

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **K-12 Education Budget** recommends **HB 2445** be amended on page 1, following line 10, by inserting:

"Section 1.

DEPARTMENT OF EDUCATION

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

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

*Provided*, That during the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated for the operating expenditures (including official hospitality) account for fiscal year 2019 by chapter 95 or 104 of the 2017 Session Laws of Kansas, this or any other appropriation act of the 2018 regular session of the legislature, expenditures shall be made by the above agency to implement the jobs for America's graduates - Kansas pilot program: *Provided further*, That such program shall select a total of 75 students for participation in the program with 25 students selected from the Wichita school district (U.S.D. no. 259), 25 students selected from the Topeka school district (U.S.D. no. 501) and 25 students selected from the Kansas City school district (U.S.D. no. 500): *And provided further*, That students shall be selected for participation in the program on or before September 20, 2018: *And provided further*, That the selected students shall enroll in and attend classes at schools operated by such student's resident school district for ½ of such student's total school attendance, and shall enroll in classes provided by a virtual school operated by the southeast Kansas education service center - Greenbush for the remaining ½ of such student's total school attendance: *And provided further*, That expenditures shall be made in an amount not to exceed \$15,000 to acquire laptop computer devices for use by students participating in such pilot program.

State foundation aid (652-00-1000-0820).....\$29,324,200  
Special education services aid (652-00-1000-0700).....\$44,400,363  
Supplemental state aid (652-00-1000-0840).....\$5,994,000  
Community mental health center pilot program.....\$7,500,000

*Provided*, That during the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated for the community mental health center pilot program account for fiscal year 2019 by chapter 95 of the 2017 Session Laws of Kansas, this or any other appropriation act of the 2018 regular session of the legislature, expenditures shall be made by the above agency to improve social-emotional wellness and outcomes for students by increasing schools' access to counselors, social workers and psychologists statewide, which includes establishing collaborative relationships with community mental health centers, including a pilot program for school districts and their respective community mental health centers for fiscal year 2019.

CMHC pilot program – online database.....\$2,500,000";

Also on page 1, in line 11, before "K.S.A" by inserting "On and after July 1, 2018,";

On page 2, in line 6, by striking "2017-2018, \$4,006" and inserting "2018-2019, \$4,170"; in line 7, by striking "2018-2019, \$4,128" and inserting " 2019-2020, \$4,307;

(3) for school year 2020-2021, \$4,444;

(4) for school year 2021-2022, \$4,581;

(5) for school year 2022-2023, \$4,718";

Also on page 2, in line 8, by striking "(3)" and inserting "(6)"; also in line 8, by striking "2019-2020" and inserting "2023-2024";

On page 6, in line 3, by striking "four" and inserting "three";

On page 8, in line 4, by striking "follows:"; in line 5, by striking all before "one"; also in line 5, by striking the semicolon; by striking all in lines 6 and 7; in line 8, by striking "student"; in line 9, by striking all after "(ii)"; by striking all in lines 10 through 13; in line 14, by striking all before the period and inserting "A student shall not be counted if:

(a) The school such student attends is located more than eight miles from the Kansas state line by the usually traveled road; or

(b) the out-of-state school district in which the student resides is adjacent to the Kansas school district in which the student is enrolled, and the out-of-state school where the student would attend is located not more than eight miles from the Kansas state line by the usually traveled road";

Also on page 8, in line 35, before "K.S.A" by inserting "On and after July 1, 2018,";

On page 9, in line 8, before "K.S.A" by inserting "On and after July 1, 2018,";

On page 11, in line 15, after "(h)" by inserting "For school year 2019-2020 and each school year thereafter,"; in line 18, after the period by inserting "Such notice shall include the local option budget authority, expressed as a percentage of the school district's total foundation aid, to be adopted for the immediately succeeding school year. The board of a school district shall not adopt a local option budget in excess of the authority stated in a notice submitted pursuant to this subsection.";

Also on page 11, in line 23, after "(2)" by inserting "(A) Of the moneys deposited in or otherwise credited to the supplemental general fund of a school district pursuant to K.S.A. 2017 Supp. 72-5147, and amendments thereto, an amount that is proportional to that amount of such school district's total foundation aid attributable to the at-risk student weighting as compared to such district's total foundation aid shall be transferred to the at-risk education fund of such school district and shall be expended in accordance with K.S.A. 2017 Supp. 72-5153, and amendments thereto.

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

(3)";

Also on page 11, in line 23, by striking "subsection (i)(3)" and inserting "paragraph (4)"; in line 37, by striking "subsection (i)(4)(B)" and inserting "subparagraph (B)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 12, in line 20, before "K.S.A" by inserting "On and after July 1, 2018,";

On page 13, in line 20, before "K.S.A" by inserting "On and after July 1, 2018,"; in line 21, after

"(a)" by inserting "(1)"; by striking all in lines 23 through 43;

On page 14, by striking all in lines 1 through 32; following line 32, by inserting:

"(A) Divide the BASE aid amount for the current school year by the BASE aid amount for school year 2018-2019;

(B) multiply the number of transported students by the per capita allowance that corresponds to the density figure for the school district as determined in subsection (a)(2);

(C) multiply the product obtained under subsection (a)(1)(B) by 1.00;

(D) multiply the product obtained under subsection (a)(1)(C) by the quotient obtained under subsection (a)(1)(A);

(E) divide the product obtained under subsection (a)(1)(D) by the current year BASE amount.

The result is the transportation weighting of the school district.

(2) The per capita allowance shall be determined using the following chart:

Density Figure Range	Per Capita Allowance
0.000 - 0.059 .....	\$1,620
0.060 - 0.069 .....	\$1,580
0.070 - 0.079 .....	\$1,540
0.080 - 0.089 .....	\$1,500
0.090 - 0.099 .....	\$1,480
0.100 - 0.109 .....	\$1,450
0.110 - 0.119 .....	\$1,430
0.120 - 0.129 .....	\$1,410
0.130 - 0.139 .....	\$1,390
0.140 - 0.149 .....	\$1,370
0.150 - 0.159 .....	\$1,350

0.160 - 0.169 .....	\$1,340
0.170 - 0.179 .....	\$1,320
0.180 - 0.199 .....	\$1,300
0.200 - 0.209 .....	\$1,290
0.210 - 0.219 .....	\$1,270
0.220 - 0.239 .....	\$1,250
0.240 - 0.269 .....	\$1,230
0.270 - 0.289 .....	\$1,210
0.290 - 0.319 .....	\$1,190
0.320 - 0.349 .....	\$1,170
0.350 - 0.389 .....	\$1,150
0.390 - 0.429 .....	\$1,130
0.430 - 0.469 .....	\$1,110
0.470 - 0.519 .....	\$1,090
0.520 - 0.579 .....	\$1,070
0.580 - 0.639 .....	\$1,050
0.640 - 0.709 .....	\$1,030
0.710 - 0.789 .....	\$1,010
0.790 - 0.879 .....	\$990
0.880 - 0.989 .....	\$970
0.990 - 1.109 .....	\$950
1.110 - 1.249 .....	\$930
1.250 - 1.399 .....	\$910
1.400 - 1.589 .....	\$890

1.590 - 1.799 .....	\$870
1.800 - 2.039 .....	\$850
2.040 - 2.319 .....	\$830
2.320 - 2.659 .....	\$810
2.660 - 3.049 .....	\$790
3.050 - 3.509 .....	\$770
3.510 - 4.049 .....	\$750
4.050 - 4.699 .....	\$730
4.700 - 5.469 .....	\$710
5.470 - 6.399 .....	\$690
6.400 - 7.519 .....	\$670
7.520 - 8.879 .....	\$650
8.880 - 10.549 .....	\$630
10.550 - 12.589 .....	\$610
12.590 - 15.129 .....	\$590
15.130 - 18.289 .....	\$570
18.290 + .....	\$550

Also on page 14, in line 35, by striking "(a)(14)" and inserting "(a)(1)(E)"; in line 40, by striking "(a)(14)" and inserting "(a)(1)(E)"; following line 40, by inserting:

"(3) In no event shall the transportation weighting of the school district result in the portion of such school district's general state aid attributable to the transportation weighting being in excess of 110% of such school district's total expenditures from all funds for transporting students for the immediately preceding school year.";

On page 15, in line 4, by striking all after "(1)"; by striking all in lines 5 through 17; in line 18, by

striking all before the period and inserting ""Density figure" means the area of the school district in square miles divided by the number of transported students.

(2) "Transported students" means the number of students who were included in the enrollment of the school district in the preceding year who resided 2<sup>1</sup>/<sub>2</sub> miles or more by the usually traveled road from the school building such students attended and for whom transportation was made available";

Also on page 15, in line 19, before "K.S.A" by inserting "On and after July 1, 2018,";

On page 16, in line 24, before "K.S.A" by inserting "On and after July 1, 2018,";

On page 18, in line 10, by striking "2019" and inserting "2020"; in line 12, by striking "(a)"; by striking all in line 17; following line 17, by inserting:

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

(2) The accountability measures established pursuant to paragraph (1) shall be applied both at

the district level and at the school level. Such accountability measures shall be reported by the state board for each school district and each school by publication on the internet website of the state department of education. Each school district also shall report such accountability measures for such school district and each school operated by such district by publication on such school district's internet website.

(3) If a school district is not fully accredited and a corrective action plan is required by the state board, such corrective action plan, and any subsequent reports prepared by the state board regarding the progress of such school district in implementing and executing such corrective action plan, shall be published on the state department of education's internet website and such school district's internet website.

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

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

(c) The state board shall provide for statewide assessments in the core academic areas of mathematics, science, reading, writing and social studies. The board shall ensure compatibility between the statewide assessments and the curriculum standards established pursuant to subsection (b). Such

assessments shall be administered at three grade levels, as determined by the state board. The state board shall determine performance levels on the statewide assessments, the achievement of which represents high academic standards in the academic area at the grade level to which the assessment applies. The state board should specify high academic standards both for individual performance and school performance on the assessments.

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

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

(f) Each school in every school district shall establish a school site council composed of the principal and representatives of teachers and other school personnel, parents of students attending the school, the business community and other community groups. School site councils shall be responsible for providing advice and counsel in evaluating state, school district, and school site performance goals and objectives and in determining the methods that should be employed at the school site to meet these goals and objectives. Site councils may make recommendations and proposals to the school board regarding budgetary items and school district matters, including, but not limited to, identifying and implementing the best practices for developing efficient and effective administrative and management functions. Site councils also may help school boards analyze the unique environment of schools,

enhance the efficiency and maximize limited resources, including outsourcing arrangements and cooperative opportunities as a means to address limited budgets.

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

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

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

(1) Full-time equivalent enrollment;

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

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

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

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

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

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

- (8) general fund moneys attributable to the following:
  - (A) BASE aid;
  - (B) high enrollment weighting;
  - (C) low enrollment weighting;
  - (D) school facilities weighting;
  - (E) transportation weighting;
  - (F) at-risk student weighting;
  - (G) preschool-aged at-risk student weighting;
  - (H) high-density at-risk student weighting;
  - (I) career technical education weighting;
  - (J) special education and related services weighting;
  - (K) bilingual weighting;
  - (L) ancillary school facilities weighting;
  - (M) cost-of-living weighting;
  - (N) declining enrollment weighting; and
  - (O) virtual school state aid;
- (9) total expenditures on the following:
  - (A) At-risk education programs and services;
  - (B) preschool-aged at-risk education programs and services;
  - (C) bilingual education programs and services;
  - (D) career and technical education programs and services;
  - (E) special education and related services; and
  - (F) virtual school programs and services; ~~and~~
- (10) total expenditures from the special retirement contributions fund;

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

(12) general obligation bond indebtedness.

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

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

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

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

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

(d) A study of statewide virtual school programs administered in other states. The study shall

include, but not be limited to, the following:

- (1) The aggregate cost incurred by each state administering a virtual school program, and the cost incurred by individual school districts or schools within each state;
- (2) the resources necessary for the implementation of each virtual school program, including, but not limited to, personnel, equipment, software and facility usage;
- (3) the scope of each virtual school program; and
- (4) the effectiveness of each virtual school program with respect to student performance and outcomes.

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

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

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

~~(B) during fiscal year 2022~~ 2021, and the final report submitted to the legislature on or before January 15, ~~2022~~ 2021; and

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

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

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

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

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

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

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

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

Also on page 18, in line 18, before "K.S.A" by inserting "On and after July 1, 2018,";

On page 20, in line 19, before "K.S.A" by inserting "On and after July 1, 2018,"; following line 40, by inserting:

"Sec. 16. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5461 is hereby amended to read as follows: 72-5461. (a) Upon receiving an application under K.S.A. 2017 Supp. 72-5460, and

amendments thereto, the state board of education shall review the application and examine the evidence furnished in support of the application.

~~(b)(1) Commencing in school year 2017-2018, the state board of education shall not approve any application submitted during the current school year if such approval would result in the aggregate amount of all general obligation bonds approved by the state board for such school year exceeding the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year. In determining whether to approve an application, the state board shall prioritize applications in accordance with the priorities set forth as follows in order of highest priority to lowest priority:~~

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

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

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

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

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

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

(e) After reviewing the application and examining the supportive evidence, the state board of education shall issue an order either granting or denying the application. If the application is approved,

the applicant board of education shall request the county election officer to hold an election to vote upon the question of issuing the increased amount of bonds in the manner provided by law.

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

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

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

Sec. 17. K.S.A. 2017 Supp. 72-5150 and 72-5155 are hereby repealed.";

Also on page 20, in line 41, before "K.S.A" by inserting "On and after July 1, 2018,"; in line 42, by striking "72-5150,"; also in line 42, by striking "72-5155," and inserting "72-5170, 72-5171, 72-5173,"; in line 43, after "53,116," by inserting "72-5461,";

On page 21, in line 4, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "making and concerning appropriations for the fiscal year ending June 30, 2019, for the department of education,"; in line 4, after the third comma by inserting "72-5170, 72-5171, 72-5173,"; also in line 4, by striking the first "and" and inserting a comma; also in line 4, after "72-53,116" by inserting "and 72-5461"; and the bill be reported without recommendation.

\_\_\_\_\_ Chairperson