

Substitute for HOUSE BILL No. 2395

By Committee on K-12 Education Budget

3-22

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. 72-5130, 72-5131, 72-5132,
5 72-5142, 72-5144, 72-5151 and 72-5153 and K.S.A. 2018 Supp. 79-
6 201x and 79-4227 and repealing the existing 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

25 (including official hospitality) (652-00-1000-0053).....\$13,762,957

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

29 Special education

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

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

1 districts in amounts determined pursuant to and in accordance with the
2 provisions of K.S.A. 72-3422, and amendments thereto.

3 State foundation aid (652-00-1000-0820).....\$2,324,710,861
4 *Provided*, That any unencumbered balance in the state foundation aid
5 account in excess of \$100 as of June 30, 2019, is hereby reappropriated for
6 fiscal year 2020: *Provided further*, That in addition to the other purposes
7 for which expenditures may be made by the above agency from such
8 account for fiscal year 2020, expenditures shall be made by the above
9 agency from such account for fiscal year 2020 for the behavioral health
10 intervention team program pursuant to section 4, and amendments thereto,
11 in an amount not to exceed \$20,181,317.

12 Supplemental state aid (652-00-1000-0840).....\$504,663,931
13 *Provided*, That any unencumbered balance in the supplemental state aid
14 account in excess of \$100 as of June 30, 2019, is hereby reappropriated for
15 fiscal year 2020.

16 ACT and workkeys assessments program.....\$2,800,000
17 *Provided*, That expenditures shall be made by the above agency from the
18 ACT and workkeys assessments program account to provide the ACT
19 college entrance exam and the three ACT workkeys assessments that are
20 required to earn a national career readiness certificate to each student
21 enrolled in grades 11 and 12, and the pre-ACT college entrance exam to
22 each student enrolled in grade nine.

23 Mentor teacher (652-00-1000-0440).....\$1,300,000
24 Professional development (652-00-1000-0860).....\$2,449,000
25 *Provided*, That in addition to the other purposes for which expenditures
26 may be made by the above agency from the professional development
27 account for fiscal year 2020, expenditures shall be made by the above
28 agency from such account for fiscal year 2020 for discretionary grants to
29 school districts for training in identification of dyslexia and effective
30 reading interventions for students diagnosed with dyslexia: *Provided*
31 *further*, That the aggregate amount of such discretionary grants shall not
32 exceed \$749,000.

33 Information technology education
34 opportunities (652-00-1000-0600).....\$500,000
35 Discretionary grants (652-00-1000-0400).....\$322,457
36 *Provided*, That the above agency shall make expenditures from the
37 discretionary grants account during fiscal year 2020, in an amount not less
38 than \$125,000 for after-school programs for middle school students in the
39 sixth, seventh and eighth grades: *Provided further*, That the after-school
40 programs may also include fifth and ninth grade students, if they attend a
41 junior high: *And provided further*, That such discretionary grants shall be
42 awarded to after-school programs that operate for a minimum of two hours
43 a day, every day that school is in session, and a minimum of six hours a

1 day for a minimum of five weeks during the summer: *And provided*
 2 *further*; That the discretionary grants awarded to after-school programs
 3 shall require a \$1 for \$1 local match: *And provided further*; That the
 4 aggregate amount of discretionary grants awarded to any one after-school
 5 program shall not exceed \$25,000.

6 School food assistance (652-00-1000-0320).....	\$2,510,486
7 School safety hotline (652-00-1000-0230).....	\$10,000
8 KPERS – employer	
9 contributions – non-USDs (652-00-1000-0100).....	\$43,015,894

10 *Provided*, That any unencumbered balance in the KPERS – employer
 11 contributions – non-USDs account in excess of \$100 as of June 30, 2019,
 12 is hereby reappropriated for fiscal year 2020: *Provided further*; That all
 13 expenditures from the KPERS – employer contributions – non-USDs
 14 account shall be for payment of participating employers' contributions to
 15 the Kansas public employees retirement system as provided in K.S.A. 74-
 16 4939, and amendments thereto: *And provided further*; That expenditures
 17 from this account for the payment of participating employers' contributions
 18 to the Kansas public employees retirement system may be made regardless
 19 of when the liability was incurred.

20 KPERS – employer	
21 contributions – USDs (652-00-1000-0110).....	\$543,865,035

22 *Provided*, That any unencumbered balance in the KPERS – employer
 23 contributions – USDs account in excess of \$100 as of June 30, 2019, is
 24 hereby reappropriated for fiscal year 2020: *Provided further*; That all
 25 expenditures from the KPERS – employer contributions – USDs account
 26 shall be for payment of participating employers' contributions to the
 27 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 contribution	
33 layering payment #1 (652-00-1000-0120).....	\$6,400,000
34 KPERS employer contribution	
35 layering payment #2.....	\$19,400,000
36 Career and technical education	
37 transportation (652-00-1000-0190).....	\$650,000
38 Teach for America pilot program.....	\$261,000
39 School safety and security grants.....	\$5,000,000

40 *Provided*, That all moneys in the school safety and security grants account
 41 expended for fiscal year 2020 shall be matched by the receiving school
 42 district on a \$1 for \$1 basis from other moneys of the district: *Provided*
 43 *further*; That expenditures shall be made by the above agency from such

1 account for fiscal year 2020 for disbursements of grant moneys approved
2 by the state board of education for the acquisition and installation of
3 security cameras and any other systems, equipment and services necessary
4 for security monitoring of facilities operated by a school district, and for
5 securing doors, windows and any entrances to such facilities.

6 Education super highway (652-00-1000-0180).....\$950,000
7 *Provided*, That any unencumbered balance in the education super highway
8 account in excess of \$100 as of June 30, 2019, is hereby reappropriated for
9 fiscal year 2020.

10 Juvenile transitional crisis center
11 pilot project (652-00-1000-0210).....\$300,000
12 *Provided*, That expenditures from the juvenile transitional crisis center
13 pilot project account shall be made by the above agency during fiscal year
14 2020 to develop a regional crisis center pilot project at the Beloit special
15 education cooperative, founded on research and evidence-based practices
16 designed to meet the unique social and emotional needs of students
17 identified as at-risk or with disabilities: *Provided further*, That such project
18 shall provide individualized programming to attain each such student's
19 high school diploma and job skills while working through the social skills
20 program: *And provided further*, That the commissioner of education shall
21 provide an update on the implementation of the pilot project developed by
22 this proviso to the legislature on or before the first day of the 2020 regular
23 legislative session.

24 BHIT program online database (652-00-1000-0160).....\$500,000
25 Educable deaf-blind
26 severely handicapped children's
27 programs aid (652-00-1000-0630).....\$110,000

28 School district juvenile detention
29 facilities and Flint Hills job corps
30 center grants (652-00-1000-0290).....\$5,060,528
31 *Provided*, That any unencumbered balance in the school district juvenile
32 detention facilities and Flint Hills job corps center grants account in excess
33 of \$100 as of June 30, 2019, is hereby reappropriated for fiscal year 2020:
34 *Provided further*, That expenditures shall be made from the school district
35 juvenile detention facilities and Flint Hills job corps center grants account
36 for grants to school districts in amounts determined pursuant to and in
37 accordance with the provisions of K.S.A. 72-1173, and amendments
38 thereto.

39 Governor's teaching excellence scholarships
40 and awards (652-00-1000-0770).....\$360,693
41 *Provided*, That any unencumbered balance in the governor's teaching
42 excellence scholarships and awards account in excess of \$100 as of June
43 30, 2019, is hereby reappropriated for fiscal year 2020: *Provided further*,

1 That all expenditures from the governor's teaching excellence scholarships
 2 and awards account for teaching excellence scholarships shall be made in
 3 accordance with K.S.A. 72-2166, and amendments thereto: *And provided*
 4 *further*; That each such grant shall be required to be matched on a \$1 for \$1
 5 basis from nonstate sources: *And provided further*; That award of each such
 6 grant shall be conditioned upon the recipient entering into an agreement
 7 requiring the grant to be repaid if the recipient fails to complete the course
 8 of training under the national board for professional teaching standards
 9 certification program: *And provided further*; That all moneys received by
 10 the department of education for repayment of grants for governor's
 11 teaching excellence scholarships shall be deposited in the state treasury
 12 and credited to the governor's teaching excellence scholarships program
 13 repayment fund (652-00-7221-7200) of the department of education.

14 Governor's scholars program scholarships
 15 and awards.....\$20,000

16 (b) There is appropriated for the above agency from the following
 17 special revenue fund or funds for the fiscal year ending June 30, 2020, all
 18 moneys now or hereafter lawfully credited to and available in such fund or
 19 funds, except that expenditures other than refunds authorized by law and
 20 transfers to other state agencies shall not exceed the following:

21 State school district
 22 finance fund (652-00-7393-7000).....No limit

23 School district capital
 24 improvements fund (652-00-2880-2880).....No limit

25 *Provided*, That expenditures from the school district capital improvements
 26 fund shall be made only for the payment of general obligation bonds
 27 approved by voters under the authority of K.S.A. 72-5457, and
 28 amendments thereto.

29 School district capital outlay
 30 state aid fund.....No limit

31 Conversion of materials and
 32 equipment fund (652-00-2420-2020).....No limit

33 State safety fund (652-00-2538-2030).....No limit

34 *Provided*, That notwithstanding the provisions of K.S.A. 8-272, and
 35 amendments thereto, or any other statute, funds shall be distributed during
 36 fiscal year 2020 as soon as moneys are available.

37 School bus safety fund (652-00-2532-2300)..... No limit
 38 Motorcycle safety fund (652-00-2633-2050).....No limit

39 Federal indirect cost
 40 reimbursement fund (652-00-2312-2200).....No limit

41 Teacher and administrator
 42 fee fund (652-00-2723-2060).....No limit

43 Food assistance –

1	federal fund (652-00-3230-3020).....	No limit
2	Food assistance – school	
3	breakfast program –	
4	federal fund (652-00-3529-3490).....	No limit
5	Food assistance – national	
6	school lunch program –	
7	federal fund (652-00-3530-3500).....	No limit
8	Food assistance – child	
9	and adult care food program –	
10	federal fund (652-00-3531-3510).....	No limit
11	Community-based	
12	child abuse prevention –	
13	federal fund (652-00-3319-7400).....	No limit
14	Family and children	
15	investment fund (652-00-7375).....	No limit
16	Elementary and secondary school aid –	
17	federal fund (652-00-3233-3040).....	No limit
18	Educationally deprived	
19	children – state operations –	
20	federal fund (652-00-3131-3130).....	No limit
21	Elementary and secondary school –	
22	educationally deprived children –	
23	LEA's fund (652-00-3532-3520).....	No limit
24	Education of handicapped children	
25	fund – federal (652-00-3234-3050).....	No limit
26	Education of handicapped	
27	children fund – state operations –	
28	federal fund (652-00-3534-3540).....	No limit
29	Education of handicapped	
30	children fund – preschool –	
31	federal fund (652-00-3535-3550).....	No limit
32	Education of handicapped	
33	children fund – preschool state	
34	operations – federal (652-00-3536-3560).....	No limit
35	Elementary and secondary school	
36	aid – federal fund – migrant	
37	education fund (652-00-3537-3570).....	No limit
38	Elementary and secondary school aid –	
39	federal fund – migrant education –	
40	state operations (652-00-3538-3580).....	No limit
41	Vocational education title I –	
42	federal fund (652-00-3539-3590).....	No limit
43	Vocational education title I – federal fund –	

- 1 state operations (652-00-3540-3600).....No limit
 2 Educational research grants and
 3 projects fund (652-00-3592-3070).....No limit
 4 Inservice education workshop
 5 fee fund (652-00-2230-2010).....No limit
 6 *Provided*, That expenditures may be made from the inservice education
 7 workshop fee fund for operating expenditures, including official
 8 hospitality, incurred for inservice workshops and conferences: *Provided*
 9 *further*, That the state board of education is hereby authorized to fix,
 10 charge and collect fees for inservice workshops and conferences: *And*
 11 *provided further*, That such fees shall be fixed in order to recover all or
 12 part of such operating expenditures incurred for inservice workshops and
 13 conferences: *And provided further*, That all fees received for inservice
 14 workshops and conferences shall be deposited in the state treasury in
 15 accordance with the provisions of K.S.A. 75-4215, and amendments
 16 thereto, and shall be credited to the inservice education workshop fee fund.
 17 Private donations, gifts, grants and
 18 bequests fund (652-00-7307-5000).....No limit
 19 Reimbursement for
 20 services fund (652-00-3056-3200).....No limit
 21 Communities in schools
 22 program fund (652-00-2221-2400).....No limit
 23 Governor's teaching
 24 excellence scholarships program
 25 repayment fund (652-00-7221-7200).....No limit
 26 *Provided*, That all expenditures from the governor's teaching excellence
 27 scholarships program repayment fund shall be made in accordance with
 28 K.S.A. 72-2166, and amendments thereto: *Provided further*, That each
 29 such grant shall be required to be matched on a \$1 for \$1 basis from
 30 nonstate sources: *And provided further*, That award of each such grant shall
 31 be conditioned upon the recipient entering into an agreement requiring the
 32 grant to be repaid if the recipient fails to complete the course of training
 33 under the national board for professional teaching standards certification
 34 program: *And provided further*, That all moneys received by the
 35 department of education for repayment of grants made under the
 36 governor's teaching excellence scholarships program shall be deposited in
 37 the state treasury in accordance with the provisions of K.S.A. 75-4215, and
 38 amendments thereto, and shall be credited to the governor's teaching
 39 excellence scholarships program repayment fund.
 40 State grants for improving teacher quality –
 41 federal fund (652-00-3526-3860).....No limit
 42 State grants for improving
 43 teacher quality – federal fund –

1 state operations (652-00-3527-3870).....No limit
 2 21st century community learning centers –
 3 federal fund (652-00-3519-3890).....No limit
 4 State assessments –
 5 federal fund (652-00-3520-3800).....No limit
 6 Rural and low-income schools program –
 7 federal fund (652-00-3521-3810).....No limit
 8 TANF children's programs –
 9 federal fund (652-00-3323-0531).....No limit
 10 ESSA – student support academic enrichment –
 11 federal fund (652-00-3113-3113).....No limit
 12 Language assistance state grants –
 13 federal fund (652-00-3522-3820).....No limit
 14 Service clearing fund (652-00-2869-2800).....No limit
 15 Local school district contribution program
 16 checkoff fund (652-00-7005-7005).....No limit
 17 Educational technology
 18 coordinator fund (652-00-2157-2157).....No limit
 19 *Provided*, That expenditures shall be made by the above agency for the
 20 fiscal year ending June 30, 2020, from the educational technology
 21 coordinator fund of the department of education to provide data on the
 22 number of school districts served and cost savings for those districts in
 23 fiscal year 2020 in order to assess the cost effectiveness of the position of
 24 educational technology coordinator.
 25 (c) There is appropriated for the above agency from the children's
 26 initiatives fund for the fiscal year ending June 30, 2020, the following:
 27 Parent education program (652-00-2000-2510).....\$8,237,635
 28 *Provided*, That any unencumbered balance in the parent education
 29 program account in excess of \$100 as of June 30, 2019, is hereby
 30 reappropriated for fiscal year 2020: *Provided further*, That expenditures
 31 from the parent education program account for each such grant shall be
 32 matched by the school district in an amount that is equal to not less than
 33 50% of the grant.
 34 ABC early childhood intervention program.....\$1,000,000
 35 *Provided*, That expenditures shall be made by the above agency from the
 36 ABC early childhood intervention program account to implement the ABC
 37 early childhood intervention program: *Provided further*, That such program
 38 shall use scientific, evidence-based practices to identify early childhood at-
 39 risk indicators: *And provided further*, That such program shall connect
 40 parents and legal guardians of children between the ages of six months and
 41 four years who are identified as early childhood at-risk with services to be
 42 provided by trained parent coaches: *And provided further*, That the above
 43 agency shall work in collaboration with and operationally fund the bureau

1 of family health in the department of health and environment in the
 2 development, implementation and expansion of such program: *And*
 3 *provided further*, That both the above agency and the bureau of family
 4 health in the department of health and environment shall consult with the
 5 united methodist health ministry fund for the duration of the program: *And*
 6 *provided further*, That the above agency may expend an amount not to
 7 exceed \$264,000 from such account for research and evaluation of
 8 processes utilized by or related to such program.

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 (652-00-2000-2535).....\$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) of the department of education to the state general
 43 fund: *Provided*, That the transfer of such amount shall be in addition to

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

9 (f) On July 1, 2019, and quarterly thereafter during fiscal year 2020,
10 or as soon thereafter as sufficient moneys are available, the director of
11 accounts and reports shall transfer \$72,500 from the state highway fund of
12 the department of transportation to the school bus safety fund (652-00-
13 2532-2300) of the department of education.

14 (g) On July 1, 2019, or as soon thereafter as sufficient moneys are
15 available, the director of accounts and reports shall transfer an amount
16 certified by the commissioner of education from the motorcycle safety
17 fund (652-00-2633-2050) of the department of education to the motorcycle
18 safety fund (561-00-2366-2360) of the state board of regents: *Provided*,
19 That the amount to be transferred shall be determined by the commissioner
20 of education based on the amounts required to be paid pursuant to K.S.A.
21 8-272(b)(2), and amendments thereto.

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

25 KPERS – school employer

26 contribution (652-00-1700-1700).....\$41,632,883

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

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

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

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

1 (k) During the fiscal year ending June 30, 2020, the commissioner of
 2 education, with the approval of the director of the budget, may transfer any
 3 part of any item of appropriation for fiscal year 2020 from the state general
 4 fund for the department of education to another item of appropriation for
 5 fiscal year 2020 from the state general fund for the department of
 6 education. The commissioner of education shall certify each such transfer
 7 to the director of accounts and reports and shall transmit a copy of each
 8 such certification to the director of legislative research.

9 Sec. 3.

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, 2021, the following:

13 Special education

14 services aid (652-00-1000-0700).....\$505,380,818

15 *Provided*, That any unencumbered balance in the special education
 16 services aid account in excess of \$100 as of June 30, 2020, is hereby
 17 reappropriated for fiscal year 2021: *Provided further*; That expenditures
 18 shall not be made from the special education services aid account for the
 19 provision of instruction for any homebound or hospitalized child, unless
 20 the categorization of such child as exceptional is conjoined with the
 21 categorization of the child within one or more of the other categories of
 22 exceptionality: *And provided further*; That expenditures shall be made from
 23 this account for grants to school districts in amounts determined pursuant
 24 to and in accordance with the provisions of K.S.A. 72-3425, and
 25 amendments thereto: *And provided further*; That expenditures shall be
 26 made from the amount remaining in this account, after deduction of the
 27 expenditures specified in the foregoing provisos, for payments to school
 28 districts in amounts determined pursuant to and in accordance with the
 29 provisions of K.S.A. 72-3422, and amendments thereto.

30 State foundation aid (652-00-1000-0820).....\$2,407,951,518

31 *Provided*, That any unencumbered balance in the state foundation aid
 32 account in excess of \$100 as of June 30, 2020, is hereby reappropriated for
 33 fiscal year 2021: *Provided further*; That in addition to the other purposes
 34 for which expenditures may be made by the above agency from such
 35 account for fiscal year 2021, expenditures shall be made by the above
 36 agency from such account for fiscal year 2021 for the behavioral health
 37 intervention team program pursuant to section 4, and amendments thereto,
 38 in an amount not to exceed \$20,181,317 plus the amount equal to the
 39 difference between \$20,181,317 and the actual expenditures from the state
 40 foundation aid account in fiscal year 2020 for such behavioral health
 41 intervention team program: *And provided further*; That the commissioner
 42 of education shall certify to the director of accounts and reports the actual
 43 expenditures from the state foundation aid account in fiscal year 2020 for

1 such behavioral health intervention team program: *And provided further,*
 2 That at the same time that such certification is transmitted to the director
 3 of accounts and reports, the commissioner of education shall transmit a
 4 copy of such certification to the director of the budget and the director of
 5 legislative research.

6 Supplemental state aid (652-00-1000-0840).....\$512,300,000

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

10 KPERS – employer

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

12 *Provided,* That any unencumbered balance in the KPERS – employer
 13 contributions – non-USDs account in excess of \$100 as of June 30, 2020,
 14 is hereby reappropriated for fiscal year 2021: *Provided further,* That all
 15 expenditures from the KPERS – employer contributions – non-USDs
 16 account shall be for payment of participating employers' contributions to
 17 the Kansas public employees retirement system as provided in K.S.A. 74-
 18 4939, and amendments thereto: *And provided further,* That expenditures
 19 from this account for the payment of participating employers' contributions
 20 to the Kansas public employees retirement system may be made regardless
 21 of when the liability was incurred.

22 KPERS – employer

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

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

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

38 State school district

39 finance fund (652-00-7393-7000).....No limit

40 School district capital

41 improvements fund (652-00-2880-2880).....No limit

42 *Provided,* That expenditures from the school district capital improvements
 43 fund shall be made only for the payment of general obligation bonds

1 approved by voters under the authority of K.S.A. 72-5457, and
2 amendments thereto.

3 School district capital outlay
4 state aid fund.....No limit

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

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

10 New Sec. 4. (a) The behavioral health intervention weighting of each
11 school district shall be determined by the state board as follows:

12 (1) Determine the number of students included in the enrollment of
13 the school district who regularly attend an attendance center that has a
14 behavioral health intervention team liaison assigned to such attendance
15 center; and

16 (2) multiply the number determined under subsection (a)(1) by 0.015.
17 The resulting product is the behavioral health intervention weighting of the
18 school district.

19 (b) In order to qualify to receive the behavioral health intervention
20 weighting pursuant to this section, a school district shall implement the
21 behavioral health intervention team program in the current school year, or
22 if such program was implemented in a prior school year, continue such
23 program in the current school year. The behavioral health intervention
24 team program shall be administered so as to improve social-emotional
25 wellness and outcomes for students by increasing schools' access to
26 counselors, social workers and psychologists. Qualifying school districts
27 shall enter into the necessary memorandums of understanding and other
28 necessary agreements with participating community mental health centers
29 and the appropriate state agencies, including the department of health and
30 environment, to implement and operate the program. Behavioral health
31 intervention teams shall consist of behavioral health intervention team
32 liaisons employed by the school district, and clinical therapists and case
33 managers employed by the participating community mental health center.

34 (c) All moneys received by a qualifying school district that are
35 attributable to the behavioral health intervention weighting shall be
36 expended solely to implement and administer the behavioral health
37 intervention team program in accordance with the provisions of this
38 section and in accordance with agreements entered into pursuant to
39 subsection (b).

40 (d) Each behavioral health intervention team liaison shall be certified
41 as a master's level behavioral health professional, unless the state board
42 grants a waiver to the school district hiring such liaison that allows such
43 school district to hire a liaison certified as a bachelor's level behavioral

1 health professional.

2 (e) School districts shall prioritize services under the behavioral
3 health intervention team program for students who are in the custody of
4 the secretary for children and families. The Kansas department for children
5 and families, or the case management contractor, shall notify the school
6 district upon enrollment of a child in such school district that such child is
7 in the custody of the secretary for children and families.

8 (f) The provisions of this section shall be effective on and after July
9 1, 2019.

10 Sec. 5. On and after July 1, 2019, K.S.A. 72-5130 is hereby amended
11 to read as follows: 72-5130. ~~(a) There is hereby established in the state~~
12 ~~treasury the mineral production education fund which shall be~~
13 ~~administered by the department of education. On and after July 1, 2016, all~~
14 ~~moneys that are to be credited to the mineral production education fund~~
15 ~~pursuant to the provisions of K.S.A. 79-4227, and amendments thereto,~~
16 ~~shall be deposited in the state treasury in accordance with the provisions of~~
17 ~~K.S.A. 75-4215, and amendments thereto, and shall be credited to the~~
18 ~~mineral production education fund. All expenditures from the mineral~~
19 ~~production education fund shall be for school district finance. All~~
20 ~~expenditures from the mineral production education fund shall be made in~~
21 ~~accordance with appropriation acts upon warrants of the director of~~
22 ~~accounts and reports issued pursuant to vouchers approved by the~~
23 ~~commissioner of education or the designee of the commissioner.~~

24 ~~(b) On January 15 and July 15 of each year, the director of accounts~~
25 ~~and reports shall transfer a sum equal to the total amount of moneys~~
26 ~~credited to the mineral production education fund during the six months~~
27 ~~next preceding the date of transfer, from the mineral production education~~
28 ~~fund to the state school district finance fund. On July 1, 2019, the director~~
29 ~~of accounts and reports shall transfer all moneys in the mineral~~
30 ~~production education fund to the state general fund. On July 1, 2019, all~~
31 ~~liabilities of the mineral production education fund are hereby transferred~~
32 ~~to and imposed on the state general fund, and the mineral production~~
33 ~~education fund is hereby abolished.~~

34 Sec. 6. On and after July 1, 2019, K.S.A. 72-5131 is hereby amended
35 to read as follows: 72-5131. K.S.A. 72-5131 through 72-5176, and
36 amendments thereto, *and section 4, and amendments thereto*, shall be
37 known and may be cited as the Kansas school equity and enhancement act.

38 Sec. 7. On and after July 1, 2019, K.S.A. 72-5132 is hereby amended
39 to read as follows: 72-5132. As used in the Kansas school equity and
40 enhancement act, K.S.A. 72-5131 et seq., and amendments thereto:

41 (a) "Adjusted enrollment" means the enrollment of a school district
42 adjusted by adding the following weightings, if any, to the enrollment of a
43 school district: At-risk student weighting; *behavioral health intervention*

1 *weighting*; bilingual weighting; career technical education weighting;
2 high-density at-risk student weighting; high enrollment weighting; low
3 enrollment weighting; school facilities weighting; ancillary school
4 facilities weighting; cost-of-living weighting; special education and related
5 services weighting; and transportation weighting.

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

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

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

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

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

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

27 (2) for school year 2019-2020, ~~\$4,302~~ \$4,371; and

28 (3) for school year 2020-2021, \$4,439; \$4,512

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

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

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

38 (f) "*Behavioral health intervention weighting*" means an addend
39 component assigned to the enrollment of school districts pursuant to
40 section 4, and amendments thereto, on the basis of costs attributable to
41 maintenance of behavioral health intervention team programs by such
42 school districts.

43 (g) "Bilingual weighting" means an addend component assigned to

1 the enrollment of school districts pursuant to K.S.A. 72-5150, and
2 amendments thereto, on the basis of costs attributable to the maintenance
3 of bilingual educational programs by such school districts.

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

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

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

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

19 ~~(k)~~(l) "Current school year" means the school year during which state
20 foundation aid is determined by the state board under K.S.A. 72-5134, and
21 amendments thereto.

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

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

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

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

40 (B) the adjusted enrollment in the second preceding school year of
41 any students participating in the tax credit for low income students
42 scholarship program pursuant to K.S.A. 72-4351 et seq., and amendments
43 thereto, in the preceding school year, if any, plus the adjusted enrollment in

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

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

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

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

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

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

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

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

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

32 ~~(n)~~(o) "Federal impact aid" means an amount equal to the federally
 33 qualified percentage of the amount of moneys a school district receives in
 34 the current school year under the provisions of title I of public law 874 and
 35 congressional appropriations therefor, excluding amounts received for
 36 assistance in cases of major disaster and amounts received under the low-
 37 rent housing program. The amount of federal impact aid shall be
 38 determined by the state board in accordance with terms and conditions
 39 imposed under the provisions of the public law and rules and regulations
 40 thereunder.

41 ~~(o)~~(p) "General fund" means the fund of a school district from which
 42 operating expenses are paid and in which is deposited all amounts of state
 43 foundation aid provided under this act, payments under K.S.A. 72-528,

1 and amendments thereto, payments of federal funds made available under
2 the provisions of title I of public law 874, except amounts received for
3 assistance in cases of major disaster and amounts received under the low-
4 rent housing program and such other moneys as are provided by law.

5 ~~(p)~~(q) "General fund budget" means the amount budgeted for
6 operating expenses in the general fund of a school district.

7 ~~(q)~~(r) "High-density at-risk student weighting" means an addend
8 component assigned to the enrollment of school districts pursuant to
9 K.S.A. 72-5151(b), and amendments thereto, on the basis of costs
10 attributable to the maintenance of at-risk educational programs by such
11 school districts.

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

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

18 ~~(t)~~(u) "Local foundation aid" means the sum of the following
19 amounts:

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

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

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

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

35 (5) an amount equal to the amount credited to the general fund in the
36 current school year from moneys distributed in such school year to the
37 school district under the provisions of articles 17 and 34 of chapter 12 of
38 the Kansas Statutes Annotated, and amendments thereto, and under the
39 provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes
40 Annotated, and amendments thereto;

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

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

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

6 ~~(u)~~(v) "Low enrollment weighting" means an addend component
7 assigned to the enrollment of school districts pursuant to K.S.A. 72-
8 5149(a), and amendments thereto, on the basis of costs attributable to
9 maintenance of educational programs by such school districts.

10 ~~(v)~~(w) "Operating expenses" means the total expenditures and lawful
11 transfers from the general fund of a school district during a school year for
12 all purposes, except expenditures for the purposes specified in K.S.A. 72-
13 5168, and amendments thereto.

14 ~~(w)~~(x) "Preceding school year" means the school year immediately
15 before the current school year.

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

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

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

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

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

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

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

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

1 such school districts.

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

3 ~~(gg)~~(hh) "State foundation aid" means the amount of aid distributed
4 to a school district as determined by the state board pursuant to K.S.A. 72-
5 5134, and amendments thereto.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (a) For school year 2018-2019, one student;

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

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

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

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

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

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

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

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

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

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

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

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

1 ~~(k)~~(ll) "Virtual school" means the same as such term is defined in
2 K.S.A. 72-3712, and amendments thereto.

3 Sec. 8. On and after July 1, 2019, K.S.A. 72-5142 is hereby amended
4 to read as follows: 72-5142. (a) The board of education of each school
5 district shall levy an ad valorem tax upon the taxable tangible property of
6 the school district in the school years specified in subsection (b) for the
7 purpose of:

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

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

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

19 (b) The tax required under subsection (a) shall be levied at a rate of
20 20 mills in the school years ~~2017-2018~~ 2019-2020 and ~~2018-2019~~ 2020-
21 2021.

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

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

31 Sec. 9. On and after July 1, 2019, K.S.A. 72-5144 is hereby amended
32 to read as follows: 72-5144. (a) (1) ~~Subject to the provisions of subsection~~
33 ~~(e)~~—The provisions of this subsection shall apply in any school year in
34 which the amount of BASE aid is \$4,490 or less.

35 (2) The board of education of a school district may adopt a local
36 option budget that does not exceed the local option budget calculated as if
37 the BASE aid was \$4,490, or that does not exceed the local option budget
38 as calculated pursuant to K.S.A. 72-5143, and amendments thereto,
39 whichever is greater.

40 (b) The board of education of a school district may adopt a local
41 option budget that does not exceed the local option budget calculated as if
42 the school district received state aid for special education and related
43 services equal to the amount of state aid for special education and related

1 services received in school year 2008-2009, or that does not exceed the
2 local option budget as calculated pursuant to K.S.A. 72-5143, and
3 amendments thereto, whichever is greater.

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

6 (d) To the extent that the provisions of K.S.A. 72-5143, and
7 amendments thereto, conflict with this section, this section shall control.

8 ~~(e) For school year 2019-2020, and each school year thereafter, the~~
9 ~~specified dollar amount used in subsection (a) for purposes of determining~~
10 ~~the local option budget of a school district shall be the specified dollar~~
11 ~~amount used for the immediately preceding school year plus an amount~~
12 ~~equal to the average percentage increase in the consumer price index for~~
13 ~~all urban consumers in the midwest region as published by the bureau of~~
14 ~~labor statistics of the United States department of labor during the three~~
15 ~~immediately preceding school years.~~

16 Sec. 10. On and after July 1, 2019, K.S.A. 72-5151 is hereby
17 amended to read as follows: 72-5151. (a) The at-risk student weighting of
18 each school district shall be determined by the state board as follows:

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

21 (2) multiply the number determined under subsection (a)(1) by ~~0.484~~
22 *0.51*. The resulting ~~sum~~ *product* is the at-risk student weighting of the
23 school district.

24 *(b) Commencing in school year 2019-2020, each school district shall*
25 *spend those moneys that are attributable to that portion of such school*
26 *district's at-risk student weighting that is equal to an at-risk student*
27 *weighting of 0.026 on the at-risk evidence-based programs identified by*
28 *the state board pursuant to K.S.A. 72-5153(d)(2), and amendments*
29 *thereto. If a school district does not spend such moneys on such programs,*
30 *the state board shall notify the school district that it shall either spend*
31 *such moneys on such programs or show improvement within two years of*
32 *notification. Improvement shall include, but not be limited to, the*
33 *following: (1) Increases in the percentage of students who are proficient*
34 *on state math and English language arts assessments; and (2) decreases in*
35 *the achievement gap percentages among student subgroups identified by*
36 *the state board. If a school district has been notified pursuant to this*
37 *subsection and does not show improvement within two years, the school*
38 *district shall be given one additional year to either spend moneys on the*
39 *at-risk evidence-based programs identified pursuant to K.S.A. 72-5153(d)*
40 *(2), and amendments thereto, in accordance with this subsection, or show*
41 *improvement. If after the additional year the school district does not*
42 *comply with the expenditure requirements of this subsection or show*
43 *improvement, then such school district shall not receive an amount of*

1 *money attributable to that portion of the at-risk student weighting equal to*
 2 *0.026 in the immediately succeeding school year.*

3 ~~(b)(c)~~ Except as provided in subsection ~~(b)(4)~~ (c)(4), the high-density
 4 at-risk student weighting of each school district shall be determined by the
 5 state board as follows:

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

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

10 (ii) multiply the difference determined under subsection ~~(b)(1)(A)(i)~~
 11 (c)(1)(A)(i) by 0.7; and

12 (iii) multiply the product determined under subsection ~~(b)(1)(A)(ii)~~
 13 (c)(1)(A)(ii) by the number of at-risk students included in the enrollment of
 14 the school district; or

15 (B) if the enrollment of the school district is 50% or more at-risk
 16 students, multiply the number of at-risk students included in the
 17 enrollment of the school district by 0.105; or

18 (2) (A) if the enrollment of a school in the school district is at least
 19 35% at-risk students, but less than 50% at-risk students:

20 (i) Subtract 35% from the percentage of at-risk students included in
 21 the enrollment of such school;

22 (ii) multiply the difference determined under subsection ~~(b)(2)(A)(i)~~
 23 (c)(2)(A)(i) by 0.7; and

24 (iii) multiply the product determined under subsection ~~(b)(2)(A)(ii)~~
 25 (c)(2)(A)(ii) by the number of at-risk students included in the enrollment of
 26 such school; or

27 (B) if the enrollment of a school in the school district is 50% or more
 28 at-risk students, multiply the number of at-risk students included in the
 29 enrollment of such school by 0.105; and

30 (C) add the products determined under subsections ~~(b)(2)(A)(iii)~~ (c)
 31 (2)(A)(iii) and ~~(b)(2)(B)~~ (c)(2)(B) for each such school in the school
 32 district, respectively.

33 (3) The high-density at-risk weighting of the school district shall be
 34 the greater of the product determined under subsection ~~(b)(1)~~ (c)(1) or the
 35 sum determined under subsection ~~(b)(2)(C)~~ (c)(2)(C).

36 (4) Commencing in school year 2018-2019, school districts that
 37 qualify to receive the high-density at-risk weighting pursuant to this
 38 section shall spend any money attributable to the school district's high-
 39 density at-risk weighting on the at-risk best practices developed by the
 40 state board pursuant to K.S.A. 72-5153(d), and amendments thereto. If a
 41 school district that qualifies for the high-density at-risk weighting does not
 42 spend such money on such best practices, the state board shall notify the
 43 school district that it shall either spend such money on such best practices

1 or shall show improvement within five years of notification. Improvement
2 shall include, but not be limited to, *increases in* the following: (A) The
3 percentage of students at grade level on state math and English language
4 arts assessments; (B) the percentage of students that are college and career
5 ready on state math and English language arts assessments; (C) the
6 average composite ACT score; or (D) the four-year graduation rate. If a
7 school district does not spend such money on such best practices and does
8 not show improvement within five years, the school district shall not
9 qualify to receive the high-density at-risk weighting in the succeeding
10 school year.

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

12 Sec. 11. On and after July 1, 2019, K.S.A. 72-5153 is hereby
13 amended to read as follows: 72-5153. (a) There is hereby established in
14 every school district an at-risk education fund, which shall consist of all
15 moneys deposited therein or transferred thereto according to law. The
16 expenses of a school district directly attributable to providing ~~at-risk~~
17 student assistance *to* or programs *for students receiving at-risk program*
18 *services* shall be paid from the at-risk education fund. *Of the moneys*
19 *deposited in or otherwise credited to the general fund of a school district*
20 *pursuant to K.S.A. 72-5135, and amendments thereto, an amount equal to*
21 *that portion of the school district's total foundation aid that is attributable*
22 *to 50% of the at-risk student weighting of such school district shall be*
23 *transferred to the at-risk education fund of such school district.*

24 (b) Any balance remaining in the at-risk education fund at the end of
25 the budget year shall be carried forward into the at-risk education fund for
26 succeeding budget years. Such fund shall not be subject to the provisions
27 of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing
28 the budget of such school district, the amounts credited to and the amount
29 on hand in the at-risk education fund, and the amount expended therefrom
30 shall be included in the annual budget for the information of the residents
31 of the school district. Interest earned on the investment of moneys in any
32 such fund shall be credited to that fund.

33 (c) Commencing in school year 2018-2019, expenditures from the at-
34 risk education fund of a school district shall only be made for the
35 following purposes:

36 (1) At-risk educational programs based on best practices identified
37 pursuant to subsection (d);

38 (2) personnel providing educational services in conjunction with such
39 programs; or

40 (3) services contracted for by the school district to provide at-risk
41 educational programs based on best practices identified pursuant to
42 subsection (d).

43 (d) ~~(1) On or before July 1, 2018,~~ The state board shall identify and

1 approve evidence-based best practices for at-risk programs and instruction
2 of students receiving at-risk program services.

3 (2) *The state board shall identify and approve evidence-based*
4 *programs provided by state-based, national nonprofit organizations that:*

5 (A) *Focus on students who are identified as at-risk or who face other*
6 *identifiable barriers to success, and who are ranked in the lower 50th*
7 *percentile in such student's class;*

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

10 (C) *evaluate outcomes data for such students, including, but not*
11 *limited to, school attendance, academic progress, graduation rates,*
12 *pursuit of postsecondary education or other career advancement.*

13 (3) *The state board shall review and update such best practices and*
14 *evidence-based programs as necessary and as part of its five-year*
15 *accreditation system review process.*

16 (e) Each year the board of education of each school district shall
17 prepare and submit to the state board a report on the assistance or
18 programs provided by the school district for students identified as at-risk.
19 Such report shall include the number of students identified as at-risk who
20 were served or provided assistance, the type of service provided, the
21 research upon which the school district relied in determining that a need
22 for service or assistance existed, the results of providing such service or
23 assistance and any other information required by the state board.

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

28 (g) *As used in this section, the term "evidence-based instruction"*
29 *means an education delivery system based on independent research that*
30 *consistently produces better student outcomes over a five-year period than*
31 *would otherwise be achieved by the same at-risk students.*

32 Sec. 12. On and after July 1, 2019, K.S.A. 2018 Supp. 79-201x is
33 hereby amended to read as follows: 79-201x. For taxable years ~~2017~~ 2019
34 and ~~2018~~ 2020, the following described property, to the extent herein
35 specified, shall be and is hereby exempt from the property tax levied
36 pursuant to the provisions of K.S.A. 72-5142, and amendments thereto:
37 Property used for residential purposes to the extent of \$20,000 of its
38 appraised valuation.

39 Sec. 13. On and after July 1, 2019, K.S.A. 2018 Supp. 79-4227 is
40 hereby amended to read as follows: 79-4227. (a) All revenue collected or
41 received by the director from the tax imposed by this act shall be remitted
42 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,
43 and amendments thereto. Upon receipt of each such remittance, the state

1 treasurer shall deposit the entire amount in the state treasury. The state
2 treasurer shall first credit such amount as the director shall order to the
3 mineral production tax refund fund created under subsection (b) of this
4 section. Second, the state treasurer shall credit 7% of the remainder of
5 such amounts to the special county mineral production tax fund created in
6 subsection (c). Finally, the state treasurer shall credit the remainder of such
7 amounts ~~collected or received from the tax imposed by this act during~~
8 ~~fiscal years 2013, 2014 and 2015 for oil and gas for any county which had~~
9 ~~\$100,000 or more in receipts of the excise tax upon the severance and~~
10 ~~production of oil and gas as follows: (1) 12.41% to the oil and gas~~
11 ~~valuation depletion trust fund; and (2) the remainder shall be credited to~~
12 ~~the state general fund. The state treasurer shall credit the remainder of such~~
13 ~~amounts collected or received from the tax imposed by this act during~~
14 ~~fiscal year 2016, and thereafter, and distributed during fiscal year 2017,~~
15 ~~and thereafter, for oil and gas for any county which had \$100,000 or more~~
16 ~~in receipts of the excise tax upon the severance and production of oil and~~
17 ~~gas as follows: (1) 20% to the mineral production education fund created~~
18 ~~in K.S.A. 72-6462*, and amendments thereto; and (2) the remainder shall~~
19 ~~be credited to the state general fund.~~

20 (b) A refund fund designated as "mineral production tax refund fund"
21 not to exceed \$50,000 is hereby created for the prompt payment of all tax
22 refunds. The mineral production tax refund fund shall be in such amount,
23 within the limit set by this section, as the director shall determine is
24 necessary to meet current refunding requirements under this act.

25 (c) There is hereby created a special county mineral production tax
26 fund. On December 1, 1983, and quarterly thereafter, the director of
27 taxation shall distribute all moneys credited to such fund to the county
28 treasurers of all counties in which taxes were levied under K.S.A. 79-4217,
29 and amendments thereto, for the severing and producing of coal, oil or gas
30 from property within the county, in the proportion that the taxes levied
31 upon production in each county bears to the total of all of such taxes levied
32 in all of such counties. Such distribution shall be based on returns filed,
33 with any adjustments or corrections thereto made by the director of
34 taxation.

35 (d) The secretary of revenue shall make provision for the
36 determination of the counties within which taxes are levied under K.S.A.
37 79-4217, and amendments thereto, for the severance of coal, oil or gas and
38 shall certify the same to the director of accounts and reports.

39 (e) The director of accounts and reports shall draw warrants on the
40 state treasurer payable to the county treasurer of each county entitled to
41 payment from the special county mineral production tax fund upon
42 vouchers approved by the director of taxation. Upon receipt of such
43 warrant, each county treasurer shall credit 50% of the amount thereof to

1 the county general fund and shall distribute the remaining 50% thereof to
2 the treasurer of each school district all or any portion of which is located
3 within the county in the proportion that the assessed value of coal, oil and
4 gas properties within each district bears to the total of the assessed value of
5 all coal, oil and gas properties within the county. Such assessed valuation
6 shall be determined upon the basis of the most recent November 1 tax roll.
7 The treasurer of each school district shall credit the entire amount of the
8 moneys so received to the general fund of the school district.

9 Sec. 14. On and after July 1, 2019, K.S.A. 72-5130, 72-5131, 72-
10 5132, 72-5142, 72-5144, 72-5151 and 72-5153 and K.S.A. 2018 Supp. 79-
11 201x and 79-4227 are hereby repealed.

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