

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 16** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, following line 7, by inserting:

"Section 1.

DEPARTMENT OF EDUCATION

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

State foundation aid (652-00-1000-0820).....\$92,659,017

*Provided*, That any unencumbered balance in the state foundation aid account in excess of \$100 as of June 30, 2019, is hereby reappropriated for fiscal year 2020.

KPERS – employer contributions – non-USDs (652-00-1000-0100).....\$1,597,147

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

KPERS – employer contributions – USDs (652-00-1000-0110).....\$10,261,604

*Provided*, That any unencumbered balance in the KPERS – employer contributions – USDs account in excess of \$100 as of June 30, 2019, is hereby reappropriated for fiscal year 2020:

*Provided further;* That all expenditures from the KPERS – employer contributions – USDs account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939, and amendments thereto: *And provided further;* That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

Sec. 2.

DEPARTMENT OF EDUCATION

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

State foundation aid (652-00-1000-0820).....\$89,659,017

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

KPERS – employer  
contributions – non-USDs (652-00-1000-0100).....\$3,306,581

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

KPERS – employer  
contributions – USDs (652-00-1000-0110).....\$21,247,425

*Provided,* That any unencumbered balance in the KPERS – employer contributions – USDs account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided further;* That all expenditures from the KPERS – employer contributions – USDs account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939, and amendments thereto: *And*

*provided further*, That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.";

Also on page 1, in line 29, by striking "6" and inserting "5"; by striking all in lines 30 through 36;

On page 2, by striking all in lines 1 through 17; by striking all in lines 28 through 43;

On page 3, by striking all in lines 1 through 36; in line 37, before "All" by inserting "(a)"; in line 38, by striking "1" and inserting "3"; in line 41, after "Reports."" by inserting:

"(b) ";

Also on page 3, also in line 41, after "prepared" by inserting "pursuant to K.S.A. 72-1167 and 72-5171, and amendments thereto,";

On page 4, in line 2, by striking the period and inserting "," and if a school operated by such school district has a separate website, then such reports shall be published for such school on such website with a link to such reports prominently displayed on the website homepage titled, "Accountability Reports.";

Also on page 4, following line 2, by inserting:

"(c) Each school district shall provide a link to the state department of education's webpage where the reports prepared pursuant to K.S.A. 72-5170, and amendments thereto, and section 3, and amendments thereto, for such school district and each school operated by such school district are published. The link shall be prominently displayed on the school district's accountability reports webpage.";

Also on page 4, by striking all in lines 3 through 16;

On page 7, in line 8, by striking "6" and inserting "5"; by striking all in lines 9 through 43;

By striking all on pages 8 and 9;

On page 10, by striking all in lines 1 through 7;

On page 13, in line 40, by striking "1 through"; also in line 40, after "3" by inserting "and 4";

On page 14, in line 31, by striking "\$4,302" and inserting "\$4,436"; in line 32, by striking "\$4,439" and inserting "\$4,569"; in line 33, by striking "\$4,576" and inserting "\$4,706"; in line 34, by striking "\$4,713" and inserting "\$4,846";

On page 20, following line 23, by inserting:

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

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

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

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

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

On page 21, by striking lines 1 through 12; following line 12, by inserting:

"Sec. 11. K.S.A. 72-5142 is hereby amended to read as follows: 72-5142. (a) The board of education of each school district shall levy an ad valorem tax upon the taxable tangible

property of the school district in the school years specified in subsection (b) for the purpose of:

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

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

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

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

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

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

Sec. 12. K.S.A. 72-5153 is hereby amended to read as follows: 72-5153. (a) There is hereby established in every school district an at-risk education fund, which shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school

district directly attributable to providing at-risk student assistance or programs shall be paid from the at-risk education fund.

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

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

- (1) At-risk educational programs based on best practices identified pursuant to subsection (d);
- (2) personnel providing educational services in conjunction with such programs; or
- (3) services contracted for by the school district to provide at-risk educational programs based on best practices identified pursuant to subsection (d).

(d) (1) On or before July 1, 2018, The state board shall identify and approve evidence-based best practices for at-risk programs and instruction of students receiving at-risk program services. On and after July 1, 2019, such best practices shall include, but not be limited to, programs and services provided by state-based national nonprofit organizations that:

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

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

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

(2) The state board shall review and update such best practices as necessary and as part of its five-year accreditation system review process.

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

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

(g) As used in this section, the term "evidence-based instruction" means an education delivery system based on peer-reviewed research that consistently produces better student outcomes over a five-year period than would otherwise be achieved by the same students who are receiving at-risk program services."

Also on page 21, in line 40, by striking "6" and inserting "5";

On page 22, in line 4, by striking "6" and inserting "5";

On page 25, in line 1, by striking all after "(d)"; by striking all in lines 2 through 4; in line 5, by striking "(e)"; in line 6, by striking "6" and inserting "5";

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

Also on page 25, in line 31, by striking "2022" and inserting "2021"; in line 33, by striking "2022" and inserting "2021";

On page 27, in line 36, after "graduates" by inserting ", boys and girls club";

On page 28, by striking all in lines 21 through 43;

By striking all on page 29;

On page 30, by striking all in lines 1 and 2;

On page 34, by striking all in lines 6 through 43;

By striking all on pages 35 and 36;

On page 37, by striking all in lines 1 through 34;

On page 40, following line 1, by inserting:

"Sec. 19. K.S.A. 2018 Supp. 79-201x is hereby amended to read as follows: 79-201x. For taxable years ~~2017~~ 2019 and ~~2018~~ 2020, the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of K.S.A. 72-5142, and amendments thereto: Property used for residential purposes to the extent of \$20,000 of its appraised valuation.";

Also on page 40, in line 2, by striking ", 72-3422"; in line 3, by striking "72-5150" and inserting "72-5142, 72-5153"; also in line 3, by striking ", 72-5461"; by striking the last comma; in line 4, by striking all before "and"; also in line 4, after "72-8193" by inserting "and K.S.A.

2018 Supp. 79-201x";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon, by inserting "making and concerning appropriations for the fiscal years ending June 30, 2020, and June 30, 2021, for the department of education;"; also in line 2, by striking ", 72-3422"; in line 3, by striking "72-5150" and inserting "72-5142, 72-5153"; also in line 3, by striking all after "72-5193"; in line 4, by striking "5461"; also in line 4, by striking ", 72-6147, 72-6487"; also in line 4, after "72-8193" by inserting "and K.S.A. 2018 Supp. 79-201x";

And your committee on conference recommends the adoption of this report.

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Conferees on part of House

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Conferees on part of Senate