.
16 72-5131 et seq., and amendments thereto, except computation of
17 transportation weighting under such act, and for the purposes of the
18 statutory provisions contained in article 64 of chapter 72 of the Kansas
19 Statutes Annotated, and amendments thereto. Such nonresident student
20 shall not be charged for the costs of attendance at school.

21 Sec. 11. K.S.A. 2023 Supp. 72-3126 is hereby amended to read as
22 follows: 72-3126. (a) (1) On or before January 1, 2024, each board of
23 education of a school district shall adopt a policy to determine the number
24 of nonresident students that the school district has the capacity to accept in
25 each grade level for each school of the school district pursuant to K.S.A.
26 72-3123, and amendments thereto. Such policies shall clearly specify the
27 reasons that the board may use to deny continued enrollment of a
28 nonresident student who is not in good standing. Such reasons for a denial
29 of continued enrollment may include, but shall not be limited to, the
30 nonresident student's record of school absenteeism and repeated
31 suspensions or expulsions.

32 (2) A school district's policy adopted pursuant to this section shall
33 consider the adverse impact of homelessness on a student's attendance and
34 any resulting suspensions or expulsions before making a determination on
35 the continued enrollment of a student who is homeless. A district shall
36 consider the obstacles a homeless student faces to arrive at school on time
37 or each day due to housing instability, lack of transportation or lack of
38 other basic resources that can hinder consistent attendance.

39 (b) Prior to adopting such policy, the board of education shall call and
40 hold a hearing on the proposed policy. The board of education shall
41 provide notice of such hearing, which shall include the time, date and
42 place of the public hearing to be held on the proposed policy. Such notice
43 shall be published at least once each week for two consecutive weeks in a

1 newspaper of general circulation in the school district and shall also be
2 posted on the school district's website.

3 (c) At such hearing, a representative of the board shall present the
4 board's proposal for the policy and the board shall hear testimony
5 regarding the proposed policy. Following the public hearing, after
6 consideration of the testimony and evidence presented or submitted at such
7 public hearing, the board shall determine whether to adopt or revise the
8 proposed policy at a subsequent public meeting of the board.

9 (d) *The school district shall publish the policy adopted pursuant to*
10 *subsection (a) ~~shall be published~~ and any subsequent revisions to such*
11 *policy on the school district's website through a link on the school*
12 *district's website homepage titled "open enrollment information."*

13 (e) The provisions of this section shall not apply to any school
14 located on a military installation as defined in K.S.A. 72-8268, and
15 amendments thereto.

16 Sec. 12. K.S.A. 2023 Supp. 72-3127 is hereby amended to read as
17 follows: 72-3127. ~~(a)~~ As used in K.S.A. 72-3122 through 72-3125, and
18 amendments thereto, and K.S.A. 2023 Supp. 72-3126 *and section 7*, and
19 amendments thereto:

20 ~~(A)~~(a) "Homeless child" means a child who lacks a fixed, regular and
21 adequate nighttime residence and whose primary nighttime residence is:

22 ~~(A)~~(1) A supervised publicly or privately operated shelter designed to
23 provide temporary living accommodations, including welfare hotels,
24 congregate shelters and transitional housing for the mentally ill;

25 ~~(B)~~(2) an institution that provides a temporary residence for
26 individuals intended to be institutionalized; or

27 ~~(C)~~(3) a public or private place not designed for, or ordinarily used
28 as, a regular sleeping accommodation for humans.

29 ~~(2)~~(b) "Nonresident student" ~~or "nonresident transfer student"~~ means
30 ~~a student~~ *child of school age pursuant to K.S.A. 72-3118, and amendments*
31 *thereto, who resides in Kansas and is enrolled and in attendance at or*
32 *seeking to enroll and attend a school located in a school district where*
33 *such student is not a resident.*

34 ~~(3)~~(c) "Parent" means and includes natural parents, adoptive parents,
35 stepparents and foster parents.

36 ~~(4)~~(d) "Person acting as parent" means:

37 ~~(A)~~(1) A guardian or conservator; or

38 ~~(B)~~(2) a person, other than a parent, who:

39 ~~(i)~~(A) Is liable by law to maintain, care for or support the child;

40 ~~(ii)~~(B) has actual care and control of the child and is contributing the
41 major portion of the cost of support of the child;

42 ~~(iii)~~(C) has actual care and control of the child with the written
43 consent of a person who has legal custody of the child; or

1 ~~(iv)~~(D) has been granted custody of the child by a court of competent
2 jurisdiction.

3 ~~(5)~~(e) "Receiving school district" means a school district of
4 nonresidence of a student who attends school in such school district.

5 ~~(6)~~(f) "School district" means a school district organized and
6 operating under the laws of this state.

7 ~~(7)~~(g) "Sending school district" means a school district of residence
8 of a student who attends school in a school district not of the student's
9 residence.

10 ~~(8)~~(h) "Sibling" means a brother or sister of the whole or half blood,
11 adoptive brother or sister, a stepbrother or stepsister or a foster brother or
12 foster sister.

13 ~~(b) This section shall take effect and be in force from and after July 1,
14 2023.~~

15 Sec. 13. On and after July 1, 2024, K.S.A. 2023 Supp. 72-3216 is
16 hereby amended to read as follows: 72-3216. (a) (1) Subject to paragraph
17 (2), every unified school district shall maintain, offer and teach
18 kindergarten and grades one through 12 and shall offer and teach at least
19 30 units of instruction for students enrolled in grades nine through 12 in
20 each high school operated by the board of education. The units of
21 instruction, to qualify for the purpose of this section, shall have the prior
22 approval of the state board of education.

23 (2) Any unified school district which has discontinued kindergarten,
24 any grade or unit of instruction under authority of K.S.A. 72-13,101, and
25 amendments thereto, and has entered into an agreement with another
26 unified school district for the provision of kindergarten or any such grade
27 or unit of instruction has complied with the kindergarten, grade and unit of
28 instruction requirements of this section.

29 (b) The board of education shall adopt all necessary rules and
30 regulations for the government and conduct of its schools, consistent with
31 the laws of the state.

32 (c) The board of education may divide the district into subdistricts for
33 purposes of attendance by pupils.

34 (d) (1) The board of education shall have the title to and the care and
35 keeping of all school buildings and other school property belonging to the
36 district. The board may open any or all school buildings for community
37 purposes and may adopt rules and regulations governing use of school
38 buildings for those purposes. School buildings and other school properties
39 no longer needed by the school district may be disposed of by the board
40 upon the affirmative recorded vote of not less than a majority of the
41 members of the board at a regular meeting. Subject to the provisions of
42 K.S.A. 2023 Supp. 72-1439, and amendments thereto, the board may
43 dispose of the property in such manner and upon such terms and

1 conditions as the board deems to be in the best interest of the school
 2 district. Conveyances of school buildings and other school properties shall
 3 be executed by the president of the board and attested by the clerk.

4 *(2) When disposing of any school district property pursuant to this*
 5 *section or K.S.A. 2023 Supp. 72-1439, and amendments thereto, a board*
 6 *of education of a school district shall not refuse to sell, lease or convey*
 7 *any interest in a building or property to a prospective buyer or lessee*
 8 *solely because the prospective buyer or lessee may use or intends to use*
 9 *the building or property as a nonpublic school building.*

10 (e) The board shall have the power to acquire personal and real
 11 property by purchase, gift or the exercise of the power of eminent domain
 12 in accordance with K.S.A. 72-1144, and amendments thereto.

13 Sec. 14. On and after July 1, 2024, K.S.A. 72-3422 is hereby
 14 amended to read as follows: 72-3422. (a) Each year, the state board of
 15 education shall determine the amount of state aid for the provision of
 16 special education and related services each school district shall receive for
 17 the ensuing school year. The amount of such state aid shall be computed
 18 by the state board as provided in this section *and shall include all forms of*
 19 *state aid that are related to the provision of special education, including,*
 20 *but not limited to:*

21 *(1) The base aid for student excellence, certain weightings and the*
 22 *local option budget moneys that are generated by such state aid for*
 23 *general education of special education students; and*

24 *(2) state aid and grants for special education and the local option*
 25 *budget moneys that are generated by such funding.*

26 *(b) (1) The state board shall determine the total amount of special*
 27 *education state aid to be provided to school districts and the total amount*
 28 *of local option budget moneys generated by such state aid for the*
 29 *provision of special education and related services as follows:*

30 ~~(1)(A) Determine the total amount of general fund and local option~~
 31 ~~budgets of all school districts weighted full-time equivalent student~~
 32 ~~enrollment as provided on the legal maximum general fund calculation~~
 33 ~~data computed by the state department of education excluding the special~~
 34 ~~education and related services weighting, bilingual weighting,~~
 35 ~~transportation weighting, career technical education weighting and at-risk~~
 36 ~~student weighting;~~

37 ~~(2)(B) subtract from the amount determined in subsection (a)(1) the~~
 38 ~~total amount attributable to assignment of transportation weighting,~~
 39 ~~bilingual weighting, career technical education weighting, special~~
 40 ~~education weighting and at-risk student weighting to the enrollment of all~~
 41 ~~school districts multiply the amount determined in paragraph (1)(A) by the~~
 42 ~~base aid for student excellence established pursuant to K.S.A. 72-5132,~~
 43 ~~and amendments thereto;~~

- 1 ~~(3)(C)~~ divide the ~~remainder~~ amount obtained in ~~subsection (a)(2)-~~
 2 *paragraph (1)(B)* by the total number of *unweighted* full-time equivalent
 3 ~~pupils~~ *students* enrolled in all school districts on September 20;
- 4 ~~(4)(D)~~ determine the total full-time equivalent enrollment of
 5 exceptional children receiving special education and related services
 6 provided by all school districts;
- 7 ~~(5)(E)~~ multiply the amount of the quotient obtained in ~~subsection (a)~~
 8 ~~(3) paragraph (1)(C)~~ by the full-time equivalent enrollment determined in
 9 ~~subsection (a)(4) paragraph (1)(D)~~;
- 10 ~~(6)(F)~~ multiply the amount of the product obtained in *paragraph (1)*
 11 *(E)* by the statewide average local option budget authorized percent;
- 12 ~~(G)~~ add the amount determined in *paragraph (1)(E)* to the amount
 13 determined in *paragraph (1)(F)*;
- 14 ~~(H)~~ determine the amount of federal funds received by all school
 15 districts for the provision of special education and related services;
- 16 ~~(7)(I)~~ determine the amount of revenue received by all school districts
 17 *for medicaid reimbursements and* rendered under contracts with the state
 18 institutions for the provisions of special education and related services by
 19 the state institution;
- 20 ~~(8)(J)~~ add the amounts determined under ~~subsections (a)(6) and (a)(7)~~
 21 ~~to the amount of the product obtained under subsection (a)(5) paragraphs~~
 22 *(1)(G) through (1)(I)*;
- 23 ~~(9)(K)~~ determine the total amount of expenditures of all school
 24 districts for the provision of special education and related services;
- 25 ~~(10)(L)~~ subtract the amount of the sum obtained under ~~subsection (a)~~
 26 ~~(8) paragraph (1)(J)~~ from the amount determined under ~~subsection (a)(9)~~
 27 *paragraph (1)(K)*; ~~and~~
- 28 ~~(11)~~ multiply the remainder obtained under ~~subsection (a)(10)~~ by
 29 ~~92%~~ *(M)* multiply the amount determined under *paragraph (1)(L)* by
 30 *92%*;
- 31 ~~(N)~~ divide the amount determined under *paragraph (1)(L)* by the sum
 32 of one plus the statewide average local option budget authorized percent,
 33 such computed amount is the total amount of state aid for the provision of
 34 special education and related services that school districts are entitled to
 35 receive for the ensuing school year, subject to appropriation acts of the
 36 legislature;
- 37 ~~(O)~~ subtract the amount determined in *paragraph (1)(N)* from the
 38 amount determined pursuant to *paragraph (1)(M)*, such computed amount
 39 is the total amount of local option budget moneys that school districts are
 40 required to raise and use for the provision of special education and related
 41 services in the ensuing school year; and
- 42 ~~(P)~~ add the amount determined pursuant to *paragraph (1)(N)* to the
 43 amount determined pursuant to *paragraph (1)(O)*.

1 (2) *Subject to appropriation acts of the legislature, the computed*
2 *amount is the total amount of state aid and local option budget moneys*
3 *that shall be received, raised and used for the provision of special*
4 *education and related services—aid a by school district is entitled to receive*
5 *districts for the ensuing school year.*

6 ~~(b)(c)~~ *Except as provided in subsection (e), each school district shall*
7 *receive:*

8 (1) Reimbursement for actual travel allowances paid to special
9 teachers at not to exceed the rate specified under K.S.A. 75-3203, and
10 amendments thereto, for each mile actually traveled during the school year
11 in connection with duties in providing special education or related services
12 for exceptional children. Such reimbursement shall be computed by the
13 state board by ascertaining the actual travel allowances paid to special
14 teachers by the school district for the school year and shall be in an
15 amount equal to 80% of such actual travel allowances;

16 (2) reimbursement in an amount equal to 80% of the actual travel
17 expenses incurred for providing transportation for exceptional children to
18 special education or related services;

19 (3) reimbursement in an amount equal to 80% of the actual expenses
20 incurred for the maintenance of an exceptional child at some place other
21 than the residence of such child for the purpose of providing special
22 education or related services. Such reimbursement shall not exceed \$600
23 per exceptional child per school year; and

24 (4) (A) except for those school districts that receive reimbursement
25 under subsection—~~(e)~~ *(c)(4)(D)* or ~~(d)~~ *(c)(4)(E)*, after subtracting the
26 amounts of reimbursement under subsections ~~(a)(1)(c)(1)~~, ~~(a)(2)(c)(2)~~ and
27 ~~(a)(3)(c)(3)~~ from the total amount appropriated for special education and
28 related services under this act, an amount which bears the same proportion
29 to the remaining amount appropriated as the number of full-time
30 equivalent special teachers who are qualified to provide special education
31 or related services to exceptional children—~~and~~ *that are employed by the*
32 *school district for approved special education or related services bears to*
33 *the total number of such qualified full-time equivalent special teachers*
34 *employed by all school districts for approved special education or related*
35 *services.*

36 (B) Each special teacher who is qualified to assist in the provision of
37 special education or related services to exceptional children shall be
38 counted as $\frac{2}{5}$ full-time equivalent special teacher who is qualified to
39 provide special education or related services to exceptional children.

40 (C) For purposes of this—~~subsection (b)(4) paragraph~~, a special
41 teacher, qualified to assist in the provision of special education and related
42 services to exceptional children, who assists in providing special education
43 and related services to exceptional children at either the state school for

1 the blind or the state school for the deaf and whose services are paid for by
2 a school district pursuant to K.S.A. 76-1006 or 76-1102, and amendments
3 thereto, shall be considered a special teacher of such school district.

4 ~~(e)(D)~~ Each school district ~~which~~ that has paid amounts for the
5 provision of special education and related services under an interlocal
6 agreement shall receive reimbursement under ~~subsection (b)(4)~~ *this*
7 *paragraph*. The amount of such reimbursement for the school district shall
8 be the amount ~~which~~ that bears the same relation to the aggregate amount
9 available for reimbursement for the provision of special education and
10 related services under the interlocal agreement, as the amount paid by such
11 school district in the current school year for provision of such special
12 education and related services bears to the aggregate of all amounts paid
13 by all school districts in the current school year who have entered into
14 such interlocal agreement for provision of such special education and
15 related services.

16 ~~(d)(E)~~ Each contracting school district ~~which~~ that has paid amounts
17 for the provision of special education and related services as a member of
18 a cooperative shall receive reimbursement under ~~subsection (b)(4)~~ *this*
19 *paragraph*. The amount of such reimbursement for the school district shall
20 be the amount ~~which~~ that bears the same relation to the aggregate amount
21 available for reimbursement for the provision of special education and
22 related services by the cooperative, as the amount paid by such school
23 district in the current school year for provision of such special education
24 and related services bears to the aggregate of all amounts paid by all
25 contracting school districts in the current school year by such cooperative
26 for provision of such special education and related services.

27 *(d) For fiscal year 2025, and each fiscal year thereafter, the*
28 *legislature shall appropriate from the state general fund in the special*
29 *education services aid account of the state department of education an*
30 *amount that is equal to or greater than \$528,018,516, the amount*
31 *appropriated for fiscal year 2024 by section 2 of chapter 98 of the 2023*
32 *Session Laws of Kansas from the state general fund to the special*
33 *education services aid account of the state department of education.*

34 *(e) (1) In fiscal year 2025, and each fiscal year thereafter, the state*
35 *department of education shall distribute from the special education*
36 *services aid account of the state general fund an amount equal to*
37 *\$528,018,516, to school districts pursuant to the statutory distribution*
38 *schedule established pursuant to subsection (c).*

39 *(2) For fiscal year 2025, and each fiscal year thereafter, the state*
40 *board of education shall establish a special education services aid*
41 *equalization distribution schedule that prioritizes equalizing special*
42 *education services aid distributions to school districts. When establishing*
43 *or revising the special education services aid equalization distribution*

1 *schedule, the state board of education shall give consideration to the*
 2 *discrepancies between each school district's excess cost as determined*
 3 *pursuant to section 5, and amendments thereto. The purpose of such*
 4 *special education services aid equalization distribution schedule shall be*
 5 *to provide for a more equitable distribution of special education state aid*
 6 *among school districts based on each school district's excess costs.*

7 *(3) Notwithstanding the provisions of subsection (c), for fiscal year*
 8 *2025, and each fiscal year thereafter, the state department of education*
 9 *shall:*

10 *(A) Determine the total amount appropriated for such fiscal year*
 11 *from the state general fund in the special education services aid account*
 12 *of the state department of education;*

13 *(B) subtract \$528,018,516 from the amount determined pursuant to*
 14 *paragraph (3)(A); and*

15 *(C) distribute the amount of the difference determined under*
 16 *paragraph (3)(B) to school districts pursuant to the special education*
 17 *services aid equalization distribution schedule established by the state*
 18 *board of education pursuant to paragraph (2).*

19 ~~(e)~~(f) No time spent by a special teacher in connection with duties
 20 performed under a contract entered into by the Kansas juvenile
 21 correctional complex, the Larned juvenile correctional facility or the
 22 Topeka juvenile correctional facility and a school district for the provision
 23 of special education services by such state institution shall be counted in
 24 making computations under this section.

25 ~~(f)~~(g) (1) There is hereby established in every school district a ~~fund~~
 26 ~~which shall be called the special education fund, which fund that~~ shall
 27 consist of all moneys deposited therein or transferred thereto according to
 28 law. Notwithstanding any other provision of law, all moneys received by
 29 the school district from whatever source for special education shall be
 30 credited to the special education fund established by this section, except
 31 that: ~~(1)~~ (A) Amounts of payments received by a school district under
 32 K.S.A. 72-3423, and amendments thereto, and amounts of grants, if any,
 33 received by a school district under K.S.A. 72-3425, and amendments
 34 thereto, shall be deposited in the general fund of the district and transferred
 35 to the special education fund; and ~~(2)~~(B) moneys received by a school
 36 district pursuant to lawful agreements made under K.S.A. 72-3412, and
 37 amendments thereto, shall be credited to the special education fund
 38 established under the agreements.

39 ~~(g)~~(2) The expenses of a school district directly attributable to special
 40 education shall be paid from the special education fund and from special
 41 funds established under K.S.A. 72-3412, and amendments thereto.

42 ~~(h)~~(3) Obligations of a school district pursuant to lawful agreements
 43 made under K.S.A. 72-3412, and amendments thereto, shall be paid from

1 the special education fund established by this section.

2 Sec. 15. On and after July 1, 2024, K.S.A. 2023 Supp. 72-3715 is
3 hereby amended to read as follows: 72-3715. (a) In order to be included in
4 the full-time equivalent enrollment of a virtual school, a student shall be in
5 attendance at the virtual school on:

6 (1) A single school day on or before September 19 of the school year;
7 and

8 (2) on a single school day on or after September 20; but before
9 October 4 of the school year.

10 (b) A school district that offers a virtual school shall determine the
11 full-time equivalent enrollment of each student enrolled in the virtual
12 school on September 20 of the school year as follows:

13 (1) Determine the number of hours the student was in attendance on a
14 single school day on or before September 19 of the school year;

15 (2) determine the number of hours the student was in attendance on a
16 single school day on or after September 20 but before October 4 of the
17 school year;

18 (3) add the numbers obtained under subsections (b)(1) and (b)(2);

19 (4) divide the sum obtained under subsection (b)(3) by 12. The
20 quotient is the full-time equivalent enrollment of the student.

21 (c) The school days on which a district determines the full-time
22 equivalent enrollment of a student under subsections (b)(1) and (2) shall be
23 the school days on which the student has the highest number of hours of
24 attendance at the virtual school. ~~Not~~ *Not* more than six hours of attendance
25 may be counted in a single school day. Attendance may be shown by a
26 student's on-line activity or entries in the student's virtual school journal or
27 log of activities.

28 (d) Subject to the availability of appropriations and within the limits
29 of any such appropriations, each school year, a school district that offers a
30 virtual school shall receive virtual school state aid. The state board of
31 education shall determine the amount of virtual school state aid a school
32 district is to receive as follows:

33 (1) Determine the ~~number~~ *full-time equivalent enrollment* of students
34 enrolled in virtual school ~~on a full-time basis~~, excluding those students
35 who are over 19 years of age *who qualify for virtual school state aid*
36 *pursuant to paragraph (2)* and those students who are 19 years of age or
37 younger who qualify for virtual school state aid pursuant to paragraph ~~(4)~~
38 (3), and multiply the total ~~number~~ *full-time equivalent enrollment* of such
39 students by \$5,600;

40 ~~(2) determine the full-time equivalent enrollment of students enrolled~~
41 ~~in virtual school on a part-time basis, excluding those students who are~~
42 ~~over 19 years of age and those students who are 19 years of age or younger~~
43 ~~who qualify for virtual school state aid pursuant to paragraph (4), and~~

1 ~~multiply the total full-time equivalent enrollment of such students by~~
2 ~~\$2,800;~~

3 ~~(3)~~ for students enrolled in a virtual school who are over 19 years of
4 age *on or before September 20, the state board of education shall:*

5 (A) Determine the number of one-hour credit courses *reported on the*
6 *Kansas collection KCAN report that such students have passed, ~~not to~~*
7 ~~exceed six credit courses per school year, and to meet the minimum~~
8 ~~graduation requirements established by the state board of education or the~~
9 ~~local school district board of education;~~

10 (B) *validate such course completion using official student*
11 *transcripts; and*

12 (C) multiply the total number of such courses by \$709, *not to exceed*
13 *six credit courses per school year;*

14 ~~(4)~~(3) for students who are 19 years of age or younger who enroll in a
15 virtual school as a dropout diploma completion virtual student, *the state*
16 *board shall:*

17 (A) Determine the number of one-hour credit courses *reported on the*
18 *Kansas collection KCAN report that such students have passed, ~~not to~~*
19 ~~exceed six credit courses per school year, to meet the minimum graduation~~
20 ~~requirements established by the state board of education or the local~~
21 ~~school district board of education;~~

22 (B) *validate such course completion using official student*
23 *transcripts; and*

24 (C) multiply the total number of such courses by \$709, *not to exceed*
25 *six credit courses per school year; and*

26 ~~(5)~~(4) add the amounts calculated under subsections (d)(1) through
27 ~~(4)~~(4) (d)(3). The resulting sum is the amount of virtual school state aid the
28 school district shall receive.

29 (e) *The state board shall not deduct any virtual school state aid that*
30 *is otherwise due to a school district pursuant to subsection (d)(2) or (d)(3)*
31 *for any courses that were completed by students in the school year that*
32 *precedes the year in which virtual school state aid is determined pursuant*
33 *to this section. If the state board of education deducts any virtual school*
34 *state aid that is otherwise due to a school district pursuant to subsection*
35 *(d)(2) or (d)(3), such deduction shall only be made with respect to*
36 *individual courses completed.*

37 (f) (1) There is hereby established in every school district the virtual
38 school fund. Such fund shall consist of all moneys deposited therein or
39 transferred thereto according to law. The expenses of a school district
40 directly attributable to virtual schools offered by a school district may be
41 paid from the virtual school fund. The cost of an advance placement
42 course provided to a student by a virtual school shall be paid by the virtual
43 school. Moneys deposited in or otherwise transferred to the virtual school

1 fund shall only be expended for those costs directly attributable to the
2 provision of virtual instruction.

3 (2) Any balance remaining in the virtual school fund at the end of the
4 budget year shall be carried forward into the virtual school fund for
5 succeeding budget years. Such fund shall not be subject to the provisions
6 of K.S.A. 79-2925 through 79-2937, and amendments thereto.

7 (3) In preparing the budget of such school district, the amounts
8 credited to ~~and~~, the amount on hand in ~~the virtual school fund~~, and the
9 amount expended ~~therefrom~~ *from the virtual school fund* shall be included
10 in the annual budget for the information of the residents of the school
11 district. Interest earned on the investment of moneys in any such fund shall
12 be credited to that fund.

13 ~~(f)~~(g) For the purposes of this section, a student enrolled in a virtual
14 school who is not a resident of the state of Kansas shall not be counted in
15 the full-time equivalent enrollment of the virtual school. The virtual school
16 shall record the permanent address of any student enrolled in such virtual
17 school.

18 ~~(g)~~(h) *The state board of education shall publish on the state board's*
19 *website the audit methodology used to determine and verify virtual school*
20 *state aid entitlements pursuant to subsection (d)(2) and (d)(3).*

21 (i) As used in this section;

22 ~~(1)~~—"dropout diploma completion virtual student" means any student
23 who is 19 years of age or younger who has:

24 ~~(A)~~(1) A ratio of earned credits to expected credits for the student's
25 cohort year of less than 75% when enrolling in a virtual school;

26 ~~(B)~~~~(i)~~(2) (A) dropped out of high school such that the student has not
27 attended any school of a school district for 60 consecutive days or more
28 during the current school year and ~~the student~~ is not reasonably anticipated
29 to recommence enrollment or attendance at any school of a school district
30 during the current school year;

31 ~~(ii)~~(B) dropped out of high school such that the student has not
32 attended any school of a school district for 60 consecutive days or more
33 during the preceding school year, ~~the student~~ did not finish such preceding
34 school year and ~~the student~~ is not reasonably anticipated to recommence
35 enrollment or attendance at any school of a school district during the
36 current school year; or

37 ~~(iii)~~(C) been exempted from compulsory student attendance by
38 written consent of the parent pursuant to K.S.A. 72-3120, and amendments
39 thereto; and

40 ~~(E)~~(3) not been counted in the enrollment of a virtual school as a full-
41 time or part-time virtual student during the school year in which such
42 student enrolls as a dropout diploma completion virtual student.

43 ~~(2)~~—"Full-time" means attendance in a virtual school for no less than

1 ~~six hours as determined pursuant to subsection (b).~~

2 ~~(3) "Part-time" means attendance in a virtual school for less than six~~
3 ~~hours as determined pursuant to subsection (b).~~

4 Sec. 16. On and after July 1, 2024, K.S.A. 72-5143 is hereby
5 amended to read as follows: 72-5143. (a) In each school year, the board of
6 education of a school district shall adopt, by resolution, a local option
7 budget equal to 15% of the school district's total foundation aid.

8 (b) If the board of education of a school district desires local option
9 budget authority above the amount required under subsection (a), the
10 board may adopt, by resolution, a local option budget in an amount that
11 does not exceed the statewide average for the preceding school year as
12 determined by the state board pursuant to subsection (j). The adoption of a
13 resolution pursuant to this section shall require a majority vote of the
14 members of the board. Such resolution shall be effective upon adoption
15 and shall require no other procedure, authorization or approval.

16 (c) If the board of a school district desires local option budget
17 authority above the amount authorized under subsection (b), the board may
18 adopt, by resolution, such budget in an amount not to exceed the state
19 prescribed percentage. The adoption of a resolution pursuant to this
20 subsection shall require a majority vote of the members of the board. The
21 resolution shall be published at least once in a newspaper having general
22 circulation in the school district. The resolution shall be published in
23 substantial compliance with the following form:

24 Unified School District No. _____,
25 _____ County, Kansas.

26 RESOLUTION

27 Be It Resolved that:

28 The board of education of the above-named school district shall be
29 authorized to adopt a local option budget in each school year in an amount
30 not to exceed ____% of the amount of total foundation aid. The local
31 option budget authorized by this resolution may be adopted, unless a
32 petition in opposition to the same, signed by not less than 10% of the
33 qualified electors of the school district, is filed with the county election
34 officer of the home county of the school district within 40 days after
35 publication of this resolution. If a petition is filed, the county election
36 officer shall submit the question of whether adoption of the local option
37 budget shall be authorized to the electors of the school district at an
38 election called for the purpose or at the next general election, as is
39 specified by the board of education of the school district.

40 CERTIFICATE

41 This is to certify that the above resolution was duly adopted by the
42 board of education of unified school district No. _____, _____ County,
43 Kansas, on the _____ day of _____, _____.

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Clerk of the board of education.

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

(d) Unless specifically stated otherwise in the resolution, the authority to adopt a local option budget shall be continuous and permanent. The board of any school district that is authorized to adopt a local option budget may adopt a budget in an amount less than the amount authorized, provided the board adopts a local option budget in an amount equal to or greater than the amount required under subsection (a).

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

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

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

(g) Any resolution adopted pursuant to this section may revoke or

1 repeal any resolution previously adopted by the board. If the resolution
2 does not revoke or repeal previously adopted resolutions, all resolutions
3 that are in effect shall expire on the same date. The maximum amount of
4 the local option budget of a school district under all resolutions in effect
5 shall not exceed the state prescribed percentage in any school year.

6 (h) For school year 2019-2020 and each school year thereafter, the
7 board of any school district that desires to increase its local option budget
8 authority for the immediately succeeding school year shall submit written
9 notice of such intent to the state board by April 1 of the current school
10 year. Such notice shall include the local option budget authority, expressed
11 as a percentage of the school district's total foundation aid, to be adopted
12 for the immediately succeeding school year. The board of a school district
13 shall not adopt a local option budget in excess of the authority stated in a
14 notice submitted pursuant to this subsection.

15 (i) (1) There is hereby established in each school district that adopts a
16 local option budget a supplemental general fund, which shall consist of all
17 amounts deposited therein or credited thereto according to law.

18 (2) (A) Of the moneys deposited in or otherwise credited to the
19 supplemental general fund of a school district pursuant to K.S.A. 72-5147,
20 and amendments thereto, an amount that is proportional to that amount of
21 such school district's total foundation aid attributable to the at-risk student
22 weighting as compared to such district's total foundation aid shall be
23 transferred to the at-risk education fund of such school district and shall be
24 expended in accordance with K.S.A. 72-5153, and amendments thereto.

25 (B) Of the moneys deposited in or otherwise credited to the
26 supplemental general fund of a school district pursuant to K.S.A. 72-5147,
27 and amendments thereto, an amount that is proportional to that amount of
28 such school district's total foundation aid attributable to the bilingual
29 weighting as compared to such district's total foundation aid shall be
30 transferred to the bilingual education fund of such school district and shall
31 be expended in accordance with K.S.A. 72-3613, and amendments thereto.

32 (C) *Of the moneys deposited in or otherwise credited to the*
33 *supplemental general fund of a school district pursuant to K.S.A. 72-5147,*
34 *and amendments thereto, an amount that is proportional to that amount of*
35 *such school district's total foundation aid attributable to the special*
36 *education weighting as compared to such school district's total foundation*
37 *aid shall be transferred to the special education fund of such school*
38 *district and expended in accordance with K.S.A. 72-3422, and*
39 *amendments thereto.*

40 (3) Subject to the limitations imposed under paragraph (4), amounts
41 in the supplemental general fund may be expended for any purpose for
42 which expenditures from the general fund are authorized or may be
43 transferred to any categorical fund of the school district. Amounts in the

1 supplemental general fund attributable to any percentage over 25% of total
2 foundation aid determined for the current school year may be transferred
3 to the capital improvements fund of the school district and the capital
4 outlay fund of the school district if such transfers are specified in the
5 resolution authorizing the adoption of a local option budget in excess of
6 25%.

7 (4) Amounts in the supplemental general fund may not be expended
8 for the purpose of making payments under any lease-purchase agreement
9 involving the acquisition of land or buildings that is entered into pursuant
10 to the provisions of K.S.A. 72-1149, and amendments thereto.

11 (5) (A) Except as provided in subparagraph (B), any unexpended
12 moneys remaining in the supplemental general fund of a school district at
13 the conclusion of any school year in which a local option budget is
14 adopted shall be maintained in such fund.

15 (B) If the school district received supplemental state aid in the school
16 year, the state board shall determine the ratio of the amount of
17 supplemental general state aid received to the amount of the local option
18 budget of the school district for the school year and multiply the total
19 amount of the unexpended moneys remaining by such ratio. An amount
20 equal to the amount of the product shall be transferred to the general fund
21 of the school district or remitted to the state treasurer in accordance with
22 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt
23 of any such remittance, the state treasurer shall deposit the same in the
24 state treasury to the credit of the state school district finance fund.

25 (j) Each year, the state board shall determine the statewide average
26 percentage of local option budgets legally adopted by school districts for
27 the preceding school year.

28 (k) The provisions of this section shall be subject to the provisions of
29 K.S.A. 72-5144, and amendments thereto.

30 (l) As used in this section:

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

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

35 (3) "Total foundation aid" means the same as ~~such term is~~ defined in
36 K.S.A. 72-5132, and amendments thereto.

37 Sec. 17. On and after July 1, 2024, K.S.A. 2023 Supp. 72-5153 is
38 hereby amended to read as follows: 72-5153. (a) There is hereby
39 established in every school district an at-risk education fund that shall
40 consist of all moneys deposited therein or transferred thereto according to
41 law. The expenses of a school district directly attributable to providing at-
42 risk student assistance or programs shall be paid from the at-risk education
43 fund.

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

10 (c) Expenditures from the at-risk education fund of a school district
11 shall only be made for the following purposes:

12 (1) At-risk and provisional at-risk educational programs *that are*
13 *provided above and beyond regular educational services to students who*
14 *are identified as at-risk;*

15 (2) personnel providing educational services in conjunction with such
16 programs;

17 (3) support for instructional classroom personnel designed to provide
18 training for evidence-based best practices for at-risk educational programs;
19 or

20 (4) services contracted for by the school district to provide *such* at-
21 risk and provisional at-risk educational programs.

22 (d) (1) The state board shall identify ~~and approve evidence-based best~~
23 ~~practices for at-risk educational programs and instruction of students~~
24 ~~receiving at-risk program services, approve and provide a list of at-risk~~
25 ~~educational programs that provide best practices and evidence-based~~
26 ~~instruction to students who are identified as eligible to receive at-risk~~
27 ~~programs and services that school districts shall use to provide at-risk~~
28 ~~educational programs to students who are identified as eligible to receive~~
29 ~~at-risk programs and services above and beyond that of a regular~~
30 ~~education. Such best practices list of approved at-risk educational~~
31 ~~programs shall include, but not be limited to, programs and services~~
32 ~~provided by state-based national nonprofit organizations that:~~

33 (A) Focus on students who are identified as students eligible to
34 receive at-risk program services or who face other identifiable barriers to
35 success;

36 (B) provide evidence-based instruction and support services to such
37 students inside and outside the school setting; and

38 (C) evaluate outcomes data for students, including, but not limited to,
39 school attendance, academic progress, graduation rates, pursuit of
40 postsecondary education or career advancement.

41 (2) The state board shall review and update ~~such best practices online~~
42 ~~at-risk best practices list as necessary and as part of its five-year~~
43 ~~accreditation system review process.~~

1 ~~(3) The state board shall provide a list of approved at-risk educational~~
2 ~~programs to each school district. The department shall publish the *such* list~~
3 ~~of approved at-risk educational programs on the department's website with~~
4 ~~a link to such list prominently displayed on the *department's* website~~
5 ~~homepage.~~

6 ~~(4)(3) (A) No expenditure shall be made from a school district's at-~~
7 ~~risk education fund for any program or service that is not included on the~~
8 ~~list of approved at-risk educational programs, unless such program is a~~
9 ~~provisional at-risk educational program included on the list of approved~~
10 ~~at-risk educational programs unless the expenditure is made for a~~
11 ~~provisional at-risk educational program.~~

12 ~~(B) Expenditures shall only be made for a provisional at-risk~~
13 ~~educational program for a period not to exceed three years after~~
14 ~~implementation of such provisional at-risk educational program by a~~
15 ~~school district. The state board shall review any such provisional at-risk~~
16 ~~educational program, and if such program satisfies the state board's~~
17 ~~requirements as an evidence-based best practice, then such program shall~~
18 ~~be included in the list of approved at-risk educational programs. The state~~
19 ~~board of education may authorize a school district to make expenditures~~
20 ~~from the school district's at-risk education fund to commence and~~
21 ~~implement a provisional at-risk educational program. The state board~~
22 ~~shall approve any provisional at-risk educational program prior to the~~
23 ~~implementation of the provisional at-risk educational program by a school~~
24 ~~district. Any provisional at-risk educational program approved by the state~~
25 ~~board and implemented by a school district shall be subject to peer review~~
26 ~~while such program is implemented in the school district to evaluate~~
27 ~~whether the program is producing or likely to produce measurable~~
28 ~~success. If any provisional at-risk educational program is determined by~~
29 ~~the state board to provide evidence-based instruction, the state board shall~~
30 ~~include such program or service on the list of approved at-risk~~
31 ~~educational programs.~~

32 ~~(5)(4) The purpose of at-risk and provisional~~ School districts shall
33 ~~provide at-risk educational programs and services~~ is to provide students
34 identified as eligible to receive at-risk programs and services with
35 additional educational opportunities, interventions and evidence-based
36 instructional services above and beyond regular educational services.

37 ~~(6)(5) Delivery of at-risk and provisional at-risk programs or services~~
38 ~~by a school district may include, but shall not be limited to, the following:~~

- 39 (A) Extended school year;
40 (B) before-school programs and services;
41 (C) after-school programs and services;
42 (D) summer school;
43 (E) extra support within a class;

1 (F) tutorial assistance; and

2 (G) class within a class.

3 ~~(e) Each year the board of education of each school district shall~~
 4 ~~prepare and submit to the state board a report on the at-risk and provisional~~
 5 ~~at-risk educational programs provided by the school district for students~~
 6 ~~identified as eligible to receive at-risk program services. Such report shall~~
 7 ~~include:~~

8 ~~(1) The number of students identified as eligible to receive at-risk or~~
 9 ~~provisional at-risk educational program services who were served or~~
 10 ~~provided assistance;~~

11 ~~(2) the type of at-risk and provisional at-risk educational programs~~
 12 ~~and services provided, including the number of students provided~~
 13 ~~assistance under the district's approved at-risk program;~~

14 ~~(3) the data and research the school district utilized in determining~~
 15 ~~what programs and services were needed to implement the approved at-~~
 16 ~~risk program;~~

17 ~~(4) the district shall track and report the longitudinal performance of~~
 18 ~~students that are continuously receiving at-risk programs and services in~~
 19 ~~the district's approved at-risk program and, if applicable, shall include data~~
 20 ~~regarding state assessment scores, Kansas English language proficiency~~
 21 ~~assessment results, four-year graduation rates, progress monitoring, norm-~~
 22 ~~referenced test results, criterion-based test results, individualized education~~
 23 ~~program goals, attendance and average ACT composite scores; and~~

24 ~~(5) any other information required by the state board.~~

25 ~~(f) In order to achieve uniform reporting of the number of students~~
 26 ~~provided service or assistance by school districts in at-risk student~~
 27 ~~programs, school districts shall report the number of students served or~~
 28 ~~assisted in the manner required by the state board.~~

29 ~~(g) As used in this section:~~

30 ~~(1) "At-risk educational program" means an at-risk program or~~
 31 ~~service that is identified and approved by the state board as an evidence-~~
 32 ~~based best practice pursuant to subsection (d);~~

33 ~~(2) "evidence-based instruction" means an education delivery system~~
 34 ~~based on peer-reviewed research that consistently produces better student~~
 35 ~~outcomes over a five-year period than would otherwise be achieved by the~~
 36 ~~same students who are receiving at-risk program services; and~~

37 ~~(3) "provisional at-risk educational program" means an evidence-~~
 38 ~~based at-risk educational program or service identified or developed by a~~
 39 ~~school district as producing or likely to produce measurable success that~~
 40 ~~has been submitted to the state board for review pursuant to subsection~~
 41 ~~(d)"Above and beyond" means an at-risk educational program or~~
 42 ~~evidence-based instruction or practice that is provided in excess of regular~~
 43 ~~educational services and based on the needs of students identified as~~

1 eligible to receive at-risk educational programs and services and may
2 provide a collateral benefit to students who are not so identified without
3 any additional cost.

4 (2) "At-risk educational program" means an at-risk program or
5 service that is identified and approved by the state board as providing
6 evidence-based instruction to students who are identified as eligible to
7 receive at-risk educational programs and services above and beyond
8 regular educational services.

9 (3) "Evidence-based instruction" means an education delivery
10 practice based on peer reviewed research that consistently produces better
11 student outcomes over a one-year period than would otherwise be
12 achieved by the same students who are identified as eligible to receive at-
13 risk educational programs and services.

14 (4) "Provisional at-risk educational program" means an education
15 delivery practice that is identified or developed by a school district as a
16 program or service that is:

17 (A) Provided to students who are identified as eligible to receive at-
18 risk educational programs and services above and beyond regular
19 educational services;

20 (B) producing or likely to produce better student outcomes;

21 (C) subject to peer review to evaluate whether such program provides
22 evidence-based instruction; and

23 (D) is placed on the state board of education's list of approved at-risk
24 educational programs if the provisional at-risk educational program is
25 shown to provide evidence-based instruction to students who are identified
26 as eligible to receive at-risk educational programs and services.

27 Sec. 18. On and after July 1, 2024, K.S.A. 2023 Supp. 72-5170 is
28 hereby amended to read as follows: 72-5170. (a) (1) In order to accomplish
29 the mission for Kansas education, the state board shall design and adopt a
30 school district accreditation system based upon improvement in
31 performance that equals or exceeds the educational goal set forth in K.S.A.
32 72-3218(c), and amendments thereto, and is measurable. The state board
33 shall hold all school districts accountable through the Kansas education
34 systems accreditation rules and regulations, or any successor accreditation
35 system and accountability plan adopted by the state board. The state board
36 also shall ensure that all school districts and the public schools operated by
37 such districts have programs and initiatives in place for providing those
38 educational capacities set forth in K.S.A. 72-3218(c), and amendments
39 thereto. On or before January 15 of each year, the state board shall prepare
40 and submit a report on the school district accreditation system to the
41 governor and the legislature.

42 (2) The accountability measures established pursuant to paragraph (1)
43 shall be applied both at the district level and at the school level. Such

1 accountability measures shall be reported by the state board for each
2 school district and each school. All reports prepared pursuant to this
3 section shall be published in accordance with K.S.A. 2023 Supp. 72-1181,
4 and amendments thereto.

5 (3) If a school district is not fully accredited and a corrective action
6 plan is required by the state board, such corrective action plan, and any
7 subsequent reports prepared by the state board regarding the progress of
8 such school district in implementing and executing such corrective action
9 plan, shall be published on the state department of education's internet
10 website and such school district's internet website in accordance with
11 K.S.A. 2023 Supp. 72-1181, and amendments thereto.

12 (4) If a school district is not accredited, the superintendent, or the
13 superintendent's designee, shall appear before the committee on education
14 of the house of representatives and the committee on education of the
15 senate during the regular legislative session that occurs during the same
16 school year ~~in which~~ *when* such school district is not accredited. Such
17 school district shall provide a report to such committees on the challenges
18 and obstacles that are preventing such school district from becoming
19 accredited.

20 (b) The state board shall establish curriculum standards that reflect
21 high academic standards for the core academic areas of mathematics,
22 science, reading, writing and social studies. The curriculum standards ~~shall~~
23 *may* be reviewed at least every seven years. *The state board shall not*
24 *substantially revise or update the English language arts or mathematics*
25 *curriculum standards that are in effect on July 1, 2024, in a manner that*
26 *would necessitate the development of new statewide assessments in*
27 *English language arts or mathematics until the state board's long-term*
28 *goal for all students submitted to the United States department of*
29 *education in the consolidated state plan is achieved such that 75% of all*
30 *students score in performance levels 3 and 4 combined on the statewide*
31 *assessments in English language arts and mathematics by 2030.* Nothing
32 in this subsection shall be construed in any manner so as to impinge upon
33 any school district's authority to determine its own curriculum.

34 (c) The state board shall provide for statewide assessments in the core
35 academic areas of mathematics, science, reading, writing and social
36 studies. The board shall ensure compatibility between the statewide
37 assessments and the curriculum standards established pursuant to
38 subsection (b). Such assessments shall be administered at three grade
39 levels, as determined by the state board. The state board shall determine
40 performance levels on the statewide assessments, the achievement of
41 which represents high academic standards in the academic area at the
42 grade level to which the assessment applies. The state board should specify
43 high academic standards both for individual performance and school

1 performance on the assessments.

2 (d) Each school year, on such date as specified by the state board,
3 each school district shall submit the Kansas education system accreditation
4 report to the state board in such form and manner as prescribed by the state
5 board.

6 (e) Whenever the state board determines that a school district has
7 failed either to meet the accreditation requirements established by rules
8 and regulations or standards adopted by the state board or provide
9 curriculum based on state standards and courses required by state law, the
10 state board shall so notify the school district. Such notice shall specify the
11 accreditation requirements that the school district has failed to meet and
12 the curriculum that it has failed to provide. Upon receipt of such notice,
13 the board of education of such school district is encouraged to reallocate
14 the resources of the school district to remedy all deficiencies identified by
15 the state board.

16 (f) Each school in every school district shall establish a school site
17 council composed of the principal and representatives of teachers and
18 other school personnel, parents of students attending the school, the
19 business community and other community groups. School site councils
20 shall be responsible for providing advice and counsel in evaluating state,
21 school district, and school site performance goals and objectives and in
22 determining the methods that should be employed at the school site to
23 meet these goals and objectives. Site councils may make recommendations
24 and proposals to the school board regarding budgetary items and school
25 district matters, including, but not limited to, identifying and implementing
26 the best practices for developing efficient and effective administrative and
27 management functions. Site councils also may help school boards analyze
28 the unique environment of schools, enhance the efficiency and maximize
29 limited resources, including outsourcing arrangements and cooperative
30 opportunities as a means to address limited budgets.

31 Sec. 19. On and after July 1, 2024, K.S.A. 2023 Supp. 72-5193 is
32 hereby amended to read as follows: 72-5193. Article 6 of the constitution
33 of the state of Kansas states that the legislature shall provide for
34 intellectual, educational, vocational and scientific improvement by
35 establishing and maintaining public schools; provide for a state board of
36 education having general supervision of public schools, educational
37 institutions and the educational interests of the state, except those
38 delegated by law to the state board of regents; and make suitable provision
39 for finance of the educational interests of the state. It is the purpose and
40 intention of the legislature to provide a financing system for the education
41 of kindergarten and grades one through 12 that provides students with the
42 capacities set forth in K.S.A. 72-3218, and amendments thereto. Such
43 financing system shall be sufficiently flexible for the legislature to

1 consider and utilize financing methods from all available resources in
2 order to satisfy the constitutional requirements under Article 6. Such
3 financing methods shall include, but are not limited to, the following:

4 (a) Federal funding to unified school districts or public schools,
5 including any grants or federal assistance;

6 (b) subject to appropriations by the legislature, appropriations of state
7 moneys for the improvement of public education, including, but not
8 limited to, the following:

9 (1) Financing to unified school districts through the Kansas school
10 equity and enhancement act, K.S.A. 72-5131 et seq., and amendments
11 thereto;

12 (2) financing to unified school districts through any provisions that
13 provide state aid, such as capital improvements state aid, capital outlay
14 state aid and any other state aid paid, distributed or allocated to school
15 districts on the basis of the assessed valuation of school districts;

16 (3) employer contributions to the Kansas public employees retirement
17 system for public schools;

18 (4) appropriations to the Kansas children's cabinet for programs
19 serving students enrolled in unified school districts in meeting the goal
20 specified in K.S.A. 72-3218, and amendments thereto;

21 (5) appropriations to any programs that provide early learning to four-
22 year-old children with the purpose of preparing them for success in public
23 schools;

24 (6) appropriations to any programs, such as jobs for America's
25 graduates, boys and girls club and ~~communities in schools~~ *sparkwheel*,
26 that provide individualized support to students enrolled in unified school
27 districts and assist with achievement of the goal specified in K.S.A. 72-
28 3218, and amendments thereto;

29 (7) transportation financing, including any transfers from the state
30 general fund and state highway fund to the state department of education
31 to provide technical education transportation, special education
32 transportation or school bus safety;

33 (8) financing to other facilities providing public education to students,
34 such as the Kansas state school for the blind, the Kansas state school for
35 the deaf, school district juvenile detention facilities and the Flint Hills job
36 corps center;

37 (9) appropriations relating to the Kansas academy of mathematics and
38 science;

39 (10) appropriations relating to teaching excellence, such as
40 scholarships, awards, training or in-service workshops;

41 (11) appropriations to the state board of regents to provide technical
42 education incentives to unified school districts and tuition costs to
43 postsecondary institutions that provide career technical education to

1 secondary students; and

2 (12) appropriations to any postsecondary educational institution that
3 provides postsecondary education to a secondary student without charging
4 tuition to such student;

5 (c) any provision that authorizes the levying of local taxes for the
6 purpose of financing public schools; and

7 (d) any transfer of funds or appropriations from one object or fund to
8 another approved by the legislature for the purpose of financing public
9 schools.

10 Sec. 20. On and after July 1, 2024, K.S.A. 2023 Supp. 72-7121 is
11 hereby amended to read as follows: 72-7121. (a) Any student who meets
12 the requirements of this section shall be permitted to participate in any
13 activities offered by a school district that are regulated, supervised,
14 promoted and developed by the activities association referred to in K.S.A.
15 72-7114, and amendments thereto. A student shall be permitted to
16 participate in any such activities if such student:

17 (1) Is a resident of the school district;

18 (2) is enrolled and attending a *virtual school as defined in K.S.A. 72-*
19 *3712, and amendments thereto, or a nonpublic elementary or secondary*
20 *school;*

21 (3) complies with the requirements of K.S.A. 72-6262, and
22 amendments thereto, prior to participation in any such activity;

23 (4) meets any applicable age and eligibility requirements set forth by
24 the activities association referred to in K.S.A. 72-7114, and amendments
25 thereto, that are not otherwise in conflict with this section;

26 (5) pays any fees required by the school district for participation in
27 such activity if such fees are generally imposed upon all other students
28 who participate in such activity; and

29 (6) seeks participation at the appropriate school of the school district
30 that corresponds to where such student resides within the school district's
31 respective school attendance boundaries established by the board of
32 education of the school district.

33 (b) (1) Any student attending a home school who seeks to participate
34 in an activity in the student's resident school district shall be deemed to
35 meet any academic eligibility requirements established by the activities
36 association for participation in an activity if:

37 (A) The student is maintaining satisfactory progress towards
38 achievement or promotion to the next grade level; and

39 (B) the parent, teacher or organization that provides instruction to the
40 student submits an affidavit or transcript to the activities association
41 indicating the student meets the academic eligibility requirements of
42 subparagraph (A).

43 (2) Upon submission of an affidavit, the student attending a home

1 school shall be deemed to meet any academic eligibility requirements
2 established by the activities association and shall retain such academic
3 eligibility during the activity season for which such affidavit is submitted.

4 (c) *Except as provided in subsection (d), a student attending a virtual*
5 *school as defined in K.S.A. 72-3712, and amendments thereto, who seeks*
6 *to participate in an activity in the student's resident school district shall*
7 *not be required to enroll in or attend a minimum number of courses at*
8 *such school district.*

9 (d) The board of education of a school district may require a student
10 who participates in an activity pursuant to this section to enroll in a
11 particular course or complete a particular course as a condition of
12 participation, if such requirement is imposed upon all other students who
13 participate in such activity.

14 ~~(d)~~(e) Except as provided in subsection (b), any student who seeks to
15 participate in an activity pursuant to this section shall be subject to any
16 tryout or other participation requirements that are otherwise applicable to
17 all other students for participation in the activity.

18 ~~(e) This section shall take effect on and after July 1, 2023.~~

19 Sec. 21. K.S.A. 2023 Supp. 72-3123, 72-3124, 72-3126, 72-3127 and
20 72-3442 are hereby repealed.

21 Sec. 22. On and after July 1, 2024, K.S.A. 72-3422 and 72-5143 and
22 K.S.A. 2023 Supp. 72-1439, 72-3216, 72-3715, 72-5153, 72-5170, 72-
23 5193 and 72-7121 are hereby repealed.

24 Sec. 23. This act shall take effect and be in force from and after its
25 publication in the Kansas register.