

HOUSE BILL No. 2738

By Committee on K-12 Education Budget

Requested by Representative Goetz

2-7

Proposed Amendments to House Bill No. 2738

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Amendments to excess cost calculation

1 AN ACT concerning education; relating to special education state aid;
2 revising the special education state aid statewide excess costs
3 calculation to count additional funding; requiring the state board to
4 determine excess costs for school districts; requiring the state board to
5 establish a special education state aid equalization distribution schedule
6 and to distribute certain amounts of special education services aid
7 pursuant to such distribution schedule; requiring each school district to
8 transfer the amount attributable to the special education weighting from
9 the supplemental general fund to the special education fund; amending
10 K.S.A. 72-3422 and 72-5143 and repealing the existing sections.

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

12 New Section 1. (a) Each year, prior to making any special education
13 state aid distributions to school districts pursuant to K.S.A. 72-3422, and
14 amendments thereto, the state board of education shall determine each
15 school district's excess cost as follows:

16 (1) Determine the school district's weighted full-time equivalent
17 student enrollment excluding the special education weighted full-time
18 equivalent as provided on the legal maximum general fund calculation
19 data computed by the state department of education;

excluding the special education and related services weighting, bilingual weighting, transportation weighting, career technical education weighting and at-risk student weighting

20 (2) multiply the amount determined in paragraph (1) by the base aid
21 for student excellence established pursuant to K.S.A. 72-5132, and
22 amendments thereto;

23 (3) divide the amount obtained in paragraph (2) by the total number
24 of unweighted full-time equivalent students enrolled in the school district
25 on September 20;

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

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

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

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

(8)

33 (7) determine the amount of federal funds received by the school
34 district for the provision of special education and related services;
35

(9) 1 ~~(8)~~ determine the amount of revenue received by the school district
 2 for medicaid reimbursements and rendered under contracts with the state
 3 institutions for the provision of special education and related services by
 4 the state institution; (7) (9)
 (10) 5 ~~(9)~~ add the amounts determined under paragraphs (5) through (8); (10)
 (11) 6 ~~(10)~~ determine the total amount of expenditures of the school district
 7 for the provision of special education and related services; (11)
 (12) 8 ~~(11)~~ subtract the amount of the sum obtained under paragraph (9)
 9 from the amount determined under paragraph (10); and (12)
 (13) 10 ~~(12)~~ divide the amount determined under paragraph (11) by the sum
 11 of one plus the statewide average local option budget authorized percent;
 12 and school district's

13 ~~(13) subtract the amount attributable to the special education~~
 14 ~~weighting that is provided to the school district as supplemental state aid~~
 15 ~~pursuant to K.S.A. 72-5145, and amendments thereto, from the quotient~~
 16 ~~determined pursuant to paragraph (12). The amount determined under this~~
 17 ~~paragraph shall be the school district's excess cost.~~

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

28 (c) Each year, the state department of education shall:
 29 (1) Report to each school district the school district's excess cost
 30 determined pursuant to subsection (a);
 31 (2) publish the excess cost determinations made for each school
 32 district pursuant to subsection (a) on the state department of education's
 33 website; and
 34 (3) on or before January 31 of each year, prepare and submit a report
 35 to the house standing committee on K-12 education budget and the senate
 36 standing committee on education, or any successor committees, that
 37 provides a computation of school district excess costs as calculated
 38 pursuant to subsection (a) and the special education services aid
 39 equalization distribution schedule established by the state board of
 40 education for distributions of special education state aid pursuant to K.S.A.
 41 72-3422(e), and amendments thereto.

42 Sec. 2. K.S.A. 72-3422 is hereby amended to read as follows: 72-
 43 3422. (a) Each year, the state board of education shall determine the

1 amount of state aid for the provision of special education and related
2 services each school district shall receive for the ensuing school year. The
3 amount of such state aid shall be computed by the state board as provided
4 in this section *and shall include all forms of state aid that are related to*
5 *the provision of special education, including, but not limited to:*

6 (1) *The base aid for student excellence and weightings that are*
7 *determined for all students under the Kansas school equity and*
8 *enhancement act and the local option budget moneys that are generated*
9 *by such state aid for general education of special education students;*

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

12 (b) (1) *The state board shall determine the total amount of special*
13 *education state aid to be provided to school districts as follows:*

and the total amount of local option budget moneys generated by such state aid for the provision of special education and related services

14 ~~(1)(A)~~ Determine the total amount of general fund and local option
15 budgets of all school districts weighted full-time equivalent student
16 enrollment ~~excluding the special education weighted full-time equivalent~~
17 ~~as provided on the legal maximum general fund calculation data~~
18 ~~computed by the state department of education;~~

excluding the special education and related services weighting, bilingual weighting, transportation weighting, career technical education weighting and at-risk student weighting

19 ~~(2)(B)~~ ~~subtract from the amount determined in subsection (a)(1) the~~
20 ~~total amount attributable to assignment of transportation weighting,~~
21 ~~bilingual weighting, career technical education weighting, special~~
22 ~~education weighting and at-risk student weighting to the enrollment of all~~
23 ~~school districts; multiply the amount determined in paragraph (1)(A) by the~~
24 ~~base aid for student excellence established pursuant to K.S.A. 72-5132,~~
25 ~~and amendments thereto;~~

26 ~~(3)(C)~~ divide the remainder amount obtained in subsection (a)(2)
27 paragraph (1)(B) by the total number of unweighted full-time equivalent
28 pupils students enrolled in all school districts on September 20;

29 (4)(D) determine the total full-time equivalent enrollment of
30 exceptional children receiving special education and related services
31 provided by all school districts;

32 ~~(5)(E)~~ multiply the amount of the quotient obtained in subsection (a)
33 ~~(3) paragraph (1)(C) by the full-time equivalent enrollment determined in~~
34 ~~subsection (a)(4) paragraph (1)(D);~~

add the amount determined in paragraph (1)(E) to the amount determined in paragraph (1)(F);
(H)

35 ~~(6)(F)~~ multiply the amount of the product obtained in paragraph (1)
36 (E) by the statewide average local option budget authorized percent;

37 (G) determine the amount of federal funds received by all school
38 districts for the provision of special education and related services;

(I) 39 ~~(7)(H)~~ determine the amount of revenue received by all school
40 districts for medicaid reimbursements and rendered under contracts with
41 the state institutions for the provisions of special education and related
42 services by the state institution;

(J) 43 ~~(8)(I)~~ add the amounts determined under subsections (a)(6) and (a)(7)

1 to the amount of the product obtained under subsection (a)(5) paragraphs
 2 ~~(1)(E) through (1)(H);~~
 3 ~~(9)(J)~~ determine the total amount of expenditures of all school
 4 districts for the provision of special education and related services;
 5 ~~(10)(K)~~ subtract the amount of the sum obtained under subsection (a)
 6 ~~(8)~~ paragraph (1)(I) from the amount determined under subsection (a)(9)
 7 paragraph (1)(J); and
 8 ~~(11)(L)~~ divide the amount determined under paragraph (1)(K) by the
 9 sum of one plus the statewide average local option budget authorized
 10 percent;
 11 ~~(M) subtract the amount attributable to the special education~~
 12 ~~weighting that is provided to school districts as supplemental state aid~~
 13 ~~pursuant to K.S.A. 72-5145, and amendments thereto, from the quotient~~
 14 ~~determined pursuant to paragraph (1)(L); and~~
 15 ~~(N) multiply the remainder obtained under subsection (a)(10)~~
 16 ~~paragraph (1)(M) by 92%.~~
 17 (2) Subject to appropriation acts of the legislature, the computed
 18 amount is the total amount of state aid for the provision of special
 19 education and related services ~~aid a school district is districts are entitled~~
 20 ~~to receive~~ for the ensuing school year.

21 ~~(b)(c)~~ Except as provided in subsection (e), each school district shall
 22 receive:

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

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

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

39 (4) (A) except for those school districts that receive reimbursement
 40 under subsection ~~(e)~~ (c)(4)(D) or ~~(d)~~(c)(4)(E), after subtracting the
 41 amounts of reimbursement under subsections ~~(a)~~(1)(c)(1), ~~(a)~~(2)(c)(2) and
 42 ~~(a)~~(3)(c)(3) from the total amount appropriated for special education and
 43 related services under this act, an amount which bears the same proportion

(G)

(I)

(K)

(L)

(J)

(K)

(M) multiply the amount determined pursuant to paragraph (1)(L) by 92%;
(N)

(L)

, such computed amount is the total amount of state aid for the provision of special education and related services school districts are entitled to receive for the ensuing school year, subject to appropriation acts of the legislature;
(O) subtract the amount determined in paragraph (1)(N) from the amount determined pursuant to paragraph (1)(M), such computed amount is the total amount of local option budget moneys school districts are required to raise and use for the provision of special education and related services in the ensuing school year; and
(P) add the amount determined pursuant to paragraph (1)(N) to the amount determined pursuant to paragraph (1)(O).

and local option budget moneys that shall be received, raised and used

by

(I)