

HOUSE BILL No. 2078

By Committee on Appropriations

1 AN ACT concerning education; relating to the instruction and financing
2 thereof; making and concerning appropriations for the fiscal years
3 ending June 30, 2019, June 30, 2020, and June 30, 2021, for the
4 department of education; amending K.S.A. 72-5132, 72-5142 and 72-
5 5462 and K.S.A. 2018 Supp. 79-201x and repealing the existing
6 sections.

7

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

9

Section 1.

10

DEPARTMENT OF EDUCATION

11

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

13

KPERS – employer

14

contributions – non-USDs (652-00-1000-0100).....\$1,036,647

15

KPERS – employer

16

contributions – USDs (652-00-1000-0110).....\$18,986,873

17

Supplemental general state aid (652-00-1000-0840).....\$10,383,000

18

(b) On the effective date of this act, of the \$520,000 appropriated for
19 the above agency for the fiscal year ending June 30, 2019, by section 76(a)
20 of chapter 109 of the 2018 Session Laws of Kansas from the state general
21 fund in the teach for America pilot program account (652-00-1000-0200)
22 the sum of \$250,000 is hereby lapsed.

23

(c) On the effective date of this act, of the \$4,771,500 appropriated
24 for the above agency for the fiscal year ending June 30, 2019, by section
25 2(a) of chapter 95 of the 2017 Session Laws of Kansas from the state
26 general fund in the school district juvenile detention facilities and Flint
27 Hills job corps center grants account (652-00-1000-0290) the sum of
28 \$927,439 is hereby lapsed.

29

(d) On the effective date of this act, of the \$327,500 appropriated for
30 the above agency for the fiscal year ending June 30, 2019, by section 2(a)
31 of chapter 95 of the 2017 Session Laws of Kansas from the state general
32 fund in the governor's teaching excellence scholarships and awards
33 account (652-00-1000-0770) the sum of \$142,326 is hereby lapsed.

34

(e) On the effective date of this act, of the \$2,046,657,545
35 appropriated for the above agency for the fiscal year ending June 30, 2019,
36 by section 2(a) of chapter 95 of the 2017 Session Laws of Kansas from the

1 state general fund in the state foundation aid account (652-00-1000-0820)
2 the sum of \$39,326,035 is hereby lapsed.

3 (f) On the effective date of this act, of the \$2,500,000 appropriated
4 for the above agency for the fiscal year ending June 30, 2019, by section
5 1(a) of chapter 57 of the 2018 Session Laws of Kansas from the state
6 general fund in the MHIT pilot program – online database account (652-
7 00-1000-0160) the sum of \$2,000,000 is hereby lapsed.

8 (g) On the effective date of this act, the director of accounts and
9 reports shall transfer \$105,894 from the school district extraordinary
10 declining enrollment fund (652-00-2290-2290) of the department of
11 education to the state general fund.

12 (h) During the fiscal year ending June 30, 2019, the commissioner of
13 education, with the approval of the director of the budget, may transfer any
14 part of any item of appropriation for fiscal year 2019 from the state general
15 fund for the department of education to another item of appropriation for
16 fiscal year 2019 from the state general fund for the department of
17 education. The commissioner of education shall certify each such transfer
18 to the director of accounts and reports and shall transmit a copy of each
19 such certification to the director of legislative research.

20 Sec. 2.

21 DEPARTMENT OF EDUCATION

22 (a) There is appropriated for the above agency from the state general
23 fund for the fiscal year ending June 30, 2020, the following:

24 Operating expenditures (including
25 official hospitality) (652-00-1000-0053).....\$13,477,957

26
27 *Provided*, That any unencumbered balance in the operating expenditures
28 (including official hospitality) account in excess of \$100 as of June 30,
29 2019, is hereby reappropriated for fiscal year 2020.

30 Special education
31 services aid (652-00-1000-0700).....\$497,880,818

32 *Provided*, That any unencumbered balance in the special education
33 services aid account in excess of \$100 as of June 30, 2019, is hereby
34 reappropriated for fiscal year 2020: *Provided further*, That expenditures
35 shall not be made from the special education services aid account for the
36 provision of instruction for any homebound or hospitalized child, unless
37 the categorization of such child as exceptional is conjoined with the
38 categorization of the child within one or more of the other categories of
39 exceptionality: *And provided further*, That expenditures shall be made from
40 this account for grants to school districts in amounts determined pursuant
41 to and in accordance with the provisions of K.S.A. 72-3425, and
42 amendments thereto: *And provided further*, That expenditures shall be
43 made from the amount remaining in this account, after deduction of the

1 expenditures specified in the foregoing provisos, for payments to school
 2 districts in amounts determined pursuant to and in accordance with the
 3 provisions of K.S.A. 72-3422, and amendments thereto.

4 State foundation aid (652-00-1000-0820).....\$2,317,774,923
 5 *Provided*, That any unencumbered balance in the state foundation aid
 6 account in excess of \$100 as of June 30, 2019, is hereby reappropriated for
 7 fiscal year 2020.

8 Supplemental state aid (652-00-1000-0840).....\$503,300,000
 9 *Provided*, That any unencumbered balance in the supplemental state aid
 10 account in excess of \$100 as of June 30, 2019, is hereby reappropriated for
 11 fiscal year 2020.

12 Mentor teacher (652-00-1000-0440).....\$1,300,000
 13 Professional development (652-00-1000-0860).....\$1,700,000
 14 Information technology education
 15 opportunities (652-00-1000-0600).....\$500,000
 16 Discretionary grants (652-00-1000-0400).....\$322,457
 17 *Provided*, That the above agency shall make expenditures from the
 18 discretionary grants account during the fiscal year 2020, in the amount not
 19 less than \$125,000 for after school programs for middle school students in
 20 the sixth, seventh and eighth grades: *Provided further*, That the after school
 21 programs may also include fifth and ninth grade students, if they attend a
 22 junior high: *And provided further*, That such discretionary grants shall be
 23 awarded to after school programs that operate for a minimum of two hours
 24 a day, every day that school is in session, and a minimum of six hours a
 25 day for a minimum of five weeks during the summer: *And provided*
 26 *further*, That the discretionary grants awarded to after school programs
 27 shall require a \$1 for \$1 local match: *And provided further*, That the
 28 aggregate amount of discretionary grants awarded to any one after school
 29 program shall not exceed \$25,000.

30 School food assistance (652-00-1000-0320).....\$2,510,486
 31 School safety hotline (652-00-1000-0230).....\$10,000
 32 KPERS – employer
 33 contributions – non-USDs (652-00-1000-0110).....\$43,015,894
 34 *Provided*, That any unencumbered balance in the KPERS – employer
 35 contributions – non-USDs account in excess of \$100 as of June 30, 2019,
 36 is hereby reappropriated for fiscal year 2020: *Provided further*, That all
 37 expenditures from the KPERS – employer contributions non-USDs
 38 account shall be for payment of participating employers' contributions to
 39 the Kansas public employees retirement system as provided in K.S.A. 74-
 40 4939, and amendments thereto: *And provided further*, That expenditures
 41 from this account for the payment of participating employers' contributions
 42 to the Kansas public employees retirement system may be made regardless
 43 of when the liability was incurred.

1 KPERs – employer
2 contributions (652-00-1000-0100).....\$543,865,035
3 *Provided*, That any unencumbered balance in the KPERs – employer
4 contributions account in excess of \$100 as of June 30, 2019, is hereby
5 reappropriated for fiscal year 2020: *Provided further*; That all expenditures
6 from the KPERs – employer contributions account shall be for payment of
7 participating employers' contributions to the Kansas public employees
8 retirement system as provided in K.S.A. 74-4939, and amendments
9 thereto: *And provided further*; That expenditures from this account for the
10 payment of participating employers' contributions to the Kansas public
11 employees retirement system may be made regardless of when the liability
12 was incurred.

13 KPERs employer contribution
14 layering payment #1 (652-00-1000-0120).....\$6,400,000
15 KPERs employer contribution
16 layering payment #2.....\$19,400,000
17 Career and technical education
18 transportation (652-00-1000-0190).....\$650,000
19 Education super highway (652-00-1000-0180).....\$950,000
20 *Provided*, That any unencumbered balance in the education super highway
21 account in excess of \$100 as of June 30, 2019, is hereby reappropriated for
22 fiscal year 2020.

23 Juvenile transitional crisis center
24 pilot project (652-00-1000-0210).....\$300,000
25 *Provided*, That expenditures from the juvenile transitional crisis center
26 pilot project account shall be used by the above agency during fiscal year
27 2020 to develop a regional crisis center pilot project at the Beloit special
28 education cooperative, founded on research and evidence-based practices
29 designed to meet the unique social and emotional needs of students
30 identified as at-risk or with disabilities: *Provided further*; That such project
31 shall provide individualized programming to attain such student's high
32 school diploma and job skills while working through the social skills
33 program: *And provided further*; That the commissioner of education shall
34 provide an update on the implementation of the pilot project developed by
35 this proviso to the legislature on or before the first day of the 2020 regular
36 legislative session.

37 ACT and workkeys assessments
38 program (652-00-1000-0140).....\$2,800,000
39 *Provided*, That expenditures shall be made by the above agency from the
40 ACT and workkeys assessments program account to provide the ACT
41 college entrance exam and the three ACT workkeys assessments that are
42 required to earn a national career readiness certificate to each student
43 enrolled in grades nine through 12: *Provided further*; That no student

1 enrolled in grades nine through 12 of any school district shall be required
 2 to pay any fees or costs to take such exam and assessments: *And provided*
 3 *further*; That in no event shall any school district be required to provide for
 4 more than one exam and three assessments per student: *And provided*
 5 *further*; That the state board of education may enter into any contracts that
 6 are necessary to promote statewide cost savings to administer such exams
 7 and assessments.

8 Mental health intervention team

9 pilot program (652-00-1000-0150).....\$4,190,776

10 *Provided*, That expenditures shall be made by the above agency to
 11 implement the mental health intervention team pilot program so as to
 12 improve social-emotional wellness and outcomes for students by
 13 increasing schools' access to counselors, social workers and psychologists
 14 statewide: *Provided further*; That school districts participating in such
 15 program shall enter into the necessary memorandums of understanding and
 16 other necessary agreements with participating community mental health
 17 centers and the appropriate state agencies to implement the pilot program:
 18 *And provided further*; That mental health intervention teams shall consist
 19 of school liaisons employed by the participating school district, and
 20 clinical therapists and case managers employed by the participating
 21 community mental health center: *And provided further*; That the following
 22 shall participate in the pilot program for fiscal year 2020: (1) 23 schools in
 23 the Wichita school district (U.S.D. no. 259); (2) 28 schools in the Topeka
 24 school district (U.S.D. no. 501); (3) 10 schools in the Kansas City school
 25 district (U.S.D. no. 500); (4) 5 schools in the Parsons school district
 26 (U.S.D. no. 503); (5) 4 schools in the Garden City school district (U.S.D.
 27 no. 457); and (6) 9 schools served by the fiscal agent, Abilene school
 28 district (U.S.D. no. 435): *And provided further*; That on or before June 30,
 29 2020, the director of the division of health care finance of the department
 30 of health and environment shall certify to the director of the budget and the
 31 director of the legislative research department the aggregate amount of
 32 expenditures for fiscal year 2020 for treatment and services for students
 33 provided under the mental health intervention team pilot program, or
 34 provided based on a referral from such program.

35 MHIT pilot program – online

36 database (652-00-1000-0160).....\$500,000

37 MHIT school liaisons (652-00-1000-0170).....\$3,263,110

38 *Provided*, That expenditures shall be made by the above agency for mental
 39 health intervention team school liaisons employed by those school districts
 40 participating in the mental health intervention team pilot program.

41 Educable deaf-blind and

42 severely handicapped children's

43 programs aid (652-00-1000-0630).....\$110,000

1 School district juvenile detention
2 facilities and Flint Hills job corps
3 center grants (652-00-1000-0290).....\$5,060,528
4 *Provided*, That any unencumbered balance in the school district juvenile
5 detention facilities and Flint Hills job corps center grants account in excess
6 of \$100 as of June 30, 2019, is hereby reappropriated for fiscal year 2020:
7 *Provided further*, That expenditures shall be made from the school district
8 juvenile detention facilities and Flint Hills job corps center grants account
9 for grants to school districts in amounts determined pursuant to and in
10 accordance with the provisions of K.S.A. 72-1173, and amendments
11 thereto.

12 Governor's teaching excellence scholarships
13 and awards (652-00-1000-0770).....\$360,693
14 *Provided*, That any unencumbered balance in the governor's teaching
15 excellence scholarships and awards account in excess of \$100 as of June
16 30, 2019, is hereby reappropriated for fiscal year 2020: *Provided further*,
17 That all expenditures from the governor's teaching excellence scholarships
18 and awards account for teaching excellence scholarships shall be made in
19 accordance with K.S.A. 72-2166, and amendments thereto: *And provided*
20 *further*, That each such grant shall be required to be matched on a \$1 for \$1
21 basis from nonstate sources: *And provided further*, That award of each such
22 grant shall be conditioned upon the recipient entering into an agreement
23 requiring the grant to be repaid if the recipient fails to complete the course
24 of training under the national board for professional teaching standards
25 certification program: *And provided further*, That all moneys received by
26 the department of education for repayment of grants for governor's
27 teaching excellence scholarships shall be deposited in the state treasury
28 and credited to the governor's teaching excellence scholarships program
29 repayment fund (652-00-7221-7200).

30 Governor's scholars program scholarships
31 and awards (652-00-1000-0770).....\$20,000
32 (b) There is appropriated for the above agency from the following
33 special revenue fund or funds for the fiscal year ending June 30, 2020, all
34 moneys now or hereafter lawfully credited to and available in such fund or
35 funds, except that expenditures other than refunds authorized by law and
36 transfers to other state agencies shall not exceed the following:

37 State school district
38 finance fund (652-00-7393-7000).....No limit
39 School district capital
40 improvements fund (652-00-2880-2880).....No limit
41 *Provided*, That expenditures from the school district capital improvements
42 fund shall be made only for the payment of general obligation bonds
43 approved by voters under the authority of K.S.A. 72-5457, and

1	amendments thereto.	
2	Mineral production	
3	education fund (652-00-7669-7669).....	No limit
4	School district capital outlay	
5	state aid fund.....	No limit
6	Conversion of materials and	
7	equipment fund (652-00-2420-2020).....	No limit
8	State safety fund (652-00-2538-2030).....	No limit
9	<i>Provided</i> , That notwithstanding the provisions of K.S.A. 8-272, and	
10	amendments thereto, or any other statute, funds shall be distributed during	
11	fiscal year 2020 as soon as moneys are available.	
12	School bus safety fund (652-00-2532-2300).....	No limit
13	Motorcycle safety fund (652-00-2633-2050).....	No limit
14	Federal indirect cost	
15	reimbursement fund (652-00-2312-2200).....	No limit
16	Teacher and administrator	
17	fee fund (652-00-2723-2060).....	No limit
18	Food assistance –	
19	federal fund (652-00-3230-3020).....	No limit
20	Food assistance – school	
21	breakfast program –	
22	federal fund (652-00-3529-3490).....	No limit
23	Food assistance – national	
24	school lunch program –	
25	federal fund (652-00-3530-3500).....	No limit
26	Food assistance – child	
27	and adult care food program –	
28	federal fund (652-00-3531-3510).....	No limit
29	Community-based	
30	child abuse prevention –	
31	federal fund (652-00-3319-7400).....	No limit
32	Family and children	
33	investment fund (652-00-7375).....	No limit
34	Elementary and secondary school aid –	
35	federal fund (652-00-3233-3040).....	No limit
36	Educationally deprived	
37	children – state operations –	
38	federal fund (652-00-3131-3130).....	No limit
39	Elementary and secondary school –	
40	educationally deprived children –	
41	LEA's fund (652-00-3532-3520).....	No limit
42	Education of handicapped children	
43	fund – federal (652-00-3234-3050).....	No limit

1	Education of handicapped	
2	children fund – state operations –	
3	federal fund (652-00-3534-3540).....	No limit
4	Education of handicapped	
5	children fund – preschool –	
6	federal fund (652-00-3535-3550).....	No limit
7	Education of handicapped	
8	children fund – preschool state	
9	operations – federal (652-00-3536-3560).....	No limit
10	Elementary and secondary school	
11	aid – federal fund – migrant	
12	education fund (652-00-3537-3570).....	No limit
13	Elementary and secondary school aid –	
14	federal fund – migrant education –	
15	state operations (652-00-3538-3580).....	No limit
16	Vocational education title I –	
17	federal fund (652-00-3539-3590).....	No limit
18	Vocational education title I – federal fund –	
19	state operations (652-00-3540-3600).....	No limit
20	Educational research grants and	
21	projects fund (652-00-3592-3070).....	No limit
22	Inservice education workshop	
23	fee fund (652-00-2230-2010).....	No limit
24	<i>Provided</i> , That expenditures may be made from the inservice education	
25	workshop fee fund for operating expenditures, including official	
26	hospitality, incurred for inservice workshops and conferences: <i>Provided</i>	
27	<i>further</i> , That the state board of education is hereby authorized to fix,	
28	charge and collect fees for inservice workshops and conferences: <i>And</i>	
29	<i>provided further</i> , That such fees shall be fixed in order to recover all or	
30	part of such operating expenditures incurred for inservice workshops and	
31	conferences: <i>And provided further</i> , That all fees received for inservice	
32	workshops and conferences shall be deposited in the state treasury in	
33	accordance with the provisions of K.S.A. 75-4215, and amendments	
34	thereto, and shall be credited to the inservice education workshop fee fund.	
35	Private donations, gifts, grants and	
36	bequests fund (652-00-7307-5000).....	No limit
37	Reimbursement for	
38	services fund (652-00-3056-3200).....	No limit
39	Communities in schools	
40	program fund (652-00-2221-2400).....	No limit
41	Governor's teaching	
42	excellence scholarships program	
43	repayment fund (652-00-7221-7200).....	No limit

1 *Provided*, That all expenditures from the governor's teaching excellence
 2 scholarships program repayment fund shall be made in accordance with
 3 K.S.A. 72-2166, and amendments thereto: *Provided further*, That each
 4 such grant shall be required to be matched on a \$1 for \$1 basis from
 5 nonstate sources: *And provided further*, That award of each such grant shall
 6 be conditioned upon the recipient entering into an agreement requiring the
 7 grant to be repaid if the recipient fails to complete the course of training
 8 under the national board for professional teaching standards certification
 9 program: *And provided further*, That all moneys received by the
 10 department of education for repayment of grants made under the
 11 governor's teaching excellence scholarships program shall be deposited in
 12 the state treasury in accordance with the provisions of K.S.A. 75-4215, and
 13 amendments thereto, and shall be credited to the governor's teaching
 14 excellence scholarships program repayment fund.

15 State grants for improving teacher quality –

16 federal fund (652-00-3526-3860).....	No limit
17 State grants for improving	
18 teacher quality – federal fund –	
19 state operations (652-00-3527-3870).....	No limit
20 21 st century community learning centers –	
21 federal fund (652-00-3519-3890).....	No limit
22 State assessments –	
23 federal fund (652-00-3520-3800).....	No limit
24 Rural and low-income schools program –	
25 federal fund (652-00-3521-3810).....	No limit
26 TANF children's programs –	
27 federal fund (652-00-3323-0531).....	No limit
28 ESSA – student support academic enrichment –	
29 federal fund (652-00-3113-3113).....	No limit
30 Language assistance state grants –	
31 federal fund (652-00-3522-3820).....	No limit
32 Service clearing fund (652-00-2869-2800).....	No limit
33 Local school district contribution program	
34 checkoff fund (652-00-7005-7005).....	No limit
35 Educational technology	
36 coordinator fund (652-00-2157-2157).....	No limit

37 *Provided*, That expenditures shall be made by the above agency for the
 38 fiscal year ending June 30, 2020, from the educational technology
 39 coordinator fund of the department of education to provide data on the
 40 number of school districts served and cost savings for those districts in
 41 fiscal year 2020 in order to assess the cost effectiveness of the position of
 42 educational technology coordinator.

43 (c) There is appropriated for the above agency from the children's

1 initiatives fund for the fiscal year ending June 30, 2020, the following:

2 Parent education program (652-00-2000-2510).....\$8,237,635

3 *Provided*, That any unencumbered balance in the parent education
4 program account in excess of \$100 as of June 30, 2019, is hereby
5 reappropriated for fiscal year 2020: *Provided further*; That expenditures
6 from the parent education program account for each such grant shall be
7 matched by the school district in an amount that is equal to not less than
8 50% of the grant.

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

11 *Provided*, That any unencumbered balance in the children's cabinet
12 accountability fund account in excess of \$100 as of June 30, 2019, is
13 hereby reappropriated for fiscal year 2020.

14 CIF grants (652-00-2000-2408).....\$18,127,914

15 *Provided*, That any unencumbered balance in the CIF grants account in
16 excess of \$100 as of June 30, 2019, is hereby reappropriated for fiscal year
17 2020.

18 Quality initiative infants
19 and toddlers (652-00-2000-2420).....\$500,000

20 *Provided*, That any unencumbered balance in the quality initiative infants
21 and toddlers account in excess of \$100 as of June 30, 2019, is hereby
22 reappropriated for fiscal year 2020.

23 Early childhood block grant
24 autism diagnosis (652-00-2000-2422).....\$50,000

25 *Provided*, That any unencumbered balance in the early childhood block
26 grant autism diagnosis account in excess of \$100 as of June 30, 2019, is
27 hereby reappropriated for fiscal year 2020.

28 Communities aligned in early development
29 and education (652-00-2000-2550).....\$1,000,000

30 Pre-K pilot (652-00-2000-2435).....\$4,200,000

31 (d) On July 1, 2019, or as soon thereafter as moneys are available,
32 notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and
33 amendments thereto, or any other statute, the director of accounts and
34 reports shall transfer \$50,000 from the family and children trust account of
35 the family and children investment fund (652-00-7375-7900) of the
36 department of education to the communities in schools program fund (652-
37 00-2221-2400) of the department of education.

38 (e) On March 30, 2020, and June 30, 2020, or as soon thereafter as
39 moneys are available, notwithstanding the provisions of K.S.A. 8-267 or
40 8-272, and amendments thereto, or any other statute, the director of
41 accounts and reports shall transfer \$550,000 from the state safety fund
42 (652-00-2538-2030) to the state general fund: *Provided*, That the transfer
43 of such amount shall be in addition to any other transfer from the state

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

9 (f) On July 1, 2019, and quarterly thereafter, the director of accounts
 10 and reports shall transfer \$72,500 from the state highway fund of the
 11 department of transportation to the school bus safety fund (652-00-2532-
 12 2300) of the department of education.

13 (g) On July 1, 2019, the director of accounts and reports shall transfer
 14 an amount certified by the commissioner of education from the motorcycle
 15 safety fund (652-00-2633-2050) of the department of education to the
 16 motorcycle safety fund (561-00-2366-2360) of the state board of regents:
 17 *Provided*, That the amount to be transferred shall be determined by the
 18 commissioner of education based on the amounts required to be paid
 19 pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

20 (h) There is appropriated for the above agency from the expanded
 21 lottery act revenues fund for the fiscal year ending June 30, 2020, the
 22 following:

23 KPERS – school employer
 24 contribution (652-00-1700-1700).....\$41,632,883

25 (i) On July 1, 2019, or as soon thereafter as moneys are available, the
 26 director of accounts and reports shall transfer \$97,250 from the USAC E-
 27 rate program federal fund (561-00-3920-3920) of the state board of regents
 28 to the education technology coordinator fund (652-00-2157-2157) of the
 29 department of education: *Provided*, That the department of education shall
 30 provide information and data regarding the number of school districts
 31 served and cost savings attained by such school districts in order to assess
 32 the cost effectiveness of having this education technology coordinator
 33 position: *Provided further*; That such information and data shall be
 34 available by the department of education by the end of the fiscal year
 35 2020.

36 (j) There is appropriated for the above agency from the Kansas
 37 endowment for youth fund for the fiscal year ending June 30, 2020, the
 38 following:

39 Children's cabinet administration (652-00-7000-7001).....\$256,234

40 *Provided*, That any unencumbered balance in the children's cabinet
 41 administration account in excess of \$100 as of June 30, 2019, is hereby
 42 reappropriated for fiscal year 2020.

43 (k) During the fiscal year ending June 30, 2020, the commissioner of

1 education, with the approval of the director of the budget, may transfer any
2 part of any item of appropriation for fiscal year 2020 from the state general
3 fund for the department of education to another item of appropriation for
4 fiscal year 2020 from the state general fund for the department of
5 education. The commissioner of education shall certify each such transfer
6 to the director of accounts and reports and shall transmit a copy of each
7 such certification to the director of legislative research.

8 Sec. 3.

9 DEPARTMENT OF EDUCATION

10 (a) There is appropriated for the above agency from the state general
11 fund for the fiscal year ending June 30, 2021, the following:

12 State foundation aid (652-00-1000-0820).....\$2,395,359,946

13 *Provided*, That any unencumbered balance in the state foundation aid
14 account in excess of \$100 as of June 30, 2020, is hereby reappropriated for
15 fiscal year 2021.

16 Supplemental state aid (652-00-1000-0840).....\$519,300,000

17 *Provided*, That any unencumbered balance in the supplemental state aid
18 account in excess of \$100 as of June 30, 2020, is hereby reappropriated for
19 fiscal year 2021.

20 KPERS – employer

21 contributions – non-USDs (652-00-1000-0100).....\$46,620,938

22 *Provided*, That any unencumbered balance in the KPERS – employer
23 contributions – non-USDs account in excess of \$100 as of June 30, 2020,
24 is hereby reappropriated for fiscal year 2021: *Provided further*, That all
25 expenditures from the KPERS – employer contributions non-USDs
26 account shall be for payment of participating employers' contributions to
27 the Kansas public employees retirement system as provided in K.S.A. 74-
28 4939, and amendments thereto: *And provided further*, That expenditures
29 from this account for the payment of participating employers' contributions
30 to the Kansas public employees retirement system may be made regardless
31 of when the liability was incurred.

32 KPERS – employer

33 contributions – USDs (652-00-1000-0110).....\$567,075,949

34 *Provided*, That any unencumbered balance in the KPERS – employer
35 contributions account in excess of \$100 as of June 30, 2020, is hereby
36 reappropriated for fiscal year 2021: *Provided further*, That all expenditures
37 from the KPERS – employer contributions account shall be for payment of
38 participating employers' contributions to the Kansas public employees
39 retirement system as provided in K.S.A. 74-4939, and amendments
40 thereto: *And provided further*, That expenditures from this account for the
41 payment of participating employers' contributions to the Kansas public
42 employees retirement system may be made regardless of when the liability
43 was incurred.

1 (b) There is appropriated for the above agency from the following
2 special revenue fund or funds for the fiscal year ending June 30, 2021, all
3 moneys now or hereafter lawfully credited to and available in such fund or
4 funds, except that expenditures shall not exceed the following:

- 5 Mineral production
- 6 education fund (652-00-7669-7669).....No limit
- 7 State school district
- 8 finance fund (652-00-7393-7000).....No limit

9 (c) There is appropriated for the above agency from the expanded
10 lottery act revenues fund for the fiscal year ending June 30, 2021, the
11 following:

- 12 KPERS – school employer
- 13 contribution (652-00-1700-1700).....\$41,640,023

14 Sec. 4. On and after July 1, 2019, K.S.A. 72-5132 is hereby amended
15 to read as follows: 72-5132. As used in the Kansas school equity and
16 enhancement act, K.S.A. 72-5131 et seq., and amendments thereto:

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

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

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

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

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

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

1 amount of BASE aid shall be as follows:

2 (1) For school year 2018-2019, \$4,165;

3 (2) for school year 2019-2020, ~~\$4,302~~ \$4,436;

4 (3) for school year 2020-2021, ~~\$4,439~~ \$4,569;

5 (4) for school year 2021-2022, ~~\$4,576~~ \$4,706;

6 (5) for school year 2022-2023, ~~\$4,713~~ \$4,846; and

7 (6) for school year 2023-2024, and each school year thereafter, the

8 BASE aid shall be the BASE aid amount for the immediately preceding
9 school year plus an amount equal to the average percentage increase in the
10 consumer price index for all urban consumers in the midwest region as
11 published by the bureau of labor statistics of the United States department
12 of labor during the three immediately preceding school years rounded to
13 the nearest whole dollar amount.

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

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

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

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

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

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

36 (l) "Enrollment" means:

37 (1) The number of students regularly enrolled in kindergarten and
38 grades one through 12 in the school district on September 20 of the
39 preceding school year plus the number of preschool-aged at-risk students
40 regularly enrolled in the school district on September 20 of the current
41 school year, except a student who is a foreign exchange student shall not
42 be counted unless such student is regularly enrolled in the school district
43 on September 20 and attending kindergarten or any of the grades one

1 through 12 maintained by the school district for at least one semester or
2 two quarters, or the equivalent thereof.

3 (2) If the enrollment in a school district in the preceding school year
4 has decreased from enrollment in the second preceding school year, the
5 enrollment of the school district in the current school year means the sum
6 of:

7 (A) The enrollment in the second preceding school year, excluding
8 students under paragraph (2)(B), minus enrollment in the preceding school
9 year of preschool-aged at-risk students, if any, plus enrollment in the
10 current school year of preschool-aged at-risk students, if any; and

11 (B) the adjusted enrollment in the second preceding school year of
12 any students participating in the tax credit for low income students
13 scholarship program pursuant to K.S.A. 72-4351 et seq., and amendments
14 thereto, in the preceding school year, if any, plus the adjusted enrollment in
15 the preceding school year of preschool-aged at-risk students who are
16 participating in the tax credit for low income students scholarship program
17 pursuant to K.S.A. 72-4351 et seq., and amendments thereto, in the current
18 school year, if any.

19 (3) For any school district that has a military student, as that term is
20 defined in K.S.A. 72-5139, and amendments thereto, enrolled in such
21 district, and that received federal impact aid for the preceding school year,
22 if the enrollment in such school district in the preceding school year has
23 decreased from enrollment in the second preceding school year, the
24 enrollment of the school district in the current school year means
25 whichever is the greater of:

26 (A) The enrollment determined under paragraph (2); or

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

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

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

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

38 (4) The enrollment determined under paragraph (1), (2) or (3), except
39 if the school district begins to offer kindergarten on a full-time basis in
40 such school year, students regularly enrolled in kindergarten in the school
41 district in the preceding school year shall be counted as one student
42 regardless of actual attendance during such preceding school year.

43 (m) "February 20" has its usual meaning, except that in any year in

1 which February 20 is not a day on which school is maintained, it means
2 the first day after February 20 on which school is maintained.

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

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

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

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

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

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

32 (t) "Local foundation aid" means the sum of the following amounts:

33 (1) An amount equal to any unexpended and unencumbered balance
34 remaining in the general fund of the school district, except moneys
35 received by the school district and authorized to be expended for the
36 purposes specified in K.S.A. 72-5168, and amendments thereto;

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

40 (3) an amount equal to the amount deposited in the general fund in
41 the current school year from moneys received in such school year by the
42 school district under the provisions of K.S.A. 72-3123(a), and amendments
43 thereto;

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

5 (5) an amount equal to the amount credited to the general fund in the
6 current school year from moneys distributed in such school year to the
7 school district under the provisions of articles 17 and 34 of chapter 12 of
8 the Kansas Statutes Annotated, and amendments thereto, and under the
9 provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes
10 Annotated, and amendments thereto;

11 (6) an amount equal to the amount of payments received by the
12 school district under the provisions of K.S.A. 72-3423, and amendments
13 thereto;

14 (7) an amount equal to the amount of any grant received by the
15 school district under the provisions of K.S.A. 72-3425, and amendments
16 thereto; and

17 (8) an amount equal to 70% of the federal impact aid of the school
18 district.

19 (u) "Low enrollment weighting" means an addend component
20 assigned to the enrollment of school districts pursuant to K.S.A. 72-
21 5149(a), and amendments thereto, on the basis of costs attributable to
22 maintenance of educational programs by such school districts.

23 (v) "Operating expenses" means the total expenditures and lawful
24 transfers from the general fund of a school district during a school year for
25 all purposes, except expenditures for the purposes specified in K.S.A. 72-
26 5168, and amendments thereto.

27 (w) "Preceding school year" means the school year immediately
28 before the current school year.

29 (x) "Preschool-aged at-risk student" means an at-risk student who has
30 attained the age of three years, is under the age of eligibility for attendance
31 at kindergarten, and has been selected by the state board in accordance
32 with guidelines governing the selection of students for participation in
33 head start programs.

34 (y) "Preschool-aged exceptional children" means exceptional
35 children, except gifted children, who have attained the age of three years
36 but are under the age of eligibility for attendance at kindergarten. The
37 terms "exceptional children" and "gifted children" have the same meaning
38 as those terms are defined in K.S.A. 72-3404, and amendments thereto.

39 (z) "Psychiatric residential treatment facility" means the same as such
40 term is defined in K.S.A. 72-1173, and amendments thereto.

41 (aa) "School district" means a school district organized under the
42 laws of this state that is maintaining public school for a school term in
43 accordance with the provisions of K.S.A. 72-3115, and amendments

1 thereto.

2 (bb) "School facilities weighting" means an addend component
3 assigned to the enrollment of school districts pursuant to K.S.A. 72-5156,
4 and amendments thereto, on the basis of costs attributable to commencing
5 operation of one or more new school facilities by such school districts.

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

7 (dd) "September 20" has its usual meaning, except that in any year in
8 which September 20 is not a day on which school is maintained, it means
9 the first day after September 20 on which school is maintained.

10 (ee) "Special education and related services weighting" means an
11 addend component assigned to the enrollment of school districts pursuant
12 to K.S.A. 72-5157, and amendments thereto, on the basis of costs
13 attributable to the maintenance of special education and related services by
14 such school districts.

15 (ff) "State board" means the state board of education.

16 (gg) "State foundation aid" means the amount of aid distributed to a
17 school district as determined by the state board pursuant to K.S.A. 72-
18 5134, and amendments thereto.

19 (hh) (1) "Student" means any person who is regularly enrolled in a
20 school district and attending kindergarten or any of the grades one through
21 12 maintained by the school district or who is regularly enrolled in a
22 school district and attending kindergarten or any of the grades one through
23 12 in another school district in accordance with an agreement entered into
24 under authority of K.S.A. 72-13,101, and amendments thereto, or who is
25 regularly enrolled in a school district and attending special education
26 services provided for preschool-aged exceptional children by the school
27 district.

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

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

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

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

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

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

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

43 (D) A student enrolled in and attending an institution of

1 postsecondary education that is authorized under the laws of this state to
2 award academic degrees shall be counted as one student if the student's
3 postsecondary education enrollment and attendance together with the
4 student's attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time,
5 otherwise the student shall be counted as that proportion of one student (to
6 the nearest $\frac{1}{10}$) that the total time of the student's postsecondary education
7 attendance and attendance in grades 11 or 12, as applicable, bears to full-
8 time attendance.

9 (E) A student enrolled in and attending a technical college, a career
10 technical education program of a community college or other approved
11 career technical education program shall be counted as one student, if the
12 student's career technical education attendance together with the student's
13 attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise
14 the student shall be counted as that proportion of one student (to the
15 nearest $\frac{1}{10}$) that the total time of the student's career technical education
16 attendance and attendance in any of grades nine through 12 bears to full-
17 time attendance.

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

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

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

- 29 (a) For school year 2018-2019, one student;
30 (b) for school years 2019-2020 and 2020-2021, $\frac{3}{4}$ of a student; and
31 (c) for school year 2021-2022 and each school year thereafter, $\frac{1}{2}$ of a
32 student.

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

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

36 (b) a student who attended public school in Kansas during school
37 year 2016-2017 and who attended public school in Kansas during the
38 immediately preceding school year.

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

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

41 (B) except as provided in paragraph (2), an individual confined in and
42 receiving educational services provided for by a school district at a
43 juvenile detention facility; and

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

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

7 (ii) "Total foundation aid" means an amount equal to the product
8 obtained by multiplying the BASE aid by the adjusted enrollment of a
9 school district.

10 (jj) "Transportation weighting" means an addend component assigned
11 to the enrollment of school districts pursuant to K.S.A. 72-5148, and
12 amendments thereto, on the basis of costs attributable to the provision or
13 furnishing of transportation.

14 (kk) "Virtual school" means the same as such term is defined in
15 K.S.A. 72-3712, and amendments thereto.

16 Sec. 5. On and after July 1, 2019, K.S.A. 72-5142 is hereby amended
17 to read as follows: 72-5142. (a) The board of education of each school
18 district shall levy an ad valorem tax upon the taxable tangible property of
19 the school district in the school years specified in subsection (b) for the
20 purpose of:

21 (1) Financing that portion of the school district's general fund budget
22 that is not financed from any other source provided by law;

23 (2) paying a portion of the costs of operating and maintaining public
24 schools in partial fulfillment of the constitutional obligation of the
25 legislature to finance the educational interests of the state; and

26 (3) with respect to any redevelopment school district established prior
27 to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto,
28 paying a portion of the principal and interest on bonds issued by cities
29 under authority of K.S.A. 12-1774, and amendments thereto, for the
30 financing of redevelopment projects upon property located within the
31 school district.

32 (b) The tax required under subsection (a) shall be levied at a rate of
33 20 mills in the school years ~~2017-2018~~ 2019-2020 and ~~2018-2019~~ 2020-
34 2021.

35 (c) The proceeds from the tax levied by a district under authority of
36 this section, except the proceeds of such tax levied for the purpose
37 described in subsection (a)(3), shall be remitted to the state treasurer in
38 accordance with the provisions of K.S.A. 75-4215, and amendments
39 thereto. Upon receipt of each such remittance, the state treasurer shall
40 deposit the entire amount in the state treasury to the credit of the state
41 school district finance fund.

42 (d) No school district shall proceed under K.S.A. 79-1964, 79-1964a
43 or 79-1964b, and amendments thereto.

1 Sec. 6. On and after July 1, 2019, K.S.A. 72-5462 is hereby amended
2 to read as follows: 72-5462. (a) There is hereby established in the state
3 treasury the school district capital improvements fund. The fund shall
4 consist of all amounts transferred thereto under the provisions of
5 subsection (c).

6 (b) In each school year, each school district which is obligated to
7 make payments from its capital improvements fund shall be entitled to
8 receive payment from the school district capital improvements fund in an
9 amount determined by the state board of education as provided in this
10 subsection.

11 (1) For general obligation bonds approved for issuance at an election
12 held prior to July 1, 2015, the state board of education shall:

13 (A) Determine the amount of the assessed valuation per pupil (AVPP)
14 of each school district in the state for the preceding school year and round
15 such amount to the nearest \$1,000. The rounded amount is the AVPP of a
16 school district for the purposes of this subsection (b)(1);

17 (B) determine the median AVPP of all school districts;

18 (C) prepare a schedule of dollar amounts using the amount of the
19 median AVPP of all school districts as the point of beginning. The
20 schedule of dollar amounts shall range upward in equal \$1,000 intervals
21 from the point of beginning to and including an amount that is equal to the
22 amount of the AVPP of the school district with the highest AVPP of all
23 school districts and shall range downward in equal \$1,000 intervals from
24 the point of beginning to and including an amount that is equal to the
25 amount of the AVPP of the school district with the lowest AVPP of all
26 school districts;

27 (D) determine a state aid percentage factor for each school district by
28 assigning a state aid computation percentage to the amount of the median
29 AVPP shown on the schedule, decreasing the state aid computation
30 percentage assigned to the amount of the median AVPP by one percentage
31 point for each \$1,000 interval above the amount of the median AVPP, and
32 increasing the state aid computation percentage assigned to the amount of
33 the median AVPP by one percentage point for each \$1,000 interval below
34 the amount of the median AVPP. Except as provided by K.S.A. 72-5463,
35 and amendments thereto, the state aid percentage factor of a school district
36 is the percentage assigned to the schedule amount that is equal to the
37 amount of the AVPP of the school district. The state aid percentage factor
38 of a school district shall not exceed 100%. The state aid computation
39 percentage is 25%;

40 (E) determine the amount of payments that a school district is
41 obligated to make from its bond and interest fund attributable to general
42 obligation bonds approved for issuance at an election held prior to July 1,
43 2015; and

1 (F) multiply the amount determined under subsection (b)(1)(E) by the
2 applicable state aid percentage factor.

3 (2) For general obligation bonds approved for issuance at an election
4 held on or after July 1, 2015, the state board of education shall:

5 (A) Determine the amount of the AVPP of each school district in the
6 state for the preceding school year and round such amount to the nearest
7 \$1,000. The rounded amount is the AVPP of a school district for the
8 purposes of this subsection (b)(2);

9 (B) prepare a schedule of dollar amounts using the amount of the
10 AVPP of the school district with the lowest AVPP of all school districts as
11 the point of beginning. The schedule of dollar amounts shall range upward
12 in equal \$1,000 intervals from the point of beginning to and including an
13 amount that is equal to the amount of the AVPP of the school district with
14 the highest AVPP of all school districts;

15 (C) determine a state aid percentage factor for each school district by
16 assigning a state aid computation percentage to the amount of the lowest
17 AVPP shown on the schedule and decreasing the state aid computation
18 percentage assigned to the amount of the lowest AVPP by one percentage
19 point for each \$1,000 interval above the amount of the lowest AVPP.
20 Except as provided by K.S.A. 72-5463, and amendments thereto, the state
21 aid percentage factor of a school district is the percentage assigned to the
22 schedule amount that is equal to the amount of the AVPP of the school
23 district. The state aid computation percentage is 75%;

24 (D) determine the amount of payments that a school district is
25 obligated to make from its bond and interest fund attributable to general
26 obligation bonds approved for issuance at an election held on or after July
27 1, 2015; and

28 (E) multiply the amount determined under subsection (b)(2)(D) by
29 the applicable state aid percentage factor.

30 (3) For general obligation bonds approved for issuance at an election
31 held on or before June 30, 2016, the sum of the amount determined under
32 subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E)
33 is the amount of payment the school district is entitled to receive from the
34 school district capital improvements fund in the school year.

35 (4) For general obligation bonds approved for issuance at an election
36 held on or after July 1, 2016, the amount determined under subsection (b)
37 (2)(E) is the amount of payment the school district shall receive from the
38 school district capital improvements fund in the school year, except the
39 total amount of payments school districts receive from the school district
40 capital improvements fund in the school year for such bonds shall not
41 exceed the six-year average amount of capital improvement state aid as
42 determined by the state board of education.

43 (A) The state board of education shall determine the six-year average

1 amount of capital improvement state aid by calculating the average of the
2 total amount of moneys expended per year from the school district capital
3 improvements fund in the immediately preceding six fiscal years, not to
4 include the current fiscal year.

5 (B) (i) Subject to clause (ii), the state board of education shall
6 prioritize the allocations to school districts from the school district capital
7 improvements fund in accordance with the priorities set forth as follows in
8 order of highest priority to lowest priority:

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

13 (b) enrollment growth and imminent overcrowding as demonstrated
14 by successive increases in enrollment of the school district in the
15 immediately preceding three school years;

16 (c) impact on the delivery of educational services as demonstrated by
17 restrictive inflexible design or limitations on installation of technology;
18 and

19 (d) energy usage and other operational inefficiencies as demonstrated
20 by a district-wide energy usage analysis, district-wide architectural
21 analysis or other similar evaluation.

22 (ii) In allocating capital improvement state aid, the state board shall
23 give higher priority to those school districts with a lower AVPP compared
24 to the other school districts that are to receive capital improvement state
25 aid under this section.

26 (C) On and after July 1, 2016, the state board of education shall
27 approve the amount of state aid payments a school district shall receive
28 from the school district capital improvements fund pursuant to subsection
29 (b)(5) prior to an election to approve the issuance of general obligation
30 bonds.

31 (5) Except as provided in subsections (b)(6) and (b)(7), the sum of the
32 amounts determined under subsection (b)(3) and the amount determined or
33 allocated to the district by the state board of education pursuant to
34 subsection (b)(4), is the amount of payment the school district is entitled to
35 receive from the school district capital improvements fund in the school
36 year.

37 (6) A school district that had an enrollment of less than 260 students
38 in the school year immediately preceding the school year in which an
39 election is held to approve the issuance of general obligation bonds shall
40 not be entitled to receive payments from the school district capital
41 improvements fund unless such school district applied for and received
42 approval from the state board of education to issue such bonds prior to
43 holding an election to approve such bond issuance. The provisions of this

1 paragraph shall apply to general obligation bonds approved for issuance at
2 an election held on or after July 1, 2017, that are issued for the purpose of
3 financing the construction of new school facilities.

4 (7) For general obligation bonds approved for issuance at an election
5 held on or after July 1, 2017, in determining the amount under subsection
6 (b)(2)(D), the state board shall exclude payments for any capital
7 improvement project, or portion thereof, that proposes to construct,
8 reconstruct or remodel a facility that would be used primarily for
9 extracurricular activities, unless the construction, reconstruction or
10 remodeling of such facility is necessary due to concerns relating to the
11 safety of the current facility or disability access to such facility as
12 demonstrated by a state fire marshal report, an inspection under the
13 Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar
14 evaluation.

15 (c) The state board of education shall certify to the director of
16 accounts and reports the entitlements of school districts determined under
17 the provisions of subsection (b), and an amount equal thereto shall be
18 transferred by the director from the state general fund to the school district
19 capital improvements fund for distribution to school districts. All transfers
20 made in accordance with the provisions of this subsection shall be
21 considered to be demand transfers from the state general fund, except that
22 all such transfers during the fiscal years ending June 30, ~~2017~~ 2020, June
23 30, ~~2018~~ 2021, and June 30, ~~2019~~ 2022, shall be considered to be revenue
24 transfers from the state general fund.

25 (d) Payments from the school district capital improvements fund shall
26 be distributed to school districts at times determined by the state board of
27 education to be necessary to assist school districts in making scheduled
28 payments pursuant to contractual bond obligations. The state board of
29 education shall certify to the director of accounts and reports the amount
30 due each school district entitled to payment from the fund, and the director
31 of accounts and reports shall draw a warrant on the state treasurer payable
32 to the treasurer of the school district. Upon receipt of the warrant, the
33 treasurer of the school district shall credit the amount thereof to the bond
34 and interest fund of the school district to be used for the purposes of such
35 fund.

36 (e) The provisions of this section apply only to contractual
37 obligations incurred by school districts pursuant to general obligation
38 bonds issued upon approval of a majority of the qualified electors of the
39 school district voting at an election upon the question of the issuance of
40 such bonds.

41 (f) On or before the first day of the legislative session in 2017, and
42 each year thereafter, the state board of education shall prepare and submit
43 a report to the legislature that includes information on school district

1 elections held on or after July 1, 2016, to approve the issuance of general
2 obligation bonds and the amount of payments school districts were
3 approved to receive from the school district capital improvements fund
4 pursuant to subsection (b)(4)(C).

5 Sec. 7. On and after July 1, 2019, K.S.A. 2018 Supp. 79-201x is
6 hereby amended to read as follows: 79-201x. For taxable years ~~2017~~ 2019
7 and ~~2018~~ 2020, the following described property, to the extent herein
8 specified, shall be and is hereby exempt from the property tax levied
9 pursuant to the provisions of K.S.A. 72-5142, and amendments thereto:
10 Property used for residential purposes to the extent of \$20,000 of its
11 appraised valuation.

12 Sec. 8. On and after July 1, 2019, K.S.A. 72-5132, 72-5142 and 72-
13 5462 and K.S.A. 2018 Supp. 79-201x are hereby repealed.

14 Sec. 9. This act shall take effect and be in force from and after its
15 publication in the Kansas register.