

**SENATE BILL No. 361**

By Committee on Education

1-31

1 AN ACT concerning schools; creating the excellence in education act;  
2 relating to career technical education; relating to teacher certification;  
3 relating to school employee performance and evaluation; amending  
4 K.S.A. 12-1677, 72-1412, 72-1413, 72-1414, 72-1415, 72-4417, 72-  
5 4419, 72-4463, 72-5333b, 72-6622, 72-6757, 72-8189, 72-8230, 72-  
6 8233, 72-8236, 72-8309, 72-8908, 72-9004 and 72-9005 and K.S.A.  
7 2011 Supp. 10-1116a, 71-201, 71-609, 72-978, 72-1046b, 72-1398, 72-  
8 3607, 72-3712, 72-3715, 72-3715, as amended by section 50 of this act,  
9 72-5413, 72-6414a, 72-6414b, 72-6420, 72-6421, 72-6423, 72-6426,  
10 72-6460, 72-64b01, 72-64c03, 72-6624, 72-6625, 72-67,115, 72-8187,  
11 72-8237, 72-8250, 72-8251, 72-8302, 72-8316, 72-8319, 72-8415b, 72-  
12 8814, 72-9002, 72-9003, 72-9509, 72-9608, 72-9609, 74-32,141, 74-  
13 4939a, 75-2319 and 79-201x and repealing the existing sections; also  
14 repealing K.S.A. 72-6406, 72-6408, 72-6411, 72-6415, 72-6416, 72-  
15 6418, 72-6419, 72-6422, 72-6424, 72-6427, 72-6429, 72-6432, 72-  
16 6436, 72-6437, 72-6444, 72-6446 and 72-6447 and K.S.A. 2011 Supp.  
17 46-3401, 46-3402, 72-6405, 72-6407, 72-6409, 72-6410, 72-6412, 72-  
18 6413, 72-6414, 72-6414a, 72-6414b, 72-6415b, 72-6417, 72-6420, 72-  
19 6421, 72-6423, 72-6425, 72-6426, 72-6428, 72-6430, 72-6431, 72-  
20 6433, 72-6433d, 72-6434, 72-6434b, 72-6435, 72-6438, 72-6439, 72-  
21 6439a, 72-6441, 72-6442b, 72-6443, 72-6445a, 72-6448, 72-6449, 72-  
22 6450, 72-6451, 72-6452, 72-6453, 72-6454, 72-6455, 72-6456, 72-  
23 6457, 72-6458, 72-6459 and 72-6460.

24

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

26 New Section 1. (a) The provisions of sections 1 through 29, and  
27 amendments thereto, shall be known and may be cited as the excellence in  
28 education act.

29 (b) The provisions of this section shall take effect and be in force  
30 from and after July 1, 2013.

31 New Sec. 2. As used in section 1 through 29, and amendments  
32 thereto:

33 (a) "Additional local effort" means an amount equal to the tax  
34 proceeds collected from all levies imposed by a district pursuant to section  
35 8, and amendments thereto, less the local effort of such district.

36 (b) "At-risk pupils" means pupils who are eligible for free meals

1 under the national school lunch act and who are enrolled in a district which  
2 maintains an approved at-risk pupil assistance plan.

3 (c) "Base state aid" means the amount of state funds paid to a district  
4 pursuant to section 5, and amendments thereto.

5 (d) "Base state aid per pupil" means an amount of state funds paid to  
6 a district on a per pupil basis as determined pursuant to section 5, and  
7 amendments thereto.

8 (e) "Baseline amount requirement" or "BAR" means a minimum  
9 amount of state funds a district is entitled to receive each school year as  
10 determined pursuant to sections 9 through 12, and amendments thereto.

11 (f) "Board" means the board of education of a school district.

12 (g) "Career technical education" shall have the same meaning as such  
13 term is defined in K.S.A. 72-4412, and amendments thereto.

14 (h) "Current school year" means the school year during which base  
15 state aid is determined by the state board under section 5, and amendments  
16 thereto.

17 (i) "Curve of best fit" means the curve on a density-cost graph drawn  
18 so the sum of the distances squared from such line to each of the points  
19 plotted on the graph is the least possible.

20 (j) "Density-cost graph" means a drawing having: (1) A horizontal or  
21 base line divided into equal intervals of density, beginning with zero on the  
22 left; and (2) a scale for per-pupil cost of transportation to be shown on a  
23 line perpendicular to the base line at the left end thereof, such scale to  
24 begin with zero dollars at the base line ascending by equal per-pupil cost  
25 intervals.

26 (k) "District" means a school district organized under the laws of this  
27 state which is maintaining public school for a school term in accordance  
28 with the provisions of K.S.A. 72-1106, and amendments thereto.

29 (l) "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 shall  
31 mean the first day after February 20 on which school is maintained.

32 (m) "Index of density" means the number of pupils who are included  
33 in the enrollment of a district in the current school year, are residing  $2\frac{1}{2}$   
34 miles or more by the usually traveled road from the school building they  
35 attend, and for whom transportation is being made available on regular  
36 school routes by the district, divided by the number of square miles of  
37 territory in the district.

38 (n) "Juvenile detention facility" has the meaning ascribed thereto by  
39 K.S.A. 72-8187, and amendments thereto.

40 (o) "Local effort" means an amount equal to the tax proceeds  
41 collected from all levies imposed by a district pursuant to K.S.A. 72-6433,  
42 and amendments thereto, prior to its repeal, in school year 2012-2013.

43 (p) "Military pupil" means a person who is a dependent of a full-time

1 active duty member of the military service or a dependent of a member of  
2 any of the United States military reserve forces who has been ordered to  
3 active duty under section 12301, 12302 or 12304 of Title 10 of the United  
4 States Code, or ordered to full-time active duty for a period of more than  
5 30 consecutive days under section 502(f) or 512 of Title 32 of the United  
6 States Code for the purposes of mobilizing for war, international  
7 peacekeeping missions, national emergency or homeland defense  
8 activities.

9 (q) "Postsecondary educational institution" means a community  
10 college, institute of technology or technical college, as those terms are  
11 defined in K.S.A. 72-4412, and amendments thereto.

12 (r) "Preschool-aged at-risk pupil" means an at-risk pupil who has  
13 attained the age of four years, is under the age of eligibility for attendance  
14 at kindergarten, and has been selected by the state board in accordance  
15 with guidelines consonant with guidelines governing the selection of  
16 pupils for participation in head start programs.

17 (s) "Preschool-aged exceptional children" means exceptional  
18 children, except gifted children, who have attained the age of three years  
19 but are under the age of eligibility for attendance at kindergarten.

20 (t) "Property value equalization state aid" means the amount of state  
21 funds paid to a district pursuant to section 7, and amendments thereto.

22 (u) "Psychiatric residential treatment facility" has the meaning  
23 ascribed thereto by K.S.A. 72-8187, and amendments thereto.

24 (v) "Pupil" means any person who is regularly enrolled in a district  
25 and attending kindergarten or any of the grades one through 12 maintained  
26 by the district, or who is regularly enrolled in a district and attending  
27 kindergarten or any of the grades one through 12 in another district in  
28 accordance with an agreement entered into under authority of K.S.A. 72-  
29 8233, and amendments thereto, or who is regularly enrolled in a district  
30 and attending special education services provided for preschool-aged  
31 exceptional children by the district.

32 (w) "September 20" has its usual meaning, except that in any year in  
33 which September 20 is not a day on which school is maintained, it shall  
34 mean the first day after September 20 on which school is maintained.

35 (x) "School year" means the 12-month period ending June 30.

36 (y) "State board" means the state board of education.

37 (z) "Supplemental equalization state aid" means the amount of state  
38 funds paid to a district pursuant to section 13, and amendments thereto.

39 (aa) "Total state aid" means the amount of funding a district receives  
40 either in the form of a state aid payment or by the imposition of tax levies  
41 as determined pursuant to section 13, and amendments thereto.

42 (bb) "Valuation per pupil" means the amount of tax proceeds to be  
43 collected from the tax levy imposed by a district in accordance with

1 section 6, and amendments thereto, divided by total enrollment of such  
2 district as determined pursuant to section 4, and amendments thereto.

3 (cc) "Virtual school" means any school or educational program that:  
4 (1) Is offered for credit; (2) uses distance-learning technologies which  
5 predominately use internet-based methods to deliver instruction; (3)  
6 involves instruction that occurs asynchronously with the teacher and pupil  
7 in separate locations; (4) requires the pupil to make academic progress  
8 toward the next grade level and matriculation from kindergarten through  
9 high school graduation; (5) requires the pupil to demonstrate competence  
10 in subject matter for each class or subject in which the pupil is enrolled as  
11 part of the virtual school; and (6) requires age-appropriate pupils to  
12 complete state assessment tests.

13 (dd) The provisions of this section shall take effect and be in force  
14 from and after July 1, 2013.

15 New Sec. 3. (a) On or before August 25 of each school year, the  
16 clerk or superintendent of each district shall certify to the state board a  
17 copy of the budget adopted by the board of education for such district for  
18 such school year.

19 (b) On or before October 10 of each school year, the clerk or  
20 superintendent of each district shall certify under oath to the state board a  
21 report showing the total enrollment of pupils in the district, as determined  
22 pursuant to section 4, and amendments thereto, by grades maintained in  
23 the schools of such district, and such other reports as the state board may  
24 require. Each such report shall show total pupil enrollment, career  
25 technical education enrollment and special education enrollment in such  
26 detail and form as is specified by the state board. Upon receipt of such  
27 reports, the state board shall examine the reports and if the state board  
28 finds any errors in any such report, the state board shall consult with the  
29 district officer furnishing the report and make such corrections in the  
30 report as are necessary.

31 (c) The provisions of this section shall take effect and be in force  
32 from and after July 1, 2013.

33 New Sec. 4. (a) (1) Except as otherwise provided in paragraphs (2)  
34 and (3), the total enrollment of pupils in a district shall be the number of  
35 full-time equivalent pupils enrolled in the district on September 20. The  
36 determination of pupil enrollment in career technical education and  
37 exceptional children receiving special education and related services shall  
38 also be the number of full-time equivalent pupils identified as such by the  
39 district on September 20.

40 (2) For districts scheduling the school days or school hours of the  
41 school term on a trimestral or quarterly basis, the number of pupils  
42 regularly enrolled in the district on September 20 plus the number of  
43 pupils regularly enrolled in the district on February 20 less the number of

1 pupils regularly enrolled on February 20 who were counted in the  
2 enrollment of the district on September 20.

3 (3) If total enrollment in a district in any school year has decreased  
4 from total enrollment in the preceding school year, total enrollment of  
5 pupils in the district in the current school year shall be the greater of: (A)  
6 Enrollment in the preceding school year minus enrollment in such school  
7 year of preschool-aged at-risk pupils, if any such pupils were enrolled,  
8 plus enrollment in the current school year of preschool-aged at-risk pupils,  
9 if any such pupils are enrolled; or (B) the sum of enrollment in the current  
10 school year of preschool-aged at-risk pupils, if any such pupils are  
11 enrolled and the mean of the sum of: (i) Enrollment of the district in the  
12 current school year minus enrollment in such school year of preschool-  
13 aged at-risk pupils, if any such pupils are enrolled; (ii) enrollment in the  
14 preceding school year minus enrollment in such school year of preschool-  
15 aged at-risk pupils, if any such pupils were enrolled; and (iii) enrollment in  
16 the school year next preceding the preceding school year minus enrollment  
17 in such school year of preschool-aged at-risk pupils, if any such pupils  
18 were enrolled.

19 (b) (1) Each district shall determine the number of military pupils  
20 enrolled in such district on February 20, who were not enrolled on the  
21 preceding September 20, and report this second military pupil enrollment to  
22 the state board.

23 (2) If the number of military pupils determined under paragraph (1) is  
24 25 or more, an amount equal to such number shall be added to the total  
25 enrollment determined under subsection (a). The sum shall be the total  
26 enrollment of pupils in the district.

27 (3) If the number of military pupils determined under paragraph (1) is  
28 at least 1% of the total enrollment determined under subsection (a), an  
29 amount equal to such number shall be added to the total enrollment  
30 determined under subsection (a). The sum shall be the total enrollment of  
31 pupils in the district.

32 (4) The state board shall recompute the total enrollment of the district  
33 and the general fund budget of the school district based on the total  
34 enrollment as determined under this subsection.

35 (5) The provisions of this subsection shall only apply to those school  
36 districts that elect to have the total enrollment of pupils in the district  
37 adjusted in accordance with the provisions of this subsection. Such  
38 election shall be by resolution adopted by the board of education of such  
39 school district. Districts electing to adjust the total enrollment under this  
40 subsection shall submit any documentation or information required by the  
41 state board.

42 (c) (1) The following shall be counted as one pupil:

43 (A) A pupil in attendance full time;

- 1 (B) a pupil attending kindergarten; and  
2 (C) except as provided in paragraphs (2) and (7), a pupil enrolled in a  
3 district and attending special education and related services.
- 4 (2) The following shall be counted as  $\frac{1}{2}$  pupil:
- 5 (A) A pupil enrolled in a district and attending special education and  
6 related services for preschool-aged exceptional children provided for by  
7 the district; and  
8 (B) a preschool-aged at-risk pupil enrolled in a district and receiving  
9 services under an approved at-risk pupil assistance plan maintained by the  
10 district.
- 11 (3) A pupil in attendance part time shall be counted as that proportion  
12 of one pupil, to the nearest  $\frac{1}{10}$ , that the pupil's attendance bears to full-time  
13 attendance.
- 14 (4) A pupil enrolled in and attending a postsecondary educational  
15 institution, which is authorized under the laws of this state to award  
16 academic degrees, shall be counted as one pupil if the pupil's  
17 postsecondary education enrollment and attendance together with the  
18 pupil's attendance in either of the grades 11 or 12 is at least  $\frac{5}{6}$  time,  
19 otherwise the pupil shall be counted as that proportion of one pupil, to the  
20 nearest  $\frac{1}{10}$ , that the total time of the pupil's postsecondary education  
21 attendance and attendance in grade 11 or 12, as applicable, bears to full-  
22 time attendance.
- 23 (5) A pupil enrolled in and attending an area vocational school, area  
24 vocational-technical school or approved vocational education program  
25 shall be counted as one pupil if the pupil's vocational education enrollment  
26 and attendance together with the pupil's attendance in any of grades nine  
27 through 12 is at least  $\frac{5}{6}$  time, otherwise the pupil shall be counted as that  
28 proportion of one pupil, to the nearest  $\frac{1}{10}$ , that the total time of the pupil's  
29 vocational education attendance and attendance in any of grades nine  
30 through 12 bears to full-time attendance.
- 31 (6) A pupil enrolled in a district and attending a nonvirtual school and  
32 also attending a virtual school shall be counted as that proportion of one  
33 pupil, to the nearest  $\frac{1}{10}$ , that the pupil's attendance at the nonvirtual school  
34 bears to full-time attendance.
- 35 (7) A pupil enrolled in a district and attending special education and  
36 related services provided for by the district and also attending a virtual  
37 school shall be counted as that proportion of one pupil, to the nearest  $\frac{1}{10}$ ,  
38 that the pupil's attendance at the nonvirtual school bears to full-time  
39 attendance.
- 40 (8) (A) A pupil in attendance at a virtual school on a single school  
41 day on or before September 19 of each school year and on a single school  
42 day on or after September 20, but before October 4 of each school year  
43 shall be included in the enrollment of virtual pupils of the district, and

1 such virtual pupils shall be counted as follows:

2 (i) Determine the number of hours the pupil was in attendance on a  
3 single school day on or before September 19 of each school year;

4 (ii) determine the number of hours the pupil was in attendance on a  
5 single school day on or after September 20, but before October 4 of each  
6 school year;

7 (iii) add the numbers obtained under paragraphs (1) and (2);

8 (iv) divide the sum obtained under paragraph (3) by 12; and

9 (v) multiply the quotient obtained under paragraph (4) by .75. The  
10 resulting product is the full-time equivalent enrollment of the pupil.

11 (B) The school days on which a district determines the full-time  
12 equivalent enrollment of a pupil under subparagraph (A) shall be the  
13 school days on which the pupil has the highest number of hours of  
14 attendance at the virtual school. No more than six hours of attendance may  
15 be counted in a single school day. Attendance may be shown by a pupil's  
16 on-line activity or entries in the pupil's virtual school journal or log of  
17 activities.

18 (C) For the purposes of this subsection, a pupil enrolled in a virtual  
19 school who is not a resident of the state of Kansas shall not be counted in  
20 the enrollment of the district.

21 (9) The following shall not be counted:

22 (A) A pupil residing at the flint hills job corps center;

23 (B) a pupil confined in and receiving educational services provided  
24 for by a district at a juvenile detention facility; and

25 (C) a pupil enrolled in a district but housed, maintained and receiving  
26 educational services at a state institution or a psychiatric residential  
27 treatment facility.

28 (10) A pupil who is a foreign exchange student shall not be counted  
29 unless such student is regularly enrolled in the district on September 20  
30 and attending kindergarten or any of the grades one through 12 maintained  
31 by the district for at least one semester or two quarters, or the equivalent  
32 thereof.

33 (d) The provisions of this section shall take effect and be in force  
34 from and after July 1, 2013.

35 New Sec. 5. (a) Each school year the state board shall determine  
36 the amount of base state aid each district is entitled to receive by  
37 multiplying the total enrollment of pupils in the district as certified  
38 pursuant to section 3, and amendments thereto, by the base state aid per  
39 pupil. For school year 2013-2014 and each school year thereafter, the  
40 amount of base state aid per pupil shall be an amount that is not less than  
41 \$4,492.

42 (b) The base state aid fund is hereby established in the state treasury.  
43 All moneys credited to the base state aid fund shall be used for paying a

1 portion of the costs of operating and maintaining public schools in partial  
2 fulfillment of the constitutional obligation of the legislature to finance the  
3 educational interests of the state.

4 (c) The provisions of this section shall take effect and be in force  
5 from and after July 1, 2013.

6 New Sec. 6. (a) The board of education of each district shall levy an  
7 *ad valorem* tax upon the taxable tangible property of the district at a rate of  
8 20 mills in school year 2013-2014 and school year 2014-2015 for the  
9 purpose of:

10 (1) 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 (2) with respect to any redevelopment district established prior to July  
14 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, paying a  
15 portion of the principal and interest on bonds issued by cities under  
16 authority of K.S.A. 12-1774, and amendments thereto, for the financing of  
17 redevelopment projects upon property located within the district.

18 (b) Except for that portion of the proceeds used for the purpose set  
19 forth in subsection (a)(2), the county treasurer of each county shall make  
20 the proceeds of the tax levy provided for in this section available to the  
21 state treasurer immediately upon collection. When available the state  
22 treasurer shall withdraw from each county the proceeds of the taxes raised  
23 by such tax levy. Upon such withdrawal the state treasurer shall deposit the  
24 same in the state treasury and shall credit the same to the property value  
25 equalization fund.

26 (c) All moneys received by the state treasurer under subsection (b),  
27 shall be credited to the property value equalization fund, which is hereby  
28 created in the state treasury, to be used for paying a portion of the costs of  
29 operating and maintaining public schools in partial fulfillment of the  
30 constitutional obligation of the legislature to finance the educational  
31 interests of the state.

32 (d) Each school year the state board shall distribute funds credited to  
33 the property value equalization fund to each district in accordance with  
34 section 7, and amendments thereto.

35 (e) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-  
36 1964b, and amendments thereto.

37 (f) The provisions of this section shall take effect and be in force  
38 from and after July 1, 2013.

39 New Sec. 7. (a) Each school year the state board shall determine the  
40 amount of property value equalization state aid each district is entitled to  
41 receive as follows:

42 (1) Determine the valuation per pupil of each district;

43 (2) rank the districts on the basis of the valuation per pupil



1 determined under paragraph (1), and identify the highest valuation per  
2 pupil;

3 (3) subtract the valuation per pupil of the district from the valuation  
4 per pupil identified in paragraph (2);

5 (4) divide the mean valuation per pupil for all districts by the  
6 valuation per pupil of the district;

7 (5) multiply the difference obtained under paragraph (3) by the  
8 quotient obtained under paragraph (4) to obtain the payment ratio of the  
9 district;

10 (6) determine the multiplier by dividing aggregate tax proceeds from  
11 the levy imposed pursuant to section 6, and amendments thereto, for all  
12 districts by the sum of the payment ratios for all districts as determined  
13 pursuant to paragraph (5); and

14 (7) multiply the payment ratio of the district obtained under  
15 paragraph (5) by the multiplier determined under paragraph (6). Subject to  
16 the provisions of subsection (b), the resulting product is the amount of  
17 property value equalization state aid the district is entitled to receive for  
18 the school year.

19 (b) The amount of property value equalization state aid a district is  
20 entitled to receive pursuant to subsection (a) shall be reduced by an  
21 amount determined pursuant to subsection (d) of section 13, and  
22 amendments thereto. The state board shall certify to the director of  
23 accounts and reports the aggregate amount of such reductions for all  
24 districts. Upon such certification the director of accounts and reports shall  
25 transfer such certified amount from the property value equalization fund to  
26 the supplemental equalization fund, established pursuant to section 13, and  
27 amendments thereto.

28 (c) The provisions of this section shall take effect and be in force  
29 from and after July 1, 2013.

30 New Sec. 8. (a) In each school year, the board of every district, by  
31 adoption of a resolution, may levy an *ad valorem* tax on the taxable  
32 tangible property of the district for the purpose of:

33 (1) Paying a portion of the costs of operating and maintaining public  
34 schools;

35 (2) with respect to any redevelopment district established prior to July  
36 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, paying a  
37 portion of the principal and interest on bonds issued by cities under  
38 authority of K.S.A. 12-1774, and amendments thereto, for the financing of  
39 redevelopment projects upon property located within the district; and

40 (3) funding transfers to the capital outlay fund of the district.

41 The adoption of a resolution pursuant to this section shall require a  
42 majority vote of the members of the board. The resolution shall be  
43 published at least once in a newspaper having general circulation in the

1 district.

2 (b) Upon adoption and publication of a resolution pursuant to this  
3 section, the levy shall be imposed unless a petition in opposition to the  
4 resolution, signed by not less than 5% of the qualified electors of the  
5 school district, is filed with the county election officer of the home county  
6 of the school district within 30 days after publication of the resolution. If a  
7 petition is filed, the county election officer shall submit the question of  
8 whether imposition of the levy shall be authorized to the electors of the  
9 school district at an election called for such purpose, or at the next general  
10 election, as is specified by the board of education of the school district. If  
11 a sufficient petition is filed, the board may notify the county election  
12 officer of the date of an election to be held to submit the question of  
13 whether imposition of the levy shall be authorized. Any such election  
14 shall be noticed, called and held in the manner prescribed by K.S.A. 10-  
15 120, and amendments thereto. If the board fails to notify the county  
16 election officer within 30 days after a sufficient petition is filed, the  
17 resolution shall be deemed abandoned and no like resolution shall be  
18 adopted by the board within the nine months following publication of such  
19 abandoned resolution.

20 (c) The proceeds from the tax levied by a district under authority of  
21 this section, except the proceeds of such tax levied for the purpose of  
22 paying a portion of the principal and interest on bonds issued by cities  
23 under authority of K.S.A. 12-1774, and amendments thereto, for the  
24 financing of redevelopment projects upon property located within the  
25 district, shall be deposited in the general fund of the district.

26 (d) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-  
27 1964b, and amendments thereto.

28 (e) The provisions of this section shall take effect and be in force  
29 from and after July 1, 2013.

30 New Sec. 9. (a) Except as otherwise provided in sections 10  
31 through 12, and amendments thereto, each school year the state board shall  
32 determine the baseline amount requirement for each district in accordance  
33 with the provisions of this section.

34 (b) For school year 2013-2014, the BAR shall be the sum of the  
35 following amounts, which were received by the district during either  
36 school year 2011-2012 or 2012-2013, whichever sum is greater:

37 (1) General state aid, as determined pursuant to K.S.A. 72-6416, and  
38 amendments thereto, prior to its repeal, as calculated excluding the  
39 transportation weighting, as determined pursuant to K.S.A. 72-6411, and  
40 amendments thereto, prior to its repeal, and the vocational education  
41 program weighting, as determined pursuant to K.S.A. 72-6413, and  
42 amendments thereto, prior to its repeal;

43 (2) local effort of the district, as defined in K.S.A. 72-6410, and

1 amendments thereto, prior to its repeal;

2 (3) local option budget adopted by the board of education, as  
3 determined pursuant to K.S.A. 72-6433d, and amendments thereto, prior to  
4 its repeal; and

5 (4) supplemental general state aid, as determined pursuant to K.S.A.  
6 72-6434, and amendments thereto, prior to its repeal.

7 (c) For school year 2014-2015 and each school year thereafter, the  
8 BAR shall be determined as follows:

9 (1) Determine the BAR applicable in the immediately preceding  
10 school year;

11 (2) (A) if the total enrollment of the district for the current school  
12 year, as certified pursuant to section 3, and amendments thereto, is greater  
13 than the total enrollment of such district in the immediately preceding  
14 school year, as certified pursuant to section 3, and amendments thereto,  
15 multiply the difference between the total enrollments by the BSAPP in  
16 effect during the immediately preceding school year, and add the product  
17 obtained to the BAR determined under paragraph (1);

18 (B) if the total enrollment of the district for the current school year, as  
19 certified pursuant to section 3, and amendments thereto, is less than the  
20 total enrollment of such district in the immediately preceding school year,  
21 as certified pursuant to section 3, and amendments thereto, multiply the  
22 difference between the total enrollments by the BSAPP in effect during the  
23 immediately preceding school year, and subtract the resulting product from  
24 the BAR determined under paragraph (1);

25 (3) if the district adopts a resolution pursuant to section 8, and  
26 amendments thereto, that imposes a smaller rate on the taxable tangible  
27 property of the district than what was imposed during the immediately  
28 preceding school year, or the district fails to adopt a resolution that would  
29 maintain the same rate that was imposed during the immediately preceding  
30 school year resulting in a decrease in the amount of the rate, or the  
31 resolution adopted by the district is voted against by a majority of the  
32 electors of the district in accordance with section 8, and amendments  
33 thereto, multiply the difference between the rate imposed during the  
34 current school year and the rate imposed during the immediately preceding  
35 school year by the assessed valuation of the taxable tangible property in  
36 the district in the current school year, and subtract the resulting product  
37 from the BAR determined under paragraph (1); and

38 (4) if the district imposed a levy pursuant to K.S.A. 72-6441, 72-6449  
39 or 72-6451, and amendments thereto, prior to the repeal of those sections,  
40 and such levy was in effect on July 1, 2013, then for the school year in  
41 which any such levy terminates and each school year thereafter an amount  
42 equal to the value of such levies in the final school year in which such  
43 levies were imposed shall be added to the BAR determined under

1 paragraph (1).

2 (d) The provisions of this section shall take effect and be in force  
3 from and after July 1, 2013.

4 New Sec. 10. (a) The provisions of this subsection shall apply to  
5 any district formed by consolidation in accordance with the statutory  
6 provisions contained in article 87 of chapter 72 of the Kansas Statutes  
7 Annotated, and amendments thereto, and which consolidation was  
8 completed prior to July 1, 2012.

9 (1) For any district in which all of the former school districts had an  
10 enrollment of at least 150 pupils, but any had less than 200 pupils on  
11 September 20 of the school year immediately preceding the school year in  
12 which the consolidation was completed, the BAR for the three school  
13 years following the school year in which the consolidation was completed  
14 shall be the the sum of the BARs for each of the former districts which  
15 comprise the consolidated district, as determined pursuant to section 9, and  
16 amendments thereto. In the fourth school year following the school year  
17 in which the consolidation was completed and each school year thereafter,  
18 the BAR shall be the BAR for such consolidated district, as determined  
19 pursuant to section 9, and amendments thereto.

20 (2) For any district in which all of the former school districts had an  
21 enrollment of 200 or more pupils on September 20 of the school year  
22 immediately preceding the school year in which the consolidation was  
23 completed, the BAR of the consolidated district for the four school years  
24 following the school year in which the consolidation was completed shall  
25 be the sum of the BARs for each of the former districts which comprise  
26 the consolidated district, as determined pursuant to section 9, and  
27 amendments thereto. In the fifth school year following the school year in  
28 which the consolidation was completed and each school year thereafter,  
29 the BAR shall be the BAR for such consolidated district, as determined  
30 pursuant to section 9, and amendments thereto.

31 (3) For any district in which the consolidation involved the  
32 consolidation of three or more school districts, regardless of the number of  
33 pupils enrolled in the districts, the BAR of the consolidated district for the  
34 four school years following the school year in which the consolidation was  
35 completed shall be the sum of the BARs for each of the former districts  
36 which comprise the consolidated district, as determined pursuant to section  
37 9, and amendments thereto. In the fifth school year following the school  
38 year in which the consolidation was completed and each school year  
39 thereafter, the BAR shall be the BAR for such consolidated district, as  
40 determined pursuant to section 9, and amendments thereto.

41 (b) The provisions of this subsection shall apply to any district  
42 formed by consolidation in accordance with the statutory provisions  
43 contained in article 87 of chapter 72 of the Kansas Statutes Annotated, and

1 amendments thereto, and which consolidation was completed during  
2 school year 2012-2013 or any school year thereafter.

3 (1) For any district which is comprised of any former district that had  
4 an enrollment of less than 150 pupils on September 20 of the school year  
5 immediately preceding the school year in which the consolidation was  
6 completed, the BAR for the school year following the school year in  
7 which the consolidation was completed shall be the sum of the BARs for  
8 each of the former districts which comprise the consolidated district, as  
9 determined pursuant to section 9, and amendments thereto. In the second  
10 school year following the school year in which the consolidation was  
11 completed and each school year thereafter, the BAR shall be 67% of the  
12 BAR determined pursuant to this subsection.

13 (2) For any district in which all of the former school districts had an  
14 enrollment of at least 150 pupils, but any had less than 200 pupils on  
15 September 20 of the school year immediately preceding the school year in  
16 which the consolidation was completed, the BAR for the three school  
17 years following the school year in which the consolidation was completed  
18 shall be the sum of the BARs for each of the former districts which  
19 comprise the consolidated district, as determined pursuant to section 9, and  
20 amendments thereto. In the fourth school year following the school year in  
21 which the consolidation was completed and each school year thereafter,  
22 the BAR shall be 67% of the BAR determined pursuant to this subsection.

23 (3) For any district in which all of the former school districts had an  
24 enrollment of 200 or more pupils on September 20 of the school year  
25 immediately preceding the school year in which the consolidation was  
26 completed, the BAR of the consolidated district for the four school years  
27 following the school year in which the consolidation was completed shall  
28 be the sum of the BARs for each of the former districts which comprise  
29 the consolidated district, as determined pursuant to section 9, and  
30 amendments thereto. In the fifth school year following the school year in  
31 which the consolidation was completed and each school year thereafter,  
32 the BAR shall be 67% of the BAR determined pursuant to this subsection.

33 (4) For any district in which the consolidation involved the  
34 consolidation of three or more school districts, regardless of the number of  
35 pupils enrolled in the districts, the BAR of the consolidated district for the  
36 four school years following the school year in which the consolidation was  
37 completed shall be the sum of the BARs for each of the former districts  
38 which comprise the consolidated district, as determined pursuant to section  
39 9, and amendments thereto. In the fifth school year following the school  
40 year in which the consolidation was completed and each school year  
41 thereafter, the BAR shall be 67% of the BAR determined pursuant to this  
42 subsection.

43 (c) The provisions of this section shall take effect and be in force

1 from and after July 1, 2013.

2 New Sec. 11. (a) The provisions of this subsection shall apply to  
3 school districts which have been enlarged by the attachment of territory  
4 pursuant to the procedure established in article 73 of chapter 72 of the  
5 Kansas Statutes Annotated, and amendments thereto, and which  
6 attachment of territory was completed prior to July 1, 2012.

7 (1) For any district in which all of the former school districts had an  
8 enrollment of at least 150 pupils, but any had less than 200 pupils on  
9 September 20 of the school year immediately preceding the school year in  
10 which the attachment of territory was completed, the BAR of the enlarged  
11 district for the three school years following the school year in which the  
12 attachment of territory was completed shall be the the sum of the BARs for  
13 each of the former districts which comprise the enlarged district, as  
14 determined pursuant to section 9, and amendments thereto. In the fourth  
15 school year following the school year in which the attachment of territory  
16 was completed and each school year thereafter, the BAR shall be the BAR  
17 for such enlarged district, as determined pursuant to section 9, and  
18 amendments thereto.

19 (2) For any district in which all of the former school districts had an  
20 enrollment of 200 or more pupils on September 20 of the school year  
21 immediately preceding the school year in which the attachment of territory  
22 was completed, the BAR of the enlarged district for the four school years  
23 following the school year in which the attachment of territory was  
24 completed shall be the sum of the BARs for each of the former districts  
25 which comprise the enlarged district, as determined pursuant to section 9,  
26 and amendments thereto. In the fifth school year following the school year  
27 in which the attachment of territory was completed and each school year  
28 thereafter, the BAR shall be the BAR for such enlarged district, as  
29 determined pursuant to section 9, and amendments thereto.

30 (3) For any district in which the consolidation involved the  
31 consolidation of three or more school districts, regardless of the number of  
32 pupils enrolled in the districts, the BAR of the enlarged district for the four  
33 school years following the school year in which the attachment of territory  
34 was completed shall be the sum of the BARs for each of the former  
35 districts which comprise the enlarged district, as determined pursuant to  
36 section 9, and amendments thereto. In the fifth school year following the  
37 school year in which the attachment of territory was completed and each  
38 school year thereafter, the BAR shall be the BAR for such enlarged  
39 district, as determined pursuant to section 9, and amendments thereto.

40 (b) The provisions of this section shall apply to school districts which  
41 have been enlarged by the attachment of territory pursuant to the  
42 procedure established in article 73 of chapter 72 of the Kansas Statutes  
43 Annotated, and amendments thereto, and which attachment of territory

1 was completed during school year 2012-2013 or any school year  
2 thereafter.

3 (1) For any district which is comprised of any former district that had  
4 an enrollment of less than 150 pupils on September 20 of the school year  
5 immediately preceding the school year in which the attachment of territory  
6 was completed, the BAR for the school year following the school year in  
7 which the attachment of territory was completed shall be the sum of the  
8 BARs for each of the former districts which comprise the enlarged district,  
9 as determined pursuant to section 9, and amendments thereto. In the  
10 second school year following the school year in which the attachment of  
11 territory was completed and each school year thereafter, the BAR shall be  
12 67% of the BAR determined pursuant to this subsection.

13 (2) For any district in which all of the former school districts had an  
14 enrollment of at least 150 pupils, but any had less than 200 pupils on  
15 September 20 of the school year immediately preceding the school year in  
16 which the attachment of territory was completed, the BAR for the three  
17 school years following the school year in which the attachment of territory  
18 was completed shall be the sum of the BARs for each of the former  
19 districts which comprise the enlarged district, as determined pursuant to  
20 section 9, and amendments thereto. In the fourth school year following the  
21 school year in which the attachment of territory was completed and each  
22 school year thereafter, the BAR shall be 67% of the BAR determined  
23 pursuant to this subsection.

24 (3) For any district in which all of the former school districts had an  
25 enrollment of 200 or more pupils on September 20 of the school year  
26 immediately preceding the school year in which the attachment of territory  
27 was completed, the BAR for the four school years following the school  
28 year in which the attachment of territory was completed shall be the sum  
29 of the BARs for each of the former districts which comprise the enlarged  
30 district, as determined pursuant to section 9, and amendments thereto. In  
31 the fifth school year following the school year in which the attachment of  
32 territory was completed and each school year thereafter, the BAR shall be  
33 67% of the BAR determined pursuant to this subsection.

34 (4) For any district in which three or more school districts, regardless  
35 of the number of pupils enrolled in the districts, are disorganized and  
36 attached to a single district, the BAR for the four school years following  
37 the school year in which the attachment of territory was completed shall be  
38 the sum of the BARs for each of the former districts which comprise the  
39 enlarged district, as determined pursuant to section 9, and amendments  
40 thereto. In the fifth school year following the school year in which the  
41 attachment of territory was completed and each school year thereafter, the  
42 BAR shall be 67% of the BAR determined pursuant to this subsection.

43 (c) The provisions of this section shall take effect and be in force

1 from and after July 1, 2013.

2 New Sec. 12. (a) The provisions of this section shall apply to school  
3 districts which are disorganized in accordance with article 73 of chapter 72  
4 of the Kansas Statutes Annotated, and amendments thereto. Except as  
5 specifically provided by this paragraph for the allocation of the BAR  
6 among districts, the provisions of subsections (b) through (e) of section 11,  
7 and amendments thereto, shall be applicable to school districts to which  
8 this section applies.

9 (b) If a school district is disorganized, and the territory of such  
10 district is attached to more than one district, the BAR for each school  
11 district to which any territory from the disorganized district is attached,  
12 shall be computed by the state board of education as follows:

13 (1) Determine the BAR of the former district in the school year  
14 preceding the date that the disorganization and attachment was completed;

15 (2) determine the BAR of the enlarged district in the school year  
16 preceding the date that the disorganization and attachment was completed;

17 (3) determine the assessed valuation of the former district in the  
18 school year preceding the date that the disorganization and attachment was  
19 completed;

20 (4) determine the assessed valuation of the territory attached to each  
21 enlarged district;

22 (5) allocate the BAR of the former district in the school year  
23 preceding the date that the disorganization and attachment was completed  
24 to each of the enlarged school districts in the same proportion that the  
25 assessed valuation of the territory attached to each district bears to the  
26 assessed valuation of the former school district; and

27 (6) add the amounts determined under paragraphs (2) and (5). The  
28 sum is the BAR of the enlarged district for the school year in which the  
29 attachment is completed.

30 (c) The provisions of this section shall take effect and be in force  
31 from and after July 1, 2013.

32 New Sec. 13. (a) Each school year the state board shall determine  
33 the total state aid for each district as follows:

34 (1) Determine the base state aid the district is entitled to receive  
35 pursuant to section 5, and amendments thereto;

36 (2) add the amount of the property value equalization state aid the  
37 district is entitled to receive pursuant to subsection (a) of section 7, and  
38 amendments thereto; and

39 (3) add the amount of the district's local effort, as defined in section  
40 2, and amendments thereto.

41 (b) If the district's total state aid amount, as determined pursuant to  
42 subsection (a), is less than such district's BAR, as determined pursuant to  
43 sections 9 through 12, and amendments thereto, then such district shall be



1 entitled to receive a supplemental equalization fund payment in an amount  
2 equal to the difference between the district's total state aid amount, as  
3 determined pursuant to subsection (a), is less than such district's BAR, as  
4 determined pursuant to sections 9 through 12, and amendments thereto.

5 (c) Except as otherwise provided in section 14, and amendments  
6 thereto, if the district's total state aid amount, as determined pursuant to  
7 subsection (a), is at least equal to such district's BAR, as determined  
8 pursuant to sections 9 through 12, and amendments thereto, then such  
9 district shall not be entitled to receive a supplemental equalization fund  
10 payment.

11 (d) If the district's total state aid amount, as determined pursuant to  
12 subsection (a), exceeds an amount equal to 106% of such district's BAR,  
13 as determined pursuant to sections 9 through 12, and amendments thereto,  
14 then such district shall not be entitled to receive a supplemental  
15 equalization fund payment. In such event the state board shall determine  
16 an amount equal to the difference between such district's total state aid and  
17 an amount equal to 106% of such district's BAR. Such amount shall be  
18 subtracted from such district's property value equalization state aid in  
19 accordance with section 7, and amendments thereto.

20 (e) The supplemental equalization fund is hereby established in the  
21 state treasury. All moneys credited to the supplemental equalization fund  
22 shall be used for paying a portion of the costs of operating and maintaining  
23 public schools in partial fulfillment of the constitutional obligation of the  
24 legislature to finance the educational interests of the state.

25 (f) If a district, which has a property valuation per pupil, as  
26 determined pursuant to subsection (a)(1) of section 7, and amendments  
27 thereto, that is in excess of the mean property valuation per pupil for all  
28 districts, and which has a total property valuation that is in excess of 5% of  
29 the total property valuation of all taxable tangible property in the state of  
30 Kansas, adopts a resolution pursuant to section 8, and amendments thereto,  
31 increasing such district's levy from the amount levied in the immediately  
32 preceding school year such that the sum of such district's total state aid  
33 plus additional local effort is in excess of 106% of such district's BAR, as  
34 determined pursuant to sections 9 through 12, and amendments thereto,  
35 then the percentage amount set forth in subsection (d) shall be that  
36 percentage by which the sum of such district's total state aid plus  
37 additional local effort exceeds such district's BAR.

38 (g) The provisions of this section shall take effect and be in force  
39 from and after July 1, 2013.

40 New Sec. 14. (a) To the extent the appropriation for the  
41 supplemental equalization fund, established by section 13, and  
42 amendments thereto, is in excess of the amount certified by the state board  
43 as necessary to fully fund the supplemental equalization fund payments

1 determined pursuant to section 13, and amendments thereto, such excess  
2 shall be distributed to certain school districts in accordance with this  
3 section. Such distributions shall be made at the same time and in the same  
4 manner as all other supplemental equalization fund payments are made  
5 pursuant to section 13, and amendments thereto.

6 (b) Any funds in the supplemental equalization fund determined to be  
7 excess funds pursuant to subsection (a) shall be distributed on a per pupil  
8 basis as follows:

9 (1) First, to those districts whose total state aid does not exceed 101%  
10 of such district's BAR, as determined pursuant to sections 9 through 12,  
11 and amendments thereto, in an amount that when added to such district's  
12 total state aid raises the resulting sum to an amount that is equal to 101%  
13 of such district's BAR;

14 (2) then to the extent there are still excess funds to be distributed, to  
15 those districts whose total state aid does not exceed 102% of such district's  
16 BAR, as determined pursuant to sections 9 through 12, and amendments  
17 thereto, including those districts described in paragraph (1), in an amount  
18 that when added to such district's total state aid raises the resulting sum to  
19 an amount that is equal to 102% of such district's BAR;

20 (3) then to the extent there are still excess funds to be distributed, to  
21 those districts whose total state aid does not exceed 103% of such district's  
22 BAR, as determined pursuant to sections 9 through 12, and amendments  
23 thereto, including those districts described in paragraphs (1) and (2), in an  
24 amount that when added to such district's total state aid raises the resulting  
25 sum to an amount that is equal to 103% of such district's BAR;

26 (4) then to the extent there are still excess funds to be distributed, to  
27 those districts whose total state aid does not exceed 104% of such district's  
28 BAR, as determined pursuant to sections 9 through 12, and amendments  
29 thereto, including those districts described in paragraphs (1), (2) and (3), in  
30 an amount that when added to such district's total state aid raises the  
31 resulting sum to an amount that is equal to 104% of such district's BAR;

32 (5) then to the extent there are still excess funds to be distributed, to  
33 those districts whose total state aid does not exceed 105% of such district's  
34 BAR, as determined pursuant to sections 9 through 12, and amendments  
35 thereto, including those districts described in paragraphs (1) through (4), in  
36 an amount that when added to such district's total state aid raises the  
37 resulting sum to an amount that is equal to 105% of such district's BAR;

38 (6) then to the extent there are still excess funds to be distributed, to  
39 those districts whose total state aid does not exceed 106% of such district's  
40 BAR, as determined pursuant to sections 9 through 12, and amendments  
41 thereto, including those districts described in paragraphs (1) through (5), in  
42 an amount that when added to such district's total state aid raises the  
43 resulting sum to an amount that is equal to 106% of such district's BAR;

1 and

2 (7) then to the extent there are still excess funds to be distributed and  
3 the percentage amount set forth in subsection (d) of section 13, and  
4 amendments thereto, is increased such that it exceeds 106%, to those  
5 districts whose total state aid does not exceed such percentage amount of  
6 such district's BAR in the same manner as provided in paragraphs (1)  
7 through (6).

8 (c) The provisions of this section shall take effect and be in force  
9 from and after July 1, 2013.

10 New Sec. 15. (a) Each year the state board shall determine the  
11 amount of transportation state aid each district is entitled to receive as  
12 follows:

13 (1) Determine the total expenditures of the district during the  
14 preceding school year from all funds for transporting pupils of public and  
15 nonpublic schools on regular school routes;

16 (2) divide the amount determined under paragraph (1) by the total  
17 number of pupils who were included in the enrollment of the district in the  
18 preceding school year and for whom transportation was made available by  
19 the district;

20 (3) multiply the quotient obtained under paragraph (2) by the total  
21 number of pupils who were included in the enrollment of the district in the  
22 preceding school year, were residing less than 2<sup>1</sup>/<sub>2</sub> miles by the usually  
23 traveled road from the school building they attended and for whom  
24 transportation was made available by the district;

25 (4) multiply the product obtained under paragraph (3) by 50%;

26 (5) subtract the product obtained under paragraph (4) from the  
27 amount determined under paragraph (1);

28 (6) divide the difference obtained under paragraph (5) by the total  
29 number of pupils who were included in the enrollment of the district in the  
30 preceding school year, were residing 2<sup>1</sup>/<sub>2</sub> miles or more by the usually  
31 traveled road from the school building they attended and for whom  
32 transportation was made available by the district. The quotient is the per-  
33 pupil cost of transportation;

34 (7) on a density-cost graph plot the per-pupil cost of transportation  
35 for each district;

36 (8) construct a curve of best fit for the points so plotted;

37 (9) locate the index of density for the district on the base line of the  
38 density-cost graph and from the point on the curve of best fit directly  
39 above this point of index of density follow a line parallel to the base line to  
40 the point of intersection with the vertical line, which point is the formula  
41 per-pupil cost of transportation of the district;

42 (10) divide the formula per-pupil cost of transportation of the district  
43 by base state aid per pupil;

1 (11) multiply the quotient obtained under paragraph (10) by the  
2 number of pupils who are included in the enrollment of the district, are  
3 residing  $2\frac{1}{2}$  miles or more by the usually traveled road to the school  
4 building they attend, and for whom transportation is being made available  
5 by, and at the expense of, the district; and

6 (12) multiply the product obtained under paragraph (11) by the base  
7 state aid per pupil. The resulting product shall be the amount of  
8 transportation state aid the district is entitled to receive.

9 (b) The transportation state aid fund is hereby established in the state  
10 treasury. All moneys credited to the transportation state aid fund shall be  
11 used for paying that portion of the costs of operating and maintaining  
12 public schools related to the transportation of public and nonpublic pupils  
13 in partial fulfillment of the constitutional obligation of the legislature to  
14 finance the educational interests of the state.

15 (c) For the purpose of providing accurate and reliable data on pupil  
16 transportation, the state board is authorized to adopt rules and regulations  
17 prescribing procedures which districts shall follow in reporting pertinent  
18 information relative thereto, including uniform reporting of expenditures  
19 for transportation.

20 (d) The provisions of this section shall take effect and be in force  
21 from and after July 1, 2013.

22 New Sec. 16. (a) Each school year the state board shall determine  
23 the amount of career technical education state aid each district is entitled  
24 to receive pursuant to a formula paid on a per pupil basis that is based on  
25 the career technical education enrollment reported by the district pursuant  
26 to section 3, and amendments thereto, and which takes into consideration:  
27 (1) The number of career technical education programs offered that  
28 provide industry certification upon completion; (2) the number of  
29 agriculture education programs offered, and the number of such programs  
30 that provide industry certification upon completion; and (3) the need to  
31 transport pupils to and from a postsecondary educational institution for  
32 purposes of attending a career technical education program offered by such  
33 postsecondary educational institution.

34 (b) The career technical education state aid fund is hereby established  
35 in the state treasury. All moneys credited to the career technical education  
36 state aid fund shall be used for paying that portion of the costs of operating  
37 and maintaining public schools related to the provision of career technical  
38 education programs and services in partial fulfillment of the constitutional  
39 obligation of the legislature to finance the educational interests of the state.

40 (c) A district shall not be entitled to any career technical education  
41 state aid for any career technical education program offered by such  
42 district that is also offered by a postsecondary educational institution at a  
43 location that is less than 30 miles from the school where such career

1 technical education program is offered, and which has sufficient capacity  
2 to accommodate such district's pupils. The state board shall determine  
3 whether such duplicative program is being offered within 30 miles of such  
4 school. In making its determination the state board shall consider whether  
5 the program offered by the postsecondary educational institution is, in fact,  
6 duplicative and whether there is sufficient capacity in such program to  
7 accommodate such district's pupils.

8 (d) The provisions of this section shall take effect and be in force  
9 from and after July 1, 2013.

10 New Sec. 17. (a) There is established in each district a fund which  
11 shall be called the career technical education fund. All moneys received  
12 by a district for any course or program authorized and approved under the  
13 provisions of article 44 of chapter 72 of Kansas Statutes Annotated, and  
14 amendments thereto, shall be credited to the career technical education  
15 fund. All moneys received by the district from tuition, fees or charges or  
16 from any other source for career technical education courses or programs  
17 shall be credited to the career technical education fund. The expenses of a  
18 district directly attributable to career technical education shall be paid  
19 from the career technical education fund.

20 (b) Obligations of a district pursuant to lawful agreements made  
21 under K.S.A. 72-4421, and amendments thereto, shall be paid from the  
22 career technical education fund established by this section. If any such  
23 agreement expresses an obligation of a district in terms of a mill levy, such  
24 obligation shall be construed to mean an amount equal to that which would  
25 be produced by the levy.

26 (c) Subject to the provisions of section 26, and amendments thereto,  
27 on July 1, 2013, any balance remaining in the vocational education fund,  
28 established by K.S.A. 72-6421, and amendments thereto, prior to its  
29 repeal, or the area vocational school fund, established by K.S.A. 72-6422,  
30 and amendments thereto, prior to its repeal, shall be transferred by the  
31 board to the career technical education fund of such district established by  
32 this section.

33 (d) The provisions of this section shall take effect and be in force  
34 from and after July 1, 2013.

35 New Sec. 18. (a) The state board shall conduct a study of, or  
36 contract for the study of, the implementation of requiring each district to  
37 maintain an individual career plan of study for each pupil enrolled in the  
38 district in grades eight through 12. On or before January 15, 2014, the  
39 state board shall prepare and submit a report to the legislature on the  
40 findings of such study and whether the state board intends to initiate  
41 implementing such requirements.

42 (b) The provisions of this section shall take effect and be in force  
43 from and after July 1, 2013.

1 New Sec. 19. (a) Each school year the state board shall determine  
2 the amount of school facility state aid each district is entitled to receive.  
3 The amount of school facility state aid shall be determined by:

4 (1) Multiplying the total enrollment of the district, as certified  
5 pursuant to section 3, and amendments thereto, by .25; and

6 (2) multiplying the product obtained under paragraph (1) by the base  
7 state aid per pupil.

8 (b) For a district to be eligible to receive school facility state aid:

9 (1) The general obligation bond issuance approved by the board to  
10 finance school facilities must be approved by a majority of the qualified  
11 electors of the district voting at an election upon the question of the  
12 issuance of such bonds on or before July 1, 2012; and

13 (2) the operation of the school facilities for which such bonds were  
14 issued must be commenced in either the current school year or the  
15 immediately preceding school year.

16 (c) The school facility state aid fund is hereby established in the state  
17 treasury. All moneys credited to the school facility state aid fund shall be  
18 used for paying that portion of the costs of operating and maintaining  
19 public schools related to the expenses of operating new school facilities in  
20 partial fulfillment of the constitutional obligation of the legislature to  
21 finance the educational interests of the state.

22 (d) The provisions of this section shall take effect and be in force  
23 from and after July 1, 2013.

24 New Sec. 20. (a) (1) In the months of July through May of each  
25 school year, of the amount of base state aid, as determined pursuant to  
26 section 5, and amendments thereto, property value equalization state aid,  
27 as determined pursuant to section 7, and amendments thereto,  
28 supplemental equalization state aid, as determined pursuant to sections 13  
29 and 14, and amendments thereto, transportation state aid, as determined  
30 pursuant to section 15, and amendments thereto, career technical education  
31 state aid, as determined pursuant to section 16, and amendments thereto,  
32 and school facility state aid, as determined pursuant to section 19, and  
33 amendments thereto, a district is entitled to receive, the state board shall  
34 determine the amount of base state aid, property value equalization state  
35 aid, supplemental equalization state aid, transportation state aid, career  
36 technical education state aid and school facility state aid which will be  
37 required by such district to maintain operations in each such month. In  
38 making such determination, the state board shall take into consideration  
39 the district's access to local effort sources and the obligations of the  
40 general fund which must be satisfied during the month. The amounts  
41 determined by the state board under this provision are the amounts of such  
42 state aid which will be distributed to the district in the months of July  
43 through May.

1       (2) Subject to the provisions of subsection (c), in the month of June  
2 of each school year payment shall be made of the full amount of the base  
3 state aid, as determined pursuant to section 5, and amendments thereto,  
4 property value equalization state aid, as determined pursuant to section 7,  
5 and amendments thereto, supplemental equalization state aid, as  
6 determined pursuant to sections 13 and 14, and amendments thereto,  
7 transportation state aid, as determined pursuant to section 15, and  
8 amendments thereto, career technical education state aid, as determined  
9 pursuant to section 16, and amendments thereto, and school facility state  
10 aid, as determined pursuant to section 19, and amendments thereto, such  
11 district is entitled to receive less the sum of the monthly payments made in  
12 the months of July through May.

13       (b) Payments of base state aid, as determined pursuant to section 5,  
14 and amendments thereto, property value equalization state aid, as  
15 determined pursuant to section 7, and amendments thereto, supplemental  
16 equalization state aid, as determined pursuant to sections 13 and 14, and  
17 amendments thereto, transportation state aid, as determined pursuant to  
18 section 15, and amendments thereto, career technical education state aid,  
19 as determined pursuant to section 16, and amendments thereto, and school  
20 facility state aid, as determined pursuant to section 19, and amendments  
21 thereto, shall be distributed to districts once each month on the dates  
22 prescribed by the state board. The state board shall certify to the director of  
23 accounts and reports the amounts due to each district in each of the months  
24 of July through June. Such certification, and the amounts payable from the  
25 base state aid fund, established by section 5, and amendments thereto, the  
26 property value equalization fund, established by section 7, and  
27 amendments thereto, the supplemental equalization fund, established by  
28 sections 13 and 14, and amendments thereto, the transportation state aid  
29 fund, established by section 15, and amendments thereto, the career  
30 technical education state aid fund, established by section 16, and  
31 amendments thereto, and the school facility state aid fund, established by  
32 section 19, and amendments thereto, shall be approved by the director of  
33 the budget. The director of accounts and reports shall draw warrants on the  
34 state treasurer payable to the district treasurer of each district entitled to  
35 payments of such state aid, pursuant to vouchers approved by the state  
36 board. Upon receipt of such warrant, each district treasurer shall deposit  
37 the amounts of such state aid in the general fund.

38       (c) If any amount of base state aid, as determined pursuant to section  
39 5, and amendments thereto, property value equalization state aid, as  
40 determined pursuant to section 7, and amendments thereto, supplemental  
41 equalization state aid, as determined pursuant to sections 13 and 14, and  
42 amendments thereto, transportation state aid, as determined pursuant to  
43 section 15, and amendments thereto, career technical education state aid,

1 as determined pursuant to section 16, and amendments thereto, and school  
2 facility state aid, as determined pursuant to section 19, and amendments  
3 thereto, that is due to be paid during the month of June of a school year  
4 pursuant to the other provisions of this section is not paid on or before  
5 June 30 of such school year, then such payment shall be paid on or after  
6 the ensuing July 1, as soon as moneys are available therefor. Any payment  
7 that is due to be paid during the month of June of a school year and that is  
8 paid to school districts on or after the ensuing July 1 shall be recorded and  
9 accounted for by school districts as a receipt for the school year ending on  
10 the preceding June 30.

11 (d) The provisions of this section shall take effect and be in force  
12 from and after July 1, 2013.

13 New Sec. 21. (a) In the event any district is paid more than it is  
14 entitled to receive under any of the provisions of sections 1 through 29,  
15 and amendments thereto, or under any statute repealed by this act, the state  
16 board shall notify the district of the amount of such overpayment, and such  
17 district shall remit the same to the state board. The state board shall remit  
18 any moneys so received to the state treasurer in accordance with the  
19 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
20 each such remittance, the state treasurer shall deposit the entire amount in  
21 the state treasury to the credit of the supplement equalization fund,  
22 established by section 13, and amendments thereto. If any district fails so  
23 to remit, the state board shall deduct the excess amounts so paid from  
24 future payments becoming due to the district. In the event any district is  
25 paid less than the amount to which it is entitled under any of the provisions  
26 of sections 1 through 29, and amendments thereto, the state board shall  
27 pay the additional amount due at any time within the school year in which  
28 the underpayment was made or within 60 days after the end of such school  
29 year.

30 (b) The provisions of this section shall take effect and be in force  
31 from and after July 1, 2013.

32 New Sec. 22. (a) Except as otherwise provided in this section, any  
33 revenues of a district, not required by law to be deposited in or credited to  
34 a specific fund, shall be deposited in or credited to the general fund of the  
35 district.

36 (b) At the discretion of the board of any district, revenues earned  
37 from the investment of an activity fund of the district in accordance with  
38 the provisions of K.S.A. 12-1675, and amendments thereto, may be  
39 deposited in or credited to such activity fund.

40 (c) At the discretion of the board of any district, revenues received by  
41 the district from the federal government as the district's share of the  
42 proceeds derived from sale by the federal government of its rights to oil,  
43 gas and other minerals located beneath the surface of lands within the



1 district's boundaries may be deposited in the bond and interest fund of the  
2 district and used for the purposes of such fund. If at any time all  
3 indebtedness and obligations of such fund have been fully paid and  
4 canceled, the revenues authorized by this subsection to be deposited in  
5 such fund shall be disposed of as provided in subsection (a).

6 (d) To the extent that K.S.A. 72-1623, 72-8804 and 79-2958, and  
7 amendments thereto, conflict with this section, this section shall control.

8 (e) The provisions of this section shall take effect and be in force  
9 from and after July 1, 2013.

10 New Sec. 23. (a) Any fund established in a district pursuant to  
11 K.S.A. 72-6409, 72-6420 through 72-6424 or K.S.A. 2011 Supp. 72-6414a  
12 or 72-6414b, and amendments thereto, prior to their repeal, shall continue  
13 in existence in such district, subject to the provisions of sections 1 through  
14 29, and amendments thereto.

15 (b) The provisions of this section shall take effect and be in force  
16 from and after July 1, 2013.

17 New Sec. 24. (a) Except for the bond and interest fund, the board of  
18 any district may transfer moneys from the general fund to any other fund  
19 of the district in any school year. Except for the bond and interest fund,  
20 capital outlay fund, special education fund and special retirement  
21 contributions fund, the board of any district may transfer moneys from any  
22 fund of the district to the general fund of the district.

23 (b) The board of any district may transfer moneys from any other  
24 fund to the capital outlay fund, special education fund or special retirement  
25 contributions fund of the district, but no transfers shall be authorized from  
26 the bond and interest fund, capital outlay fund, special education fund or  
27 special retirement contributions fund. Moneys in the bond and interest  
28 fund, capital outlay fund, special education fund and special retirement  
29 contributions fund shall only be expended for such purposes as permitted  
30 by law.

31 (c) The provisions of this section shall take effect and be in force  
32 from and after July 1, 2013.

33 New Sec. 25. (a) On June 30 of each school year, each board shall  
34 determine the amount of any remaining unencumbered balances in any of  
35 the funds held by such school district, excluding any remaining  
36 unencumbered balances in the bond and interest fund, capital outlay fund  
37 or the special education fund. If the aggregate amount of such remaining  
38 unencumbered balances is in excess of 7.5% of the BAR of such district,  
39 as determined pursuant to sections 9 through 12, and amendments thereto,  
40 then the amount of such excess funds shall be transferred to the special  
41 retirement contributions fund of the school district, established pursuant to  
42 K.S.A. 74-4939a, and amendments thereto. Upon such transfer, such  
43 funds shall be expended only as part of the remittance to the Kansas public

1 employees retirement system in satisfaction of such school district's  
2 obligation as a participating employer to the Kansas public employees  
3 retirement system in accordance with the provisions of K.S.A. 74-4939a,  
4 and amendments thereto. If the amount transferred is in excess of such  
5 school district's obligation, then such excess amount shall be carried  
6 forward by such school district in the special retirement contributions  
7 fund, and shall be expended only as part of the remittance to the Kansas  
8 public employees retirement system in satisfaction of such school district's  
9 obligation in the immediately succeeding fiscal year and each fiscal year  
10 thereafter until the total amount of such excess has been expended.

11 (b) The provisions of this section shall take effect and be in force  
12 from and after July 1, 2013.

13 New Sec. 26. (a) Whenever a new district has been established or  
14 the boundaries of a district have been changed, the state board shall make  
15 appropriate revisions concerning the affected districts as may be necessary  
16 for the purposes of sections 1 through 29, and amendments thereto, to  
17 reflect such establishment of a district or changes in boundaries. Such  
18 revisions shall be based on the most reliable data obtainable from the  
19 superintendent of the district and the county clerk.

20 (b) The provisions of this section shall take effect and be in force  
21 from and after July 1, 2013.

22 New Sec. 27. (a) The state board may adopt rules and regulations  
23 for the administration of sections 1 through 29, and amendments thereto,  
24 including the classification of expenditures of districts in accordance with  
25 the uniform financial accounting and reporting act, K.S.A. 72-8254, and  
26 amendments thereto.

27 (b) The provisions of this section shall take effect and be in force  
28 from and after July 1, 2013.

29 New Sec. 28. (a) The provisions of sections 1 through 29, and  
30 amendments thereto, shall not be severable. If any provisions of sections 1  
31 through 29, and amendments thereto, is held to be invalid or  
32 unconstitutional by court order, the entire act shall be null and void.

33 (b) The provisions of this section shall take effect and be in force  
34 from and after July 1, 2013.

35 New Sec. 29. (a) The provisions of sections 1 through 29, and  
36 amendments thereto, shall expire on June 30, 2017.

37 (b) The provisions of this section shall take effect and be in force  
38 from and after July 1, 2013.

39 New Sec. 30. (a) The board of regents shall establish a career  
40 technical education incentive program. Each school year, to the extent  
41 there are sufficient moneys appropriated to the program, the board of  
42 regents shall make an award in the amount of \$1,000 for each pupil who  
43 graduates from high school having obtained an industry-recognized

1 credential in an occupation identified by the secretary of labor as an  
2 occupation in highest need of additional skilled employees. Such awards  
3 shall be paid at such times as established by the board of regents and may  
4 be expended for any expenses occurred in operating the school from which  
5 the pupils graduated as determined by the board.

6 (b) Each school year, at such time as agreed to by the secretary of  
7 labor and the commissioner of education, the secretary shall provide the  
8 state board with a list of those occupations in highest need of additional  
9 skilled employees.

10 (c) The state board shall certify to the board of regents and the  
11 director of accounts and reports the amounts due to each district pursuant  
12 to this section. Such certification, and the amount payable, shall be  
13 approved by the director of the budget. The director of accounts and  
14 reports shall draw warrants on the state treasurer payable to the district  
15 treasurer of each district entitled to payment of such award amount,  
16 pursuant to vouchers approved by the board of regents. Upon receipt of  
17 such warrant, each district treasurer shall deposit the amount of such  
18 award in the general fund of the district.

19 (d) The board of regents may adopt such rules and regulations  
20 necessary to implement and carry out the provisions of this section.

21 New Sec. 31. (a) Provided a particular career technical education  
22 program, which is open to enrollment of secondary students, is not offered  
23 in a particular service area, the governing board of a community college,  
24 technical college or institute of technology located outside such service  
25 area, in coordination with one or more school districts located within such  
26 service area, may apply to the board of regents for permission to establish  
27 such career technical education program to be taught at a location in such  
28 service area. An application for such permission shall be submitted in  
29 such form and manner as prescribed by the board of regents. In reviewing  
30 any such application, the board of regents shall consider the ability and  
31 willingness of any postsecondary educational institution located in such  
32 service area to offer such career technical education program. If no such  
33 career technical education program is offered in such service area and no  
34 postsecondary educational institution located in such service area intends  
35 to offer such career technical education program, then the board of regents  
36 may approve such application to establish such career technical education  
37 program. Upon approval of its application by the board of regents, the  
38 governing board of a community college, technical college or institute of  
39 technology may purchase or otherwise acquire land or land and  
40 improvements in such service area for the purpose of providing such  
41 career technical educational program.

42 (b) For purposes of this section:

43 (1) The terms "career technical education," "community college,"

1 "institute of technology" and "technical college" have the same meaning as  
2 such terms are defined in K.S.A. 72-4412, and amendments thereto.

3 (2) "Postsecondary educational institution" has the same meaning as  
4 such term is defined in K.S.A. 74-3201b, and amendments thereto.

5 (3) "Secondary student" means any student who is enrolled in any of  
6 the grades nine through 12 in a school district operated pursuant to the  
7 laws of this state.

8 (4) "Service area" means a designated geographic area of the state  
9 established pursuant to agreement of the presidents of the community  
10 colleges and adopted in policy by the state board of regents.

11 (c) The provisions of this section shall take effect and be in force  
12 from and after July 1, 2013.

13 New Sec. 32. (a) As used in this section:

14 (1) "Applicant" means a person who:

15 (A) Is seeking certification as a teacher at the secondary level in the  
16 state of Kansas; and

17 (B) has provided documentation to the state board verifying that the  
18 applicant has secured a commitment from a board to be hired as a teacher  
19 in that school district subject to receiving such certification as a teacher.

20 (2) "Board" means the board of education of any public school  
21 district.

22 (3) "Career technical education" shall have the same meaning as such  
23 term is defined in K.S.A. 72-4412, and amendments thereto.

24 (4) "Subject matter assessment" means an assessment designated by  
25 the state board to measure the individual's teaching knowledge in the  
26 subject matter for which the individual is seeking certification.

27 (5) "Teach for America participant" means a person who:

28 (A) Is seeking certification as a teacher at the secondary level in the  
29 state of Kansas;

30 (B) has successfully completed the two-year teaching program  
31 conducted by teach for America, inc.; and

32 (C) has provided documentation to the state board verifying that the  
33 applicant has secured a commitment from a board to be hired as a teacher  
34 in that school district subject to receiving certification as a teacher.

35 (6) "Teacher preparation program" means professional education  
36 pedagogy coursework provided at an accredited college or university  
37 engaged in teacher preparation.

38 (7) "State board" means the state board of education.

39 (b) No applicant shall be required to complete a teacher preparation  
40 program prior to certification as a teacher in the following areas of  
41 instruction: (1) Science; (2) technology; (3) engineering; (4) math; or (5)  
42 career technical education.

43 (c) No teach for America participant shall be required to complete a

1 teacher preparation program prior to certification as a teacher.

2 (d) The state board shall require successful completion of a subject  
3 matter assessment, as determined by the state board, for all applicants and  
4 teach for America participants prior to certification as a teacher.

5 (e) An applicant or teach for America participant shall only be  
6 authorized to teach in the subject or subjects specified on the face of the  
7 certificate to teach.

8 (f) The state board shall adopt rules and regulations necessary to  
9 carry out the provisions of this section.

10 (g) This section shall be part of and supplemental to the provisions of  
11 article 13 of chapter 72 of the Kansas Statutes Annotated, and amendments  
12 thereto.

13 (h) The provisions of this section shall take effect and be in force  
14 from and after July 1, 2013.

15 New Sec. 33. (a) As used in this section:

16 (1) "Board" means the board of education of any public school  
17 district.

18 (2) "Program" means the teacher performance incentive program.

19 (3) "School year" means the period from July 1 to June 30.

20 (4) "State board" means the state board of education.

21 (5) "Teacher" means any instructor who holds a teacher's certificate  
22 issued by the state board, and who has received a rating designation of  
23 highly effective pursuant to K.S.A. 72-9001 *et seq.*, and amendments  
24 thereto, in such instructor's most recent evaluation.

25 (6) "Teacher team" means a group of teachers who collaboratively  
26 instruct pupils or students in a classroom setting.

27 (b) The teacher performance incentive program is hereby established,  
28 and shall be administered by the state department of education. The  
29 program shall reward teachers who have increased student achievement for  
30 at-risk pupils, as defined in section 2, and amendments thereto.

31 (c) The state board shall determine the process for nominating  
32 teachers for awards under the program. Each school year, a teacher or  
33 teacher team may be nominated by the board. The application for such  
34 nomination shall be submitted in such form and manner as prescribed by  
35 the state board, and shall contain such information as the state board shall  
36 require.

37 (d) Each school year, within the limitations of appropriations therefor,  
38 the state board shall determine the number of awards to be made under the  
39 program. Performance incentive awards made under the program shall be  
40 in the amount of \$5,000, and shall be paid to the school district in which  
41 such award winner is employed. The state board shall certify to the  
42 director of accounts and reports the award amounts due to each district  
43 pursuant to this section. Such certification, and the amount payable, shall

1 be approved by the director of the budget. The director of accounts and  
2 reports shall draw warrants on the state treasurer payable to the district  
3 treasurer of each district receiving an award, pursuant to vouchers  
4 approved by the state board. Upon receipt of such warrant, each district  
5 treasurer shall deposit the amount of such award in the general fund of the  
6 district. Award funds shall be expended solely for the purpose of rewarding  
7 the teacher or teacher team identified in the nomination. If a teacher team  
8 is identified in a nomination, each teacher within the teacher team shall be  
9 paid a portion of the total amount of the performance incentive award as  
10 determined by the board.

11 (e) The provisions of this section shall take effect and be in force  
12 from and after July 1, 2013.

13 New Sec. 34. Evaluations adopted under K.S.A. 72-9004, and  
14 amendments thereto, shall meet the following criteria:

15 (a) Objective measures of student achievement and growth to  
16 significantly inform the evaluation. Such objective measures shall  
17 include:

18 (1) Student assessment results from statewide assessments for those  
19 employees whose responsibilities include instruction in subjects measured  
20 in statewide assessments;

21 (2) methods for assessing student achievement and growth for those  
22 employees whose responsibilities do not include instruction in subjects  
23 measured by statewide assessments; and

24 (3) student assessment results from locally developed assessments  
25 and other test measures for those employees whose responsibilities may or  
26 may not include instruction in subjects measured by statewide  
27 assessments.

28 (b) (1) An annual designation of each employee in one of the  
29 following rating categories:

30 (A) Highly effective;

31 (B) effective;

32 (C) progressing; or

33 (D) ineffective.

34 (2) The designation of a rating category under this subsection shall be  
35 based on the employee's performance using the following allocations to  
36 determine the employee's overall performance:

37 (A) Fifty percent based on growth in student achievement as  
38 measured pursuant to subsection (a);

39 (B) forty percent based on input received from supervisors, peers,  
40 parents and students during the school year on such employee's  
41 performance; and

42 (C) ten percent based on contributions by the employee to the  
43 profession including, but not limited to, educator collaboration, leadership

1 and professional development.

2 (3) As used in this subsection the terms “highly effective,”  
3 “effective,” “progressing” and “ineffective” shall be defined by the state  
4 board so as to clearly describe the effectiveness of an employee in  
5 accordance with the standards for effective employees as established by  
6 law or rules and regulations.

7 (c) Recommendations for areas in which the employee shall improve  
8 to achieve a higher rating category.

9 (d) A plan of assistance including, but not limited to, a timeline for  
10 when any recommended improvement is expected to be achieved. If the  
11 employee receives a rating of "progressing" or "ineffective," such plan of  
12 assistance shall also include a process by which such employee is given  
13 the opportunity to correct the identified deficiencies in the employee's  
14 performance within 90 school days from the date the plan of assistance is  
15 implemented.

16 (e) This section shall be part of and supplemental to the provisions of  
17 article 90 of chapter 72 of the Kansas Statutes Annotated, and amendments  
18 thereto.

19 (f) The provisions of this section shall take effect and be in force  
20 from and after July 1, 2013.

21 New Sec. 35. (a) Any moneys received under K.S.A. 72-9608, and  
22 amendments thereto, shall be expended towards deficiencies identified  
23 through the evaluation procedure set forth in K.S.A. 72-9001 *et seq.*, and  
24 amendments thereto, and to support activities identified by the state board  
25 that measure teacher performance, including but not limited to, growth in  
26 student achievement.

27 (b) The state board shall adopt any rules and regulations relating to  
28 expenditures of state aid which the state board deems necessary to  
29 administer and enforce the professional development act.

30 (c) This section shall be part of and supplemental to the professional  
31 development act.

32 (d) The provisions of this section shall take effect and be in force  
33 from and after July 1, 2013.

34 New Sec. 36. (a) Except as provided in subsection (b), a pupil shall  
35 not be instructed for two consecutive school years by two consecutive  
36 teachers, each of whom received a rating designation of ineffective  
37 pursuant to K.S.A. 72-9001 *et seq.*, and amendments thereto, in the school  
38 year immediately preceding the school year in which the pupil is placed in  
39 the respective teacher's classroom.

40 (b) If compliance under this section is rendered unreasonable as  
41 determined by the board of education of the school district, then the parent  
42 of such pupil shall be notified in writing prior to the commencement of the  
43 second year that such pupil will be instructed by a teacher who has

1 received a rating designation of ineffective pursuant to K.S.A. 72-9001 *et*  
2 *seq.*, and amendments thereto.

3 (c) The provisions of this section shall take effect and be in force  
4 from and after July 1, 2013.

5 Sec. 37. From and after July 1, 2013, K.S.A. 2011 Supp. 10-1116a is  
6 hereby amended to read as follows: 10-1116a. The limitations on  
7 expenditures imposed under the cash-basis law shall not apply to:

8 (a) Expenditures in excess of current revenues made for municipally  
9 owned and operated utilities out of the fund of such utilities caused by, or  
10 resulting from the meeting of, extraordinary emergencies including  
11 drought emergencies. In such cases expenditures in excess of current  
12 revenues may be made by declaring an extraordinary emergency by  
13 resolution adopted by the governing body and such resolution shall be  
14 published at least once in a newspaper of general circulation in such city.  
15 Thereupon, such governing body may issue interest bearing no-fund  
16 warrants on such utility fund in an amount, including outstanding  
17 previously issued no-fund warrants, not to exceed 25% of the revenues  
18 from sales of service of such utility for the preceding year. Such warrants  
19 shall be redeemed within three years from date of issuance and shall bear  
20 interest at a rate of not to exceed the maximum rate of interest prescribed  
21 by K.S.A. 10-1009, and amendments thereto. Upon the declaration of a  
22 drought emergency, the governing body may issue such warrants for water  
23 system improvement purposes in an amount not to exceed 50% of the  
24 revenue received from the sale of water for the preceding year. Such  
25 warrants shall be redeemed within five years from the date of issuance and  
26 shall bear interest at a rate not to exceed the maximum rate of interest  
27 prescribed by K.S.A. 10-1009, and amendments thereto.

28 (b) Expenditures in any month by school districts which are in excess  
29 of current revenues if the deficit or shortage in revenues is caused by, or a  
30 result of, the payment of state aid after the date prescribed for the payment  
31 of state aid during such month under ~~K.S.A. 72-6417 or 72-6434~~ *section*  
32 *20*, and amendments thereto.

33 Sec. 38. From and after July 1, 2013, K.S.A. 12-1677 is hereby  
34 amended to read as follows: 12-1677. (a) Except as otherwise required by  
35 state or federal law, all moneys earned and collected from investments by  
36 counties, area vocational-technical schools and quasi-municipal  
37 corporations authorized in this act shall be credited to the general fund of  
38 such county, area vocational-technical school or quasi-municipal  
39 corporation by the treasurer thereof, and all moneys earned and collected  
40 from investments by school districts authorized in this act shall be credited  
41 in accordance with the provisions of ~~K.S.A. 72-6427~~ *section 22*, and  
42 amendments thereto.

43 (b) The treasurer of each county, school district, area vocational-



1 technical school or quasi-municipal corporation shall maintain a complete  
2 record of all investments authorized in this act and shall make a quarterly  
3 written report of such record to the governing body of such county, school  
4 district, area vocational-technical school or quasi-municipal corporation.

5 Sec. 39. From and after July 1, 2013, K.S.A. 2011 Supp. 71-201 is  
6 hereby amended to read as follows: 71-201. (a) The board of trustees, in  
7 accordance with the provisions of law and the rules and regulations of the  
8 state board of regents, shall have custody of and be responsible for the  
9 property of the community college and shall be responsible for the  
10 operation, management and control of the college. The board of trustees  
11 shall hold at least one regular meeting each month at a time prescribed by  
12 the board. The board shall make an annual report in the manner prescribed  
13 by the state board of regents. Members of the board of trustees shall be  
14 paid subsistence allowances, mileage and other actual and necessary  
15 expenses incurred in the performance of their official duties.

16 (b) For effectuation of the purposes of this act, the board of trustees in  
17 addition to such other powers expressly granted to it by law and subject to  
18 the rules and regulations of the state board of regents is hereby granted the  
19 following powers:

20 (1) To select its own chairperson and such other officers as it may  
21 deem desirable, from among its own membership. The secretary may be  
22 chief administrative officer of the college.

23 (2) To sue and be sued.

24 (3) To determine the educational program of the college subject to  
25 prior approval thereof as provided in this act and to grant certificates of  
26 completion of courses or curriculum.

27 (4) To appoint and fix the compensation and term of office of a  
28 president or chief administrative officer of the college.

29 (5) To appoint upon nomination of the president or the chief  
30 administrative officer members of the administrative and teaching staffs, to  
31 fix and determine within state adopted standards their specifications,  
32 define their duties and to fix their compensation and terms of employment.  
33 No community college teacher shall be required to meet licensure  
34 requirements greater than those required in the state educational  
35 institutions.

36 (6) Upon recommendation of the chief administrative officer, to  
37 appoint or employ such other officers of the college, agents and employees  
38 as may be required to carry out the provisions of law and to fix and  
39 determine within state adopted standards their qualifications, duties,  
40 compensation, terms of office or employment and all other items and  
41 conditions of employment.

42 (7) To enter into contracts.

43 (8) To accept from any government or governmental agency, or from

1 any other public or private body, or from any other source, grants or  
2 contributions of money or property which the board may use for or in aid  
3 of any of its purposes.

4 (9) To acquire by gift, purchase, lease-purchase, condemnation or  
5 otherwise, and to own, lease, use and operate property, whether real,  
6 personal, or mixed, or any interest therein, which is necessary or desirable  
7 for community college purposes. Any lease-purchase agreement entered  
8 into under authority of this subsection shall be subject to the conditions set  
9 forth in K.S.A. 10-1116c, and amendments thereto. The term of any lease  
10 entered into under authority of this subsection may be for not to exceed 10  
11 years. Such lease may provide for annual or other payment of rent or rental  
12 fees and may obligate the community college to payment of maintenance  
13 or other expenses. Any lease or lease-purchase agreement entered into  
14 under authority of this subsection shall be subject to change or termination  
15 at any time by the legislature. Any assignment of rights in any lease or  
16 lease-purchase made under this subsection shall contain a citation of this  
17 section and a recitation that the lease or lease-purchase agreement and  
18 assignment thereof are subject to change or termination by the legislature.  
19 To the extent that the provisions of the cash-basis and budget laws conflict  
20 with this subsection in such a manner as to prevent the intention of this  
21 subsection from being made effective, the provisions of this subsection  
22 shall control. This provision is subject to the provisions of subsection (d).

23 (10) To enter into lease agreements as lessor of any property, whether  
24 real, personal, or mixed, which is owned or controlled by the community  
25 college. Any such agreement may specify the purposes for which the  
26 property may be used, require that the property be maintained and  
27 operated by the lessee, and may contain such restrictions or limitations on  
28 the use of the property, be entered into for such period of time, and include  
29 such other terms and conditions as the board of trustees determines to be  
30 necessary and proper. Every such agreement shall be subject to change or  
31 termination at any time by the legislature. Any assignment of rights under  
32 any such agreement shall be subject to approval by the board of trustees  
33 and shall contain a citation of this section and a recitation that the lease  
34 agreement and assignment of rights thereunder are subject to change or  
35 termination by the legislature.

36 (11) To determine that any property owned by the college is no longer  
37 necessary for college purposes and to dispose of the same in such manner  
38 and upon such terms and conditions as provided by law.

39 (12) To exercise the right of eminent domain, pursuant to chapter 26  
40 of Kansas Statutes Annotated.

41 (13) To make and promulgate such rules and regulations, not  
42 inconsistent with the provisions of law or with rules and regulations of the  
43 state board of regents, that are necessary and proper for the administration

1 and operation of the community college, and for the conduct of the  
2 business of the board of trustees.

3 (14) To exercise all other powers not inconsistent with the provisions  
4 of law or with the rules and regulations of the state board of regents which  
5 may be reasonably necessary or incidental to the establishment,  
6 maintenance and operation of a community college.

7 (15) To appoint a member to fill any vacancy on the board of trustees  
8 for the balance of the unexpired term. When a vacancy occurs, the board  
9 shall publish a notice one time in a newspaper having general circulation  
10 in the community college district stating that the vacancy has occurred and  
11 that it will be filled by appointment by the board not sooner than 15 days  
12 after such publication.

13 (16) To contract with one or more agencies, either public or private,  
14 whether located within or outside the community college district or  
15 whether located within or outside the state of Kansas for the conduct by  
16 any such agencies of education for students of the community college, and  
17 to provide for the payment to any such agencies for their contracted  
18 educational services from any funds or moneys of the community college,  
19 including funds or moneys received from student tuition and fees, funds  
20 received from the state of Kansas or the United States for education, or  
21 taxes collected under K.S.A. 71-204, and amendments thereto. Any  
22 contract made under this subsection with an institution of another state  
23 shall be subject to the provisions of K.S.A. 71-202, and amendments  
24 thereto.

25 (17) To authorize by resolution the establishment of a petty cash fund  
26 in an amount not to exceed \$1,000, and to designate in such resolution an  
27 employee to maintain such petty cash fund. The employee designated in  
28 any resolution provided for in this subsection receiving such funds shall  
29 keep a record of all receipts and expenditures from the fund, and shall  
30 from time to time, and at the end of the fiscal year, prepare a statement for  
31 the board showing all receipts, expenditures, and the balance in the petty  
32 cash fund. The board of trustees may authorize the employee designated to  
33 maintain any petty cash fund to make a claim for replenishment of the  
34 fund to its original amount in advance of approval by the board of trustees  
35 if, at any time during the period between regular monthly meetings of the  
36 board of trustees, the balance remaining in the fund is insufficient to make  
37 needed expenditures for any purpose for which the petty cash fund is  
38 maintained. No petty cash fund may be replenished more than one time  
39 during each period between regular monthly meetings of the board of  
40 trustees. If a petty cash fund is replenished prior to the end of the fiscal  
41 year in accordance with the foregoing authorization, the employee  
42 authorized to maintain the petty cash fund shall keep an accurate record of  
43 all expenditures made therefrom, and the purpose therefor, and shall

1 submit the record to the board of trustees at the next regular monthly  
2 meeting thereof. The petty cash fund shall be replenished by payment from  
3 the appropriate funds of the community college to the petty cash fund  
4 upon proper claim. The fund shall be kept separate from all other funds  
5 and shall be used only for authorized expenditures and itemized receipts  
6 shall be taken for each expenditure. No part of such fund may be loaned or  
7 advanced against the salary of an employee. All employees entrusted with  
8 such funds under this subsection shall be bonded by the community  
9 college district.

10 (c) Subject to the provisions of subsection (d), the board of trustees  
11 may purchase or otherwise acquire land or land and improvements and  
12 may acquire, construct, reconstruct, repair or remodel improvements  
13 thereon or additions thereto, including furnishings, equipment, and  
14 architectural and incidental expense related thereto, and for such purposes  
15 the board of trustees is authorized to issue and sell general obligation  
16 bonds, the cumulative total not to exceed the following amounts: Where  
17 the community college district has a taxable tangible valuation of less than  
18 \$90,000,000 or is located in a county designated as urban under the  
19 provisions of K.S.A. 19-3524, and amendments thereto, not to exceed 5%  
20 of the taxable tangible property of the community college district, and  
21 where the community college district has a taxable tangible valuation of  
22 more than \$90,000,000 not to exceed 3% except as provided above for any  
23 community college district located in a county designated as urban under  
24 the provisions of K.S.A. 19-3524, and amendments thereto, of the taxable  
25 tangible property of the community college district. If any increase in the  
26 valuation of a community college district results in an outstanding bonded  
27 indebtedness in excess of that provided in this subsection, such increase  
28 shall not constitute a violation of this subsection. No such bonds shall be  
29 issued until the question of their issuance shall have been submitted to a  
30 vote of the electors of the community college district at a regular election  
31 or at a special election called for that purpose and the majority of the  
32 electors voting on the proposition in such community college district shall  
33 have voted in favor of the issuance of the bonds. Such election shall be  
34 called, noticed and held and the bonds issued, sold, delivered and retired in  
35 accordance with the provisions of the general bond law except as herein  
36 otherwise expressly provided.

37 (d) (1) *Except as otherwise provided in section 31, and amendments*  
38 *thereto*, the board of trustees of a community college may purchase or  
39 otherwise acquire land or land and improvements within: ~~(1)~~ (A) The  
40 community college district; or ~~(2)~~ (B) the service area of the community  
41 college. Nothing in this subsection shall be construed or operate in any  
42 manner to require a board of trustees to sell, convey or otherwise dispose  
43 of land or land and improvements located outside the community college

1 district or the service area of the community college and owned or being  
2 acquired by the community college on the effective date of this act.

3 (2) For the purposes of this subsection, "service area" means a  
4 designated geographic area of the state established pursuant to agreement  
5 of the presidents of the community colleges and adopted in policy by the  
6 state board of regents.

7 Sec. 40. From and after July 1, 2013, K.S.A. 2011 Supp. 71-609 is  
8 hereby amended to read as follows: 71-609. (a) No amount of state  
9 funding shall be based upon enrollment in any subject or course the  
10 principal part of which is taught at a location outside the county of the  
11 main campus of the community college, unless the location of such subject  
12 or course is specifically authorized by the state board of regents.

13 (b) (1) No amount of state funding shall be based upon enrollment in  
14 any subject or course which is taught in a county in which the main  
15 campus of a state educational institution is located, unless the teaching of  
16 such subject or course is specifically authorized by the chief executive  
17 officer of the state educational institution or by a designee of the chief  
18 executive officer. The chief executive officer of each state educational  
19 institution may designate and authorize a person or committee to act on  
20 behalf of the chief executive officer in granting the authorizations required  
21 by this subsection.

22 (2) For the purposes of this subsection, the term "main campus of a  
23 state educational institution" as applied to Kansas state university of  
24 agriculture and applied science means and includes the campus of the  
25 university located in Riley county and the campus of the university's  
26 college of technology located in Saline county.

27 (c) *The provisions of this section shall not apply to any career  
28 technical education program established by the board of trustees of a  
29 community college pursuant to section 31, and amendments thereto.*

30 Sec. 41. From and after July 1, 2013, K.S.A. 2011 Supp. 72-978 is  
31 hereby amended to read as follows: 72-978. (a) Each year, the state board  
32 of education shall determine the amount of state aid for the provision of  
33 special education and related services each school district shall receive for  
34 the ensuing school year. The amount of such state aid shall be computed  
35 by the state board as provided in this section. The state board shall:

36 (1) Determine the ~~total amount of general fund and local option~~  
37 ~~budgets of total state aid, as defined in section 2, and amendments thereto,~~  
38 ~~for all school districts;~~

39 ~~(2) subtract from the amount determined in paragraph (1) the total~~  
40 ~~amount attributable to assignment of transportation weighting, program~~  
41 ~~weighting, special education weighting and at-risk pupil weighting to~~  
42 ~~enrollment of all school districts;~~

43 ~~(3) (2) divide the remainder obtained amount determined in~~

1 paragraph ~~(2)~~ (1) by the total number of full-time equivalent pupils  
2 enrolled in all school districts on September 20;

3 ~~(4)~~ (3) determine the total full-time equivalent enrollment of  
4 exceptional children receiving special education and related services  
5 provided by all school districts;

6 ~~(5)~~ (4) multiply the amount of the quotient obtained in paragraph ~~(3)~~  
7 (2) by the full-time equivalent enrollment determined in paragraph ~~(4)~~ (3);

8 ~~(6)~~ (5) determine the amount of federal funds received by all school  
9 districts for the provision of special education and related services;

10 ~~(7)~~ (6) determine the amount of revenue received by all school  
11 districts rendered under contracts with the state institutions for the  
12 provisions of special education and related services by the state institution;

13 ~~(8)~~ (7) add the amounts determined under paragraphs ~~(6)~~ and ~~(7)~~ (5)  
14 and (6) to the amount of the product obtained under paragraph ~~(5)~~ (4);

15 ~~(9)~~ (8) determine the total amount of expenditures of all school  
16 districts for the provision of special education and related services;

17 ~~(10)~~ (9) subtract the amount of the sum obtained under paragraph ~~(8)~~  
18 (7) from the amount determined under paragraph ~~(9)~~ (8); and

19 ~~(11)~~ (10) multiply the remainder obtained under paragraph ~~(10)~~ (9) by  
20 92%.

21 The computed amount is the amount of state aid for the provision of  
22 special education and related services aid a school district is entitled to  
23 receive for the ensuing school year.

24 (b) Each school district shall be entitled to receive:

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

33 (2) reimbursement in an amount equal to 80% of the actual travel  
34 expenses incurred for providing transportation for exceptional children to  
35 special education or related services; such reimbursement shall not be paid  
36 if such child has been counted in determining the transportation ~~weighting~~  
37 ~~of state aid~~ the district *is entitled to receive* under the provisions of ~~the~~  
38 ~~school district finance and quality performance act~~ *the excellence in*  
39 *education act*;

40 (3) reimbursement in an amount equal to 80% of the actual expenses  
41 incurred for the maintenance of an exceptional child at some place other  
42 than the residence of such child for the purpose of providing special  
43 education or related services; such reimbursement shall not exceed \$600

1 per exceptional child per school year; and

2 (4) subject to the provisions of subsection (f) and except for those  
3 school districts entitled to receive reimbursement under subsection (c) or  
4 (d), after subtracting the amounts of reimbursement under paragraphs (1),  
5 (2) and (3) of this subsection (a) from the total amount appropriated for  
6 special education and related services under this act, an amount which  
7 bears the same proportion to the remaining amount appropriated as the  
8 number of full-time equivalent special teachers who are qualified to  
9 provide special education or related services to exceptional children and  
10 are employed by the school district for approved special education or  
11 related services bears to the total number of such qualified full-time  
12 equivalent special teachers employed by all school districts for approved  
13 special education or related services.

14 Each special teacher who is qualified to assist in the provision of  
15 special education or related services to exceptional children shall be  
16 counted as  $\frac{2}{5}$  full-time equivalent special teacher who is qualified to  
17 provide special education or related services to exceptional children.

18 (c) Each school district which has paid amounts for the provision of  
19 special education and related services under an interlocal agreement shall  
20 be entitled to receive reimbursement under subsection (b)(4). The amount  
21 of such reimbursement for the district shall be the amount which bears the  
22 same relation to the aggregate amount available for reimbursement for the  
23 provision of special education and related services under the interlocal  
24 agreement, as the amount paid by such district in the current school year  
25 for provision of such special education and related services bears to the  
26 aggregate of all amounts paid by all school districts in the current school  
27 year who have entered into such interlocal agreement for provision of such  
28 special education and related services.

29 (d) Each contracting school district which has paid amounts for the  
30 provision of special education and related services as a member of a  
31 cooperative shall be entitled to receive reimbursement under subsection (b)  
32 (4). The amount of such reimbursement for the district shall be the amount  
33 which bears the same relation to the aggregate amount available for  
34 reimbursement for the provision of special education and related services  
35 by the cooperative, as the amount paid by such district in the current  
36 school year for provision of such special education and related services  
37 bears to the aggregate of all amounts paid by all contracting school  
38 districts in the current school year by such cooperative for provision of  
39 such special education and related services.

40 (e) No time spent by a special teacher in connection with duties  
41 performed under a contract entered into by the Kansas juvenile  
42 correctional complex, the Atchison juvenile correctional facility, the  
43 Larned juvenile correctional facility, or the Topeka juvenile correctional

1 facility and a school district for the provision of special education services  
2 by such state institution shall be counted in making computations under  
3 this section.

4 (f) (1) In school year 2012-2013 and in each school year thereafter,  
5 the state board of education shall determine the minimum and maximum  
6 amount of state aid that a school district may receive under paragraph (4)  
7 of subsection (b) for the current school year as follows:

8 (A) Determine the total amount of moneys appropriated as state aid  
9 for the provision of special education and related services to all school  
10 districts for the current school year;

11 (B) subtract the amount of moneys paid to all school districts under  
12 paragraphs (1), (2) and (3) of subsection (b) of this section, K.S.A. 72-983  
13 and K.S.A. 2011 Supp. 72-998, and amendments thereto, for the current  
14 school year;

15 (C) divide the remainder obtained under (B) by the total full-time  
16 equivalent enrollment of all school districts in the current school year;

17 (2) (A) multiply the quotient obtained under (1)(C) by the full-time  
18 equivalent enrollment of the school district in the current school year;

19 (B) multiply the product obtained under (2)(A) by .75. The product is  
20 the minimum amount of state aid the district may receive under paragraph  
21 (4) of subsection (b) for the current school year;

22 (C) multiply the quotient obtained under (2)(A) by 1.50. The product  
23 is the maximum amount of state aid the district may receive under  
24 paragraph (4) of subsection (b) for the current school year.

25 (3) If the amount determined under paragraph (4) of subsection (b) is  
26 less than the product obtained under (2)(B), the district shall receive state  
27 aid in an amount equal to the product obtained under (2)(B), plus any  
28 amount determined under paragraph (5) of this subsection.

29 (4) If the amount determined under paragraph (4) of subsection (b),  
30 plus any amount determined under paragraph (5) of this subsection, is  
31 greater than the product obtained under (2)(C), the district shall receive  
32 state aid in an amount equal to the product obtained under (2)(C). The  
33 balance of state aid remaining after determining the amount of state aid  
34 payable to districts under this paragraph shall be reallocated to districts as  
35 provided by paragraph (5) of this subsection.

36 (5) The balance of state aid remaining after determining the amount  
37 of state aid payable to districts under paragraph (4) of this subsection shall  
38 be reallocated to districts which have not received state aid in an amount  
39 equal to the product obtained under (2)(B). Such state aid shall be  
40 reallocated to such districts in the same manner as the original allocation.  
41 If the balance is insufficient to pay each such district the minimum amount  
42 specified in this subsection, the state board shall prorate the balance  
43 among such districts.



1 (6) The provisions of this subsection (f) shall expire on June 30,  
2 2014.

3 Sec. 42. From and after July 1, 2013, K.S.A. 2011 Supp. 72-1046b is  
4 hereby amended to read as follows: 72-1046b. (a) As used in this section:

5 (1) "School district" means a school district organized and operating  
6 under the laws of this state and no part of which is located in Johnson  
7 county, Sedgwick county, Shawnee county, or Wyandotte county.

8 (2) "Nonresident pupil" or "pupil" means a pupil who is enrolled and  
9 in attendance at a school located in a district in which such pupil is not a  
10 resident and who (A) lives 10 or more miles from the attendance center the  
11 pupil would attend in the district in which the pupil resides or (B) is a  
12 member of the family of a pupil meeting the condition prescribed in  
13 subpart (A).

14 (3) "Member of the family" means a brother or sister of the whole or  
15 half blood or by adoption, a stepbrother or stepsister, and a foster brother  
16 or foster sister.

17 (b) The board of education of any school district may allow any pupil  
18 who is not a resident of the district to enroll in and attend school in such  
19 district. The board of education of such district may furnish or provide  
20 transportation to any nonresident pupil who is enrolled in and attending  
21 school in the district pursuant to this section. If the district agrees to  
22 furnish or provide transportation to a nonresident pupil, such  
23 transportation shall be furnished or provided until the end of the school  
24 year. Prior to providing or furnishing transportation to a nonresident pupil,  
25 the district shall notify the board of education of the district in which the  
26 pupil resides that transportation will be furnished or provided.

27 (c) Pupils attending school in a school district in which the pupil does  
28 not reside pursuant to this section shall be counted as regularly enrolled in  
29 and attending school in the district where the pupil is enrolled for the  
30 purpose of computations, except computation of transportation ~~weighting~~  
31 ~~state aid~~, under the ~~school district finance and quality performance~~  
32 ~~excellence in education~~ act and for the purposes of the statutory provisions  
33 contained in article 83 of chapter 72 of the Kansas Statutes Annotated.  
34 Such nonresident pupil shall not be charged for the costs of attendance at  
35 school.

36 Sec. 43. From and after July 1, 2013, K.S.A. 2011 Supp. 72-1398 is  
37 hereby amended to read as follows: 72-1398. (a) The national board for  
38 professional teaching standards certification incentive program is hereby  
39 established for the purpose of rewarding teachers who have attained  
40 certification from the national board. Teachers who have attained  
41 certification from the national board shall be issued a master teacher's  
42 license by the state board of education. A master teacher's license shall be  
43 valid for 10 years and renewable thereafter every 10 years through

1 compliance with continuing education and professional development  
2 requirements prescribed by the state board. Teachers who have attained  
3 certification from the national board and who are employed by a school  
4 district shall be paid an incentive bonus in the amount of \$1,000 each  
5 school year that the teacher remains employed by a school district and  
6 retains a valid master teacher's license.

7 (b) The board of education of each school district employing one or  
8 more national board certified teachers shall pay the incentive bonus to  
9 each such teacher in each school year that the teacher retains eligibility for  
10 such payment. Each board of education which has made payments of  
11 incentive bonuses to national board certified teachers under this subsection  
12 may file an application with the state board of education for state aid and  
13 shall certify to the state board the amount of such payments. The  
14 application and certification shall be on a form prescribed and furnished by  
15 the state board, shall contain such information as the state board shall  
16 require and shall be filed at the time specified by the state board.

17 (c) In each school year, each school district employing one or more  
18 national board certified teachers is entitled to receive from appropriations  
19 for the national board for professional teaching standards certification  
20 incentive program an amount which is equal to the amount certified to the  
21 state board of education in accordance with the provisions of subsection  
22 (b). The state board shall certify to the director of accounts and reports the  
23 amount due each school district. The director of accounts and reports shall  
24 draw warrants on the state treasurer payable to the treasurer of each school  
25 district entitled to payment under this section upon vouchers approved by  
26 the state board.

27 (d) Moneys received by a board of education under this section shall  
28 be deposited in the general fund of the school district and shall be  
29 considered reimbursements to the district for the purpose of the ~~school~~  
30 ~~district finance and quality performance~~ *excellence in education* act and  
31 may be expended whether the same have been budgeted or not.

32 (e) The state board of education is authorized to provide scholarships  
33 of \$1,100 each to teachers who are accepted to participate in the national  
34 board for professional teaching standards program for initial certification.  
35 The state board of education is authorized to provide scholarships of \$500  
36 each to teachers who are accepted to participate in the national board for  
37 professional teaching standards program for renewal of certification. Any  
38 teacher who has been accepted to participate in such program may file an  
39 application with the state board of education for a scholarship. The  
40 application shall be on a form prescribed and furnished by the state board,  
41 shall contain such information as the state board shall require and shall be  
42 filed at the time specified by the state board.

43 (f) As used in this section, the term school district means any school

1 district organized and operating under the laws of this state.

2 Sec. 44. From and after July 1, 2013, K.S.A. 72-1412 is hereby  
3 amended to read as follows: 72-1412. As used in K.S.A. 72-1412 through  
4 72-1415, and amendments thereto:

5 (a) *"Administrative employee" means, in the case of a school district,*  
6 *any person who is employed by a board of education in an administrative*  
7 *capacity, and who is fulfilling duties for which an administrator's*  
8 *certificate is required under K.S.A. 72-7513, and amendments thereto.*

9 (b) *"Mentor teacher program" means a any research-based mentoring*  
10 *program established and maintained by the board of education of a school*  
11 *district approved by the state board for the purpose of providing*  
12 *probationary teachers and administrative employees with professional*  
13 *support and the continuous assistance of an on-site mentor teacher.*

14 ~~(b) "Mentor teacher" means a certificated teacher who has completed~~  
15 ~~at least three consecutive school years of employment in the school~~  
16 ~~district, has been selected by the board of education of the school district~~  
17 ~~on the basis of having demonstrated exemplary teaching ability as~~  
18 ~~indicated by criteria established by the state board of education, and has~~  
19 ~~partieipated in and successfully completed a training program for mentor~~  
20 ~~teachers provided for by the board of education of the school district in~~  
21 ~~accordance with guidelines prescribed by the state board of education. The~~  
22 ~~primary function of a mentor teacher shall be to provide probationary~~  
23 ~~teachers with professional support and assistance. A mentor teacher may~~  
24 ~~provide assistance and guidance to not more than two probationary~~  
25 ~~teachers.~~

26 (c) *"Probationary teacher" means a certificated teacher to whom the*  
27 *provisions of K.S.A. 72-5438 through 72-5443, and amendments thereto,*  
28 *do not apply.*

29 (d) *"State board" means the state board of education.*

30 Sec. 45. From and after July 1, 2013, K.S.A. 72-1413 is hereby  
31 amended to read as follows: 72-1413. (a) ~~The board of education of each~~  
32 ~~school district may establish and maintain a mentor teacher program and,~~  
33 ~~commencing with the 2001-02 school year, may apply to the state board~~  
34 ~~for a grant of state moneys for the purpose of providing stipends for~~  
35 ~~mentor teachers paying the costs for a probationary teacher or~~  
36 ~~administrative employee to attend mentor programs. The state board shall~~  
37 ~~award such grants of state moneys in accordance with the provisions of~~  
38 ~~this section.~~

39 (b) ~~To be eligible to receive a grant of state moneys for maintenance~~  
40 ~~of a mentor teacher program, a board of education shall submit to the state~~  
41 ~~board of education an application for a grant and a description of the~~  
42 ~~program. The application and description shall be prepared in such form~~  
43 ~~and manner as the state board shall require and shall be submitted at a time~~

1 to be determined and specified by the state board. Approval by the state  
2 board of ~~the program~~ and the application is prerequisite to the award of a  
3 grant.

4 (c) Each board of education which is awarded a grant ~~for~~  
5 ~~maintenance of a mentor teacher program~~ shall make such periodic and  
6 special reports of statistical ~~and~~ , financial ~~and such other~~ information to  
7 the state board of education ~~as it~~ *as the state board* may request.

8 Sec. 46. From and after July 1, 2013, K.S.A. 72-1414 is hereby  
9 amended to read as follows: 72-1414. (a) ~~On or before January 1, 2001,~~  
10 The state board of education shall *may* adopt rules and regulations ~~for the~~  
11 ~~administration of mentor teacher programs and shall, which establish:~~

12 (1) ~~Establish~~ Standards and criteria for evaluating and approving  
13 ~~mentor teacher programs and applications of school districts for grants;~~  
14 *and*

15 (2) ~~evaluate and approve~~ *the evaluation and approval of* mentor  
16 teacher programs;

17 (3) ~~establish criteria for determination of exemplary teaching ability~~  
18 ~~of certificated teachers for qualification as mentor teachers;~~

19 (4) ~~prescribe guidelines for the selection by boards of education of~~  
20 ~~mentor teachers and for the provision by boards of education of training~~  
21 ~~programs for mentor teachers;~~

22 (5) ~~be responsible for awarding grants to school districts; and~~

23 (6) ~~request of and receive from each school district which is awarded~~  
24 ~~a grant for maintenance of a mentor teacher program reports containing~~  
25 ~~information with regard to the effectiveness of the program.~~

26 (b) ~~Subject to the availability of appropriations for mentor teacher~~  
27 ~~programs maintained by school districts, and within the limits of any such~~  
28 ~~appropriations~~ *Within the limitations of appropriations therefor,* the state  
29 board of education shall determine the amount of grants to be awarded *to*  
30 *each* school districts ~~by multiplying an amount not to exceed \$1,000 by~~  
31 ~~district by considering the number of mentor probationary teachers and~~  
32 ~~administrative employees participating in the a mentor program~~  
33 ~~maintained by a school district. The product is the amount of the grant to~~  
34 ~~be awarded to the district. Upon receipt of a grant of state moneys for~~  
35 ~~maintenance of a mentor teacher program, the amount of the grant shall be~~  
36 deposited in the general fund of the school district. Moneys deposited in  
37 the general fund of a school district under this subsection shall be  
38 considered reimbursements for the purpose of the ~~school district finance~~  
39 ~~and quality performance excellence in education~~ act. The full amount of  
40 the grant shall be allocated among the ~~mentor probationary teachers and~~  
41 ~~administrative employees~~ employed by the school district ~~so as to provide~~  
42 ~~a mentor teacher with an annual stipend in an amount not to exceed~~  
43 ~~\$1,000. Such annual stipend shall be over and above the regular salary to~~

1 ~~which the mentor teacher is entitled for the school year.~~

2 Sec. 47. From and after July 1, 2013, K.S.A. 72-1415 is hereby  
3 amended to read as follows: 72-1415. The state board of education shall  
4 provide any board *of education of any school district*, upon request, with  
5 technical advice and assistance regarding ~~the establishment and~~  
6 ~~maintenance of a mentor teacher program~~ or an application for a grant of  
7 state moneys.

8 Sec. 48. K.S.A. 2011 Supp. 72-3607 is hereby amended to read as  
9 follows: 72-3607. (a) There is hereby established in every school district  
10 which has developed and is operating a parent education program for  
11 which grants are awarded under this act a fund which shall be called the  
12 parent education program fund, which fund shall consist of all moneys  
13 deposited therein or transferred thereto according to law. Notwithstanding  
14 any other provision of law, all moneys received by the school district from  
15 whatever source for a parent education program operated under this act  
16 shall be credited to the fund established by this section. Amounts deposited  
17 in the parent education program fund shall be used exclusively for the  
18 payment of expenses directly attributable to the program.

19 (b) Any unencumbered balance of moneys remaining in the parent  
20 education program fund of a school district on June 30, ~~2011~~ 2012, may be  
21 expended in school year ~~2011-2012~~ 2012-2013 by the school district for  
22 general operating expenses of the school district as approved by the board  
23 of education.

24 Sec. 49. From and after July 1, 2013, K.S.A. 2011 Supp. 72-3712 is  
25 hereby amended to read as follows: 72-3712. As used in the virtual school  
26 act:

27 (a) "Virtual school" means any school or educational program that:  
28 (1) Is offered for credit; (2) uses distance-learning technologies which  
29 predominately use internet-based methods to deliver instruction; (3)  
30 involves instruction that occurs asynchronously with the teacher and pupil  
31 in separate locations; (4) requires the pupil to make academic progress  
32 toward the next grade level and matriculation from kindergarten through  
33 high school graduation; (5) requires the pupil to demonstrate competence  
34 in subject matter for each class or subject in which the pupil is enrolled as  
35 part of the virtual school; and (6) requires age-appropriate pupils to  
36 complete state assessment tests.

37 (b) "School district" means any school district which offers a virtual  
38 school.

39 (c) Except as provided by the virtual school act, words and phrases  
40 shall have the meanings ascribed thereto in ~~the school district finance and~~  
41 ~~quality performance act section 2, and amendments thereto.~~

42 Sec. 50. K.S.A. 2011 Supp. 72-3715 is hereby amended to read as  
43 follows: 72-3715. (a) In order to be included in the full-time equivalent

1 enrollment of a virtual school, a pupil shall be in attendance at the virtual  
2 school on: (1) A single school day on or before September 19 of each  
3 school year; and (2) on a single school day on or after September 20, but  
4 before October 4 of each school year.

5 (b) A school district which offers a virtual school shall determine the  
6 full-time equivalent enrollment of each pupil enrolled in the virtual school  
7 on September 20 of each school year as follows:

8 (1) Determine the number of hours the pupil was in attendance on a  
9 single school day on or before September 19 of each school year;

10 (2) determine the number of hours the pupil was in attendance on a  
11 single school day on or after September 20, but before October 4 of each  
12 school year;

13 (3) add the numbers obtained under paragraphs (1) and (2);

14 (4) divide the sum obtained under paragraph (3) by 12. The quotient  
15 is the full-time equivalent enrollment of the pupil.

16 (c) The school days on which a district determines the full-time  
17 equivalent enrollment of a pupil under paragraphs (1) and (2) of subsection  
18 (b) shall be the school days on which the pupil has the highest number of  
19 hours of attendance at the virtual school. No more than six hours of  
20 attendance may be counted in a single school day. Attendance may be  
21 shown by a pupil's on-line activity or entries in the pupil's virtual school  
22 journal or log of activities.

23 (d) (1) Subject to the availability of appropriations for virtual school  
24 state aid and within the limits of any such appropriations, each school year  
25 a school district which offers a virtual school shall be entitled to virtual  
26 school state aid.

27 (2) The state board of education shall determine the amount of virtual  
28 school state aid a school district is entitled to receive as follows:

29 (A) Multiply the full-time equivalent enrollment of the virtual school  
30 by an amount equal to 105% of the amount of base state aid per pupil;

31 (B) multiply the full-time equivalent enrollment of nonproficient at-  
32 risk pupils enrolled in an approved at-risk program offered by the virtual  
33 school, if any, by an amount equal to 25% of the amount of base state aid  
34 per pupil;

35 (C) add any amount determined under K.S.A. 2011 Supp. 72-3716,  
36 and amendments thereto; and

37 (D) add the amounts obtained under paragraphs (A) through (C). The  
38 sum is the amount of the virtual school state aid to which the school  
39 district is entitled.

40 (3) There is hereby established in every school district a fund which  
41 shall be called the virtual school fund, which fund shall consist of all  
42 moneys deposited therein or transferred thereto according to law. Moneys  
43 received as virtual school state aid shall be deposited in the general fund of

1 the school district and transferred to the virtual school fund of the district.  
2 The expenses of a district directly attributable to virtual schools offered by  
3 a school district shall be paid from the virtual school fund. The cost of an  
4 advance placement course provided to a pupil described in subsection (d)  
5 (2)(D) shall be paid by the virtual school.

6 Any balance remaining in the virtual school fund at the end of the  
7 budget year shall be carried forward into the virtual school fund for  
8 succeeding budget years. Such fund shall not be subject to the provisions  
9 of K.S.A. 79-2925 through 79-2937, and amendments thereto.

10 Any unencumbered balance of moneys remaining in the virtual school  
11 fund of a school district on June 30, ~~2011~~ 2012, may be expended in  
12 school year ~~2011-2012~~ 2012-2013 by the school district for general  
13 operating expenses of the school district as approved by the board of  
14 education.

15 In preparing the budget of such school district, the amounts credited to  
16 and the amount on hand in the virtual school fund, and the amount  
17 expended therefrom shall be included in the annual budget for the  
18 information of the residents of the school district. Interest earned on the  
19 investment of moneys in any such fund shall be credited to that fund.

20 (e) For the purposes of this section, a pupil enrolled in a virtual  
21 school who is not a resident of the state of Kansas shall not be counted in  
22 the full-time equivalent enrollment of the virtual school.

23 Sec. 51. From and after July 1, 2013, K.S.A. 2011 Supp. 72-3715, as  
24 amended by section 50 of this act, is hereby amended to read as follows:  
25 72-3715. (a) ~~In order to be included in the full-time equivalent enrollment~~  
26 ~~of a virtual school, a pupil shall be in attendance at the virtual school on~~  
27 ~~(1) a single school day on or before September 19 of each school year and~~  
28 ~~(2) on a single school day on or after September 20, but before October 4~~  
29 ~~of each school year.~~

30 (b) ~~A school district which offers a virtual school shall determine the~~  
31 ~~full-time equivalent enrollment of each pupil enrolled in the virtual school~~  
32 ~~on September 20 of each school year as follows:~~

33 (1) ~~Determine the number of hours the pupil was in attendance on a~~  
34 ~~single school day on or before September 19 of each school year;~~

35 (2) ~~determine the number of hours the pupil was in attendance on a~~  
36 ~~single school day on or after September 20, but before October 4 of each~~  
37 ~~school year;~~

38 (3) ~~add the numbers obtained under paragraphs (1) and (2);~~

39 (4) ~~divide the sum obtained under paragraph (3) by 12. The quotient~~  
40 ~~is the full-time equivalent enrollment of the pupil.~~

41 (c) ~~The school days on which a district determines the full-time~~  
42 ~~equivalent enrollment of a pupil under paragraphs (1) and (2) of subsection~~  
43 (b) ~~shall be the school days on which the pupil has the highest number of~~

1 hours of attendance at the virtual school. No more than six hours of  
2 attendance may be counted in a single school day. Attendance may be  
3 shown by a pupil's on-line activity or entries in the pupil's virtual school  
4 journal or log of activities.

5 (d)(1) Subject to the availability of appropriations for virtual school  
6 state aid and within the limits of any such appropriations, each school year  
7 a school district which offers a virtual school shall be entitled to virtual  
8 school state aid.

9 (2) The state board of education shall determine the amount of virtual  
10 school state aid a school district is entitled to receive as follows:

11 (A) Multiply the full-time equivalent enrollment of the virtual school  
12 by an amount equal to 105% of the amount of base state aid per pupil;

13 (B) multiply the full-time equivalent enrollment of nonproficient at-  
14 risk pupils enrolled in an approved at-risk program offered by the virtual  
15 school, if any, by an amount equal to 25% of the amount of base state aid  
16 per pupil;

17 (C) add any amount determined under K.S.A. 2011 Supp. 72-3716,  
18 and amendments thereto; and

19 (D) add the amounts obtained under paragraphs (A) through (C). The  
20 sum is the amount of the virtual school state aid to which the school  
21 district is entitled.

22 (3) There is hereby established in every school district a fund which  
23 shall be called the virtual school fund, which fund shall consist of all  
24 moneys deposited therein or transferred thereto according to law. Moneys  
25 received as virtual school state aid shall be deposited in the general fund of  
26 the school district and transferred to the virtual school fund of the district.  
27 The expenses of a district directly attributable to virtual schools offered by  
28 a school district shall be paid from the virtual school fund. The cost of an  
29 advance placement course provided to a pupil described in subsection (d)  
30 (2)(D) shall be paid by the virtual school.

31 (b) Any balance remaining in the virtual school fund at the end of the  
32 budget year shall be carried forward into the virtual school fund for  
33 succeeding budget years. Such fund shall not be subject to the provisions  
34 of K.S.A. 79-2925 through 79-2937, and amendments thereto.

35 (c) Any unencumbered balance of moneys remaining in the virtual  
36 school fund of a school district on June 30, 2012, may be expended in  
37 school year 2012-2013 by the school district for general operating  
38 expenses of the school district as approved by the board of education.

39 (d) In preparing the budget of such school district, the amounts  
40 credited to and the amount on hand in the virtual school fund, and the  
41 amount expended therefrom shall be included in the annual budget for the  
42 information of the residents of the school district. Interest earned on the  
43 investment of moneys in any such fund shall be credited to that fund.



1       ~~(e) For the purposes of this section, a pupil enrolled in a virtual~~  
2 ~~school who is not a resident of the state of Kansas shall not be counted in~~  
3 ~~the full-time equivalent enrollment of the virtual school.~~

4       Sec. 52. K.S.A. 72-4417 is hereby amended to read as follows: 72-  
5 4417. (a) Students admitted to a vocational education course or program  
6 which is conducted by the school district in which the student is enrolled  
7 may be charged fees, but shall not be charged tuition.

8       (b) Postsecondary students admitted to a vocational education course  
9 or program shall pay tuition and fees as provided by laws applicable  
10 thereto.

11       ~~(c)(1) Except as provided in paragraph (2) of this subsection,~~  
12 ~~Students admitted to a vocational education course or program which is~~  
13 ~~conducted by a community college shall pay tuition and fees as provided~~  
14 ~~by laws applicable to community colleges and the provisions of this~~  
15 ~~section shall not apply thereto, nor shall any provisions of this act which~~  
16 ~~are inconsistent with laws relating to community college tuition and fees~~  
17 ~~apply to community colleges, technical college or institute of technology~~  
18 ~~may be charged fees, but shall not be charged tuition.~~

19       ~~(2) Students admitted to a vocational education course or program~~  
20 ~~under the provision of K.S.A. 71-1706 and which is conducted by a~~  
21 ~~community college which is consolidated with an area vocational school or~~  
22 ~~area vocational-technical school may be charged fees but tuition shall~~  
23 ~~be paid as provided in paragraph (2) of subsection (d). Nothing in this act~~  
24 ~~shall be construed to amend, repeal or in any way change laws relating to~~  
25 ~~community college student or out-district tuition.~~

26       (d) Students admitted to a vocational education course or program  
27 which is not conducted by the school district in which the student is  
28 enrolled shall be charged tuition and fees determined in accordance with  
29 subsection (e), subject however to the following:

30       (1) Tuition or fees, or tuition and fees may be paid for the student in  
31 accordance with any agreement made under K.S.A. 72-4421, and  
32 amendments thereto; or

33       (2) if tuition of a student is not paid under ~~provision~~ *paragraph* (1) of  
34 this subsection, the tuition of the student shall be paid by the school  
35 district in which the student is enrolled. No school district shall pay tuition  
36 for a student who is a postsecondary student, and no school district shall  
37 be required to pay tuition or fees of a student who is eligible to have  
38 tuition and fees for the course or training the student selects paid by any  
39 state or federal agency from moneys, funds or appropriations made  
40 available under any one or more federal programs. Any state agency  
41 administering any one or more such programs shall pay such tuition and  
42 fees upon proper application by a student therefor.

43       (e) All tuition and fees charged for vocational education by any board

1 shall be in such amounts as are authorized by rules and regulations  
2 adopted by the state board which shall establish general guidelines for  
3 tuition and fee schedules in vocational education courses and programs,  
4 except that tuition of postsecondary students shall be fixed in accordance  
5 with K.S.A. 72-4433, and amendments thereto. The particular tuition and  
6 fee schedule of every vocational education program shall be subject to  
7 annual approval of the state board. A current complete schedule of tuition  
8 and fees for each vocational education course and program of each board  
9 as approved by the state board shall be maintained on file in the office of  
10 the state board, and shall be open for public inspection at any reasonable  
11 time.

12 Sec. 53. K.S.A. 72-4419 is hereby amended to read as follows: 72-  
13 4419. The school district in which a student is enrolled shall pay the tuition  
14 of such student to attend any vocational education course or program when  
15 such attendance is approved as provided in K.S.A. 72-4418, and  
16 amendments thereto, from its ~~vocational education~~ *career technical*  
17 *education* fund, except that any board receiving funds under an agreement  
18 under K.S.A. 72-4421, and amendments thereto, shall pay such tuition  
19 when the student is enrolled in a school district which is a party to the  
20 agreement if the agreement so provides. In the case of a school district  
21 which is not a party to an agreement under K.S.A. 72-4421, and  
22 amendments thereto, should there be insufficient or no moneys in the  
23 ~~vocational~~ *career technical* education fund to pay such tuition, the board  
24 of education shall transfer from the general fund to the ~~vocational~~ *career*  
25 *technical* education fund such amount as will satisfy the insufficiency.

26 Sec. 54. From and after July 1, 2013, K.S.A. 72-4463 is hereby  
27 amended to read as follows: 72-4463. (a) The board of regents shall adopt  
28 rules and regulations for administration of the provisions of this act and  
29 shall:

30 (1) Publicize procedures for application for vocational education  
31 scholarships;

32 (2) provide application forms;

33 (3) determine residence, as provided by law, of applicants for  
34 vocational education scholarships;

35 (4) prescribe examinations of ability and aptitude for vocational  
36 education and provide for administration of such examinations to  
37 determine qualifications of applicants for vocational education  
38 scholarships;

39 (5) notify each person who qualifies for designation as a vocational  
40 education scholar and for the award of a vocational education scholarship  
41 and each vocational education scholar who remains eligible and qualified  
42 for the renewal of the award of a vocational education scholarship;

43 (6) designate vocational education scholars;

1 (7) approve and award or renew the award of vocational education  
2 scholarships;

3 (8) determine full-time enrollment in a vocational education program;

4 (9) provide for apportionment of vocational education scholarships if  
5 appropriations therefor are insufficient for payment in full to all vocational  
6 education scholars;

7 (10) evaluate the vocational education scholarship program for each  
8 school year and make a report thereon to the governor and the legislature;

9 (11) request any designated educational institution to furnish any  
10 information relating to and necessary for administration of this act; *and*

11 (12) *initiate the development of a statewide articulation agreement*  
12 *on career technical education programs among the high schools,*  
13 *community colleges, technical colleges and the institute of technology.*

14 (b) In order to comply with the requirements of subsection (a)(4), the  
15 board of regents shall prescribe an examination designed to measure the  
16 basic ability and aptitude for vocational education of applicants for  
17 designation as vocational education scholars and for the award of  
18 vocational education scholarships and shall provide for administration and  
19 validation of the examination. The examination shall be administered to  
20 applicants at least two times each school year, commencing with the 1986-  
21 87 school year, at various locations within the state. The board of regents  
22 may establish and provide for the charging to and collection from  
23 applicants for a vocational education scholarship of a fee to offset, in part  
24 or in total, the expense of administration of the examination. The board of  
25 regents shall remit all moneys received by or for it from fees collected  
26 under this subsection to the state treasurer in accordance with the  
27 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
28 each such remittance, the state treasurer shall deposit the entire amount in  
29 the state treasury to the credit of the vocational education scholarship  
30 examination fees fund, and shall be used only for the payment of expenses  
31 connected with the administration of such examinations. All expenditures  
32 from the vocational education scholarship examination fees fund shall be  
33 made in accordance with appropriation acts upon warrants of the director  
34 of accounts and reports issued pursuant to vouchers approved by the board  
35 of regents or by a person or persons designated by it.

36 Sec. 55. From and after July 1, 2013, K.S.A. 72-5333b is hereby  
37 amended to read as follows: 72-5333b. (a) The unified school district  
38 maintaining and operating a school on the Fort Leavenworth military  
39 reservation, being unified school district No. 207 of Leavenworth county,  
40 state of Kansas, shall have a governing body, which shall be known as the  
41 "Fort Leavenworth school district board of education" and which shall  
42 consist of three members who shall be appointed by, and serve at the  
43 pleasure of the commanding general of Fort Leavenworth. One member of

1 the board shall be the president and one member shall be the vice-  
2 president. The commanding general, when making any appointment to the  
3 board, shall designate which of the offices the member so appointed shall  
4 hold. Except as otherwise expressly provided in this section, the district  
5 board and the officers thereof shall have and may exercise all the powers,  
6 duties, authority and jurisdiction imposed or conferred by law on unified  
7 school districts and boards of education thereof, except such school district  
8 shall not offer or operate any of grades 10 through 12.

9 (b) The board of education of the school district shall not have the  
10 power to issue bonds.

11 (c) Except as otherwise expressly provided in this subsection, the  
12 provisions of the ~~school district finance and quality performance~~  
13 *excellence in education* act apply to the school district. As applied to the  
14 school district, the ~~terms local effort and term~~ federal impact aid shall not  
15 include any moneys received by the school district under subsection (3)(d)  
16 (2)(b) of public law 81-874. Any such moneys received by the school  
17 district shall be deposited in the general fund of the school district or, at  
18 the discretion of the board of education, in the capital outlay fund of the  
19 school district.

20 Sec. 56. From and after July 1, 2013, K.S.A. 2011 Supp. 72-5413 is  
21 hereby amended to read as follows: 72-5413. As used in this act and in acts  
22 amendatory thereof or supplemental thereto:

23 (a) The term "persons" includes one or more individuals,  
24 organizations, associations, corporations, boards, committees,  
25 commissions, agencies, or their representatives.

26 (b) "Board of education" means the state board of education pursuant  
27 to its authority under K.S.A. 76-1001a and 76-1101a, and amendments  
28 thereto, the board of education of any school district, the board of control  
29 of any area vocational-technical school and the board of trustees of any  
30 community college.

31 (c) "Professional employee" means any person employed by a board  
32 of education in a position which requires a certificate issued by the state  
33 board of education or employed by a board of education in a professional,  
34 educational or instructional capacity, but shall not mean any such person  
35 who is an administrative employee and, commencing in the 2006-2007  
36 school year, shall not mean any person who is a retirant from school  
37 employment of the Kansas public employees retirement system, regardless  
38 of whether an agreement between a board of education and an exclusive  
39 representative of professional employees that covers terms and conditions  
40 of professional service provides to the contrary.

41 (d) "Administrative employee" means, in the case of a school district,  
42 any person who is employed by a board of education in an administrative  
43 capacity and who is fulfilling duties for which an administrator's certificate

1 is required under K.S.A. 72-7513, and amendments thereto; and, in the  
2 case of an area vocational-technical school or community college, any  
3 person who is employed by the board of control or the board of trustees in  
4 an administrative capacity and who is acting in that capacity and who has  
5 authority, in the interest of the board of control or the board of trustees, to  
6 hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or  
7 discipline other employees, or responsibly to direct them or to adjust their  
8 grievances, or effectively to recommend a preponderance of such actions,  
9 if in connection with the foregoing, the exercise of such authority is not of  
10 a merely routine or clerical nature, but requires the use of independent  
11 judgment.

12 (e) "Professional employees' organizations" means any one or more  
13 organizations, agencies, committees, councils or groups of any kind in  
14 which professional employees participate, and which exist for the purpose,  
15 in whole or part, of engaging in professional negotiation with boards of  
16 education with respect to the terms and conditions of professional service.

17 (f) "Representative" means any professional employees' organization  
18 or any person it authorizes or designates to act in its behalf or any person a  
19 board of education authorizes or designates to act in its behalf.

20 (g) "Professional negotiation" means meeting, conferring, consulting  
21 and discussing in a good faith effort by both parties to reach agreement  
22 with respect to the terms and conditions of professional service.

23 (h) "Mediation" means the effort through interpretation and advice by  
24 an impartial third party to assist in reconciling a dispute concerning terms  
25 and conditions of professional service which arose in the course of  
26 professional negotiation between a board of education or its  
27 representatives and representatives of the recognized professional  
28 employees' organization.

29 (i) "Fact-finding" means the investigation by an individual or board  
30 of a dispute concerning terms and conditions of professional service which  
31 arose in the course of professional negotiation, and the submission of a  
32 report by such individual or board to the parties to such dispute which  
33 includes a determination of the issues involved, findings of fact regarding  
34 such issues, and the recommendation of the fact-finding individual or  
35 board for resolution of the dispute.

36 (j) "Strike" means an action taken for the purpose of coercing a  
37 change in the terms and conditions of professional service or the rights,  
38 privileges or obligations thereof, through any failure by concerted action  
39 with others to report for duty including, but not limited to, any work  
40 stoppage, slowdown, or refusal to work.

41 (k) "Lockout" means action taken by a board of education to provoke  
42 interruptions of or prevent the continuity of work normally and usually  
43 performed by the professional employees for the purpose of coercing

1 professional employees into relinquishing rights guaranteed by this act and  
2 the act of which this section is amendatory.

3 (1) (1) "Terms and conditions of professional service" means (A)  
4 salaries and wages, including pay for duties under supplemental contracts;  
5 hours and amounts of work; vacation allowance, holiday, sick, extended,  
6 sabbatical, and other leave, and number of holidays; retirement; insurance  
7 benefits; wearing apparel; pay for overtime; jury duty; grievance  
8 procedure; including binding arbitration of grievances; disciplinary  
9 procedure; resignations; termination and nonrenewal of contracts, *in*  
10 *accordance with state law*; reemployment of professional employees;  
11 terms and form of the individual professional employee contract;  
12 probationary period; ~~professional employee appraisal procedures~~; each of  
13 the foregoing being a term and condition of professional service,  
14 regardless of its impact on the employee or on the operation of the  
15 educational system; (B) matters which relate to privileges to be granted the  
16 recognized professional employees' organization including, but not limited to,  
17 voluntary payroll deductions; use of school or college facilities for  
18 meetings; dissemination of information regarding the professional  
19 negotiation process and related matters to members of the bargaining unit  
20 on school or college premises through direct contact with members of the  
21 bargaining unit, the use of bulletin boards on or about the facility, and the  
22 use of the school or college mail system to the extent permitted by law;  
23 reasonable leaves of absence for members of the bargaining unit for  
24 organizational purposes such as engaging in professional negotiation and  
25 partaking of instructional programs properly related to the representation  
26 of the bargaining unit; any of the foregoing privileges which are granted  
27 the recognized professional employees' organization through the  
28 professional negotiation process shall not be granted to any other  
29 professional employees' organization; and (C) such other matters as the  
30 parties mutually agree upon as properly related to professional service  
31 including, but not limited to, employment incentive or retention bonuses  
32 authorized under K.S.A. 72-8246, and amendments thereto.

33 (2) Nothing in this act, and amendments thereto, shall authorize the  
34 diminution of any right, duty or obligation of either the professional  
35 employee or the board of education which have been fixed by statute or by  
36 the constitution of this state. Except as otherwise expressly provided in  
37 this subsection (1), the fact that any matter may be the subject of a statute  
38 or the constitution of this state does not preclude negotiation thereon so  
39 long as the negotiation proposal would not prevent the fulfillment of the  
40 statutory or constitutional objective.

41 (3) Matters which relate to the duration of the school term, and  
42 specifically to consideration and determination by a board of education of  
43 the question of the development and adoption of a policy to provide for a

1 school term consisting of school hours, are not included within the  
2 meaning of terms and conditions of professional service and are not  
3 subject to professional negotiation.

4 (m) "Secretary" means the secretary of labor or a designee thereof.

5 (n) "Statutory declaration of impasse date" means June 1 in the  
6 current school year.

7 (o) "Supplemental contracts" means contracts for employment duties  
8 other than those services covered in the principal or primary contract of  
9 employment of the professional employee and shall include, but not be  
10 limited to, such services as coaching, supervising, directing and assisting  
11 extracurricular activities, chaperoning, ticket-taking, lunchroom  
12 supervision, and other similar and related activities.

13 Sec. 57. K.S.A. 2011 Supp. 72-6414a is hereby amended to read as  
14 follows: 72-6414a. (a) There is hereby established in every district a fund  
15 which shall be called the at-risk education fund, which fund shall consist  
16 of all moneys deposited therein or transferred thereto according to law.  
17 The expenses of a district directly attributable to providing at-risk  
18 assistance or programs, including assistance or programs provided to  
19 nonproficient pupils, shall be paid from the at-risk education fund.

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

29 Any unencumbered balance of moneys remaining in the at-risk  
30 education fund of a school district on June 30, ~~2011~~ 2012, may be  
31 expended in school year ~~2011-2012~~ 2012-2013 by the school district for  
32 general operating expenses of the school district as approved by the board  
33 of education.

34 (c) Each year the board of education of each school district shall  
35 prepare and submit to the state board a report on the at-risk program or  
36 assistance provided by the district. Such report shall include information  
37 specifying the number of at-risk pupils and nonproficient pupils who were  
38 served or provided assistance, the type of service provided, the research  
39 upon which the district relied in determining that a need for service or  
40 assistance existed, the results of providing such service or assistance and  
41 any other information required by the state board.

42 (d) In order to achieve uniform reporting of the number of at-risk  
43 pupils and nonproficient pupils provided service or assistance by school

1 districts in at-risk programs, districts shall report the number of at-risk  
2 pupils and nonproficient pupils served or assisted in the manner required  
3 by the state board.

4 Sec. 58. K.S.A. 2011 Supp. 72-6414b is hereby amended to read as  
5 follows: 72-6414b. (a) There is hereby established in every district a fund  
6 which shall be called the preschool-aged at-risk education fund, which  
7 fund shall consist of all moneys deposited therein or transferred thereto  
8 according to law. The expenses of a district directly attributable to  
9 providing preschool-aged at-risk assistance or programs shall be paid from  
10 the preschool-aged at-risk education fund.

11 (b) A school district may expend amounts received from the  
12 preschool-aged at-risk weighting to pay the cost of providing at-risk,  
13 bilingual and vocational education programs and services.

14 (c) Any balance remaining in the preschool-aged at-risk education  
15 fund at the end of the budget year shall be carried forward into the  
16 preschool-aged at-risk education fund for succeeding budget years. Such  
17 fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-  
18 2937, and amendments thereto. In preparing the budget of such school  
19 district, the amounts credited to and the amount on hand in the preschool-  
20 aged at-risk education fund, and the amount expended therefrom shall be  
21 included in the annual budget for the information of the residents of the  
22 school district. Interest earned on the investment of moneys in any such  
23 fund shall be credited to that fund.

24 Any unencumbered balance of moneys remaining in the preschool-aged  
25 at-risk education fund of a school district on June 30, ~~2011~~ 2012, may be  
26 expended in school year ~~2011-2012~~ 2012-2013 by the school district for  
27 general operating expenses of the school district as approved by the board  
28 of education.

29 (d) Each year the board of education of each school district shall  
30 prepare and submit to the state board a report on the preschool-aged at-risk  
31 program or assistance provided by the district. Such report shall include  
32 information specifying the number of pupils who were served or provided  
33 assistance, the type of service provided, the research upon which the  
34 district relied in determining that a need for service or assistance existed,  
35 the results of providing such service or assistance and any other  
36 information required by the state board.

37 Sec. 59. K.S.A. 2011 Supp. 72-6420 is hereby amended to read as  
38 follows: 72-6420. (a) There is hereby established in every district a fund  
39 which shall be called the special education fund, which fund shall consist  
40 of all moneys deposited therein or transferred thereto according to law.  
41 Notwithstanding any other provision of law, all moneys received by the  
42 district from whatever source for special education shall be credited to the  
43 special education fund established by this section, except that: (1)



1 Amounts of payments received by a district under K.S.A. 72-979, and  
2 amendments thereto, and amounts of grants, if any, received by a district  
3 under K.S.A. 72-983, and amendments thereto, shall be deposited in the  
4 general fund of the district and transferred to the special education fund; ;  
5 and (2) moneys received by a district pursuant to lawful agreements made  
6 under K.S.A. 72-968, and amendments thereto, shall be credited to the  
7 special fund established under the agreements.

8 (b) The expenses of a district directly attributable to special education  
9 shall be paid from the special education fund and from special funds  
10 established under K.S.A. 72-968, and amendments thereto.

11 (c) Obligations of a district pursuant to lawful agreements made  
12 under K.S.A. 72-968, and amendments thereto, shall be paid from the  
13 special education fund established by this section.

14 (d) Except for moneys received under K.S.A. 72-978, and  
15 amendments thereto, from cooperative agreements entered into under  
16 K.S.A. 72-968, and amendments thereto, any unencumbered balance of  
17 moneys attributable to appropriations by the legislature for special  
18 education or related services remaining in the special education fund of a  
19 school district on June 30, ~~2011~~ 2012, may be expended in school year  
20 ~~2011-2012~~ 2012-2013 by the school district for general operating expenses  
21 of the school district as approved by the board of education in an amount  
22 not to exceed  $\frac{1}{3}$  of the unencumbered balance of the school district's  
23 special education fund.

24 Sec. 60. K.S.A. 2011 Supp. 72-6421 is hereby amended to read as  
25 follows: 72-6421. (a) There is hereby established in every district a fund  
26 which shall be called the vocational education fund. All moneys received  
27 by a district for any course or program authorized and approved under the  
28 provisions of article 44 of chapter 72 of Kansas Statutes Annotated, and  
29 amendments thereto, except for courses and programs conducted in an area  
30 vocational school, shall be credited to the vocational education fund. All  
31 moneys received by the district from tuition, fees or charges or from any  
32 other source for vocational education courses or programs, except for  
33 courses and programs conducted in an area vocational school, shall be  
34 credited to the vocational education fund. The expenses of a district  
35 directly attributable to vocational education shall be paid from the  
36 vocational education fund.

37 (b) Obligations of a district pursuant to lawful agreements made  
38 under K.S.A. 72-4421, and amendments thereto, shall be paid from the  
39 vocational education fund established by this section. If any such  
40 agreement expresses an obligation of a district in terms of a mill levy, such  
41 obligation shall be construed to mean an amount equal to that which would  
42 be produced by the levy.

43 (c) Any balance remaining in the vocational education fund at the end

1 of the budget year shall be carried forward into the vocational education  
2 fund for succeeding budget years. Such fund shall not be subject to the  
3 provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.  
4 In preparing the budget of such school district, the amounts credited to and  
5 the amount on hand in the vocational education fund, and the amount  
6 expended therefrom shall be included in the annual budget for the  
7 information of the residents of the school district. Interest earned on the  
8 investment of moneys in any such fund shall be credited to that fund.

9 Any unencumbered balance of moneys attributable to appropriations by  
10 the legislature in the vocational education fund of a school district on June  
11 30, ~~2011~~ 2012, may be expended in school year ~~2011-2012~~ 2012-2013 by  
12 the school district for general operating expenses of the school district as  
13 approved by the board of education.

14 Sec. 61. K.S.A. 2011 Supp. 72-6423 is hereby amended to read as  
15 follows: 72-6423. (a) There is hereby established in every district a fund  
16 which shall be called the driver training fund which fund shall consist of  
17 all moneys deposited therein or transferred thereto according to law. All  
18 moneys received by the district from distributions made from the state  
19 safety fund and the motorcycle safety fund and from tuition, fees or  
20 charges for driver training courses shall be credited to the driver training  
21 fund. The expenses of a district directly attributable to driver training shall  
22 be paid from the driver training fund.

23 (b) Any unencumbered balance of moneys remaining in the driver  
24 training fund of a school district on June 30, ~~2011~~ 2012, may be expended  
25 in school year ~~2011-2012~~ 2012-2013 by the school district for general  
26 operating expenses of the school district as approved by the board of  
27 education.

28 Sec. 62. K.S.A. 2011 Supp. 72-6426 is hereby amended to read as  
29 follows: 72-6426. (a) There is hereby established in every district a fund  
30 which shall be called the contingency reserve fund. Such fund shall consist  
31 of all moneys deposited therein or transferred thereto according to law.  
32 The fund shall be maintained for payment of expenses of a district  
33 attributable to financial contingencies as determined by the board.

34 (b) (1) Except as otherwise provided in subsection (c), at no time in  
35 school year 2008-2009 through school year 2011-2012 shall the amount  
36 maintained in the contingency reserve fund exceed an amount equal to  
37 10% of the general fund budget of the district for the school year.

38 (2) Except as otherwise provided in subsection (c), at no time in  
39 school year 2012-2013 or any school year thereafter shall the amount  
40 maintained in the contingency reserve fund exceed an amount equal to 6%  
41 of the general fund budget of the district for the school year.

42 (c) (1) If the amount in the contingency reserve fund of a district is in  
43 excess of the amount authorized under subsection (b), and if such excess

1 amount is the result of a reduction in the general fund budget of the district  
2 for the school year because of a decrease in enrollment, the district may  
3 maintain the excess amount in the fund until depletion of such excess  
4 amount by expenditure from the fund for the purposes thereof.

5 (2) The limitation on the amount which may be maintained in the  
6 contingency reserve fund imposed under subsection (b) shall not apply to  
7 any district whose state financial aid is computed under the provisions of  
8 K.S.A. 72-6445a, and amendments thereto. Any such district may maintain  
9 the excess amount in the fund until depletion of such excess amount by  
10 expenditure from the fund for the purposes thereof.

11 (d) Notwithstanding the provisions of subsection (c), any  
12 unencumbered balance of moneys remaining in the contingency reserve  
13 fund of a school district on June 30, ~~2011~~ 2012, may be expended in  
14 school year ~~2011-2012~~ 2012-2013 by the school district for general  
15 operating expenses of the school district as approved by the board of  
16 education.

17 Sec. 63. K.S.A. 2011 Supp. 72-6460 is hereby amended to read as  
18 follows: 72-6460. (a) For school year ~~2011-2012~~ 2012-2013, subject to  
19 any limitations as provided in this act, any school district may expend the  
20 unencumbered balance of the moneys held in the at-risk education fund, as  
21 provided in K.S.A. 76-6414a, and amendments thereto, bilingual education  
22 fund, as provided in K.S.A. 72-9509, and amendments thereto,  
23 contingency reserve fund, as provided in K.S.A. 72-6426, and  
24 amendments thereto, driver training fund, as provided in K.S.A. 72-6423,  
25 and amendments thereto, parent education program fund, as provided in  
26 K.S.A. 72-3607, and amendments thereto, preschool-aged at-risk  
27 education fund, as provided in K.S.A. 72-6414b, and amendments thereto,  
28 professional development fund, as provided in K.S.A. 72-9609, and  
29 amendments thereto, summer program fund, as provided in K.S.A. 72-  
30 8237, and amendments thereto, textbook and student materials revolving  
31 fund, as provided in K.S.A. 72-8250, and amendments thereto, ~~special~~  
32 ~~education fund, as provided in K.S.A. 72-965 and 72-6420, and~~  
33 ~~amendments thereto,~~ virtual school fund, as provided in K.S.A. 72-3715,  
34 and amendments thereto, and vocational education fund, as provided in  
35 K.S.A. 72-6421, and amendments thereto, to pay for general operating  
36 expenses of the district out of the general fund as approved by the board of  
37 education of such district.

38 The board of education of a school district shall consider the use of  
39 such funds in the following order of priority:

40 (1) At-risk education fund, bilingual education fund, contingency  
41 reserve fund, driver training fund, parent education program fund,  
42 preschool-aged at-risk education fund, professional development fund,  
43 summer program fund, virtual school fund and vocational education fund;

1 *and*

2 (2) textbook and student materials revolving fund;~~and~~

3 ~~(3) special education fund.~~

4 The board of education of a school district shall not be limited to the  
5 order of priority as listed in this subsection if the board so chooses. The  
6 board of education of a school district shall not be required to use the total  
7 amount of the unencumbered balance of moneys in a fund before using the  
8 unencumbered balance of moneys in another fund.

9 (b) The amount of money expended by a school district in school  
10 year ~~2011-2012~~ 2012-2013 from the unencumbered balance of moneys in  
11 the funds under subsection (a) of this section shall not exceed, in the  
12 aggregate, an amount determined by the state board of education. Such  
13 amount shall be determined by the state board as follows:

14 (1) Determine the adjusted enrollment of the district, excluding  
15 special education and related services weighting;

16 (2) subtract the amount of base state aid per pupil appropriated to the  
17 department of education for fiscal year ~~2012~~ 2013 from \$4,012; and

18 (3) multiply the difference obtained under paragraph (2) by the  
19 number determined under paragraph (1). The product is the aggregate  
20 amount of moneys that may be expended by a school district in school  
21 year ~~2011-2012~~ 2012-2013 from the unencumbered balance of moneys in  
22 the funds under subsection (a) of this section.

23 (c) It is the public policy goal of the state of Kansas that at least 65%  
24 of the aggregate of all unencumbered balances authorized to be expended  
25 for general operating expenses pursuant to subsection (a) shall be  
26 expended in the classroom or for instruction, as provided in K.S.A. 2011  
27 Supp. 72-64c01, and amendments thereto.

28 Sec. 64. From and after July 1, 2013, K.S.A. 2011 Supp. 72-64b01 is  
29 hereby amended to read as follows: 72-64b01. (a) No school district shall  
30 expend, use or transfer any moneys from the general fund of the district  
31 for the purpose of engaging in or supporting in any manner any litigation  
32 by the school district or any person, association, corporation or other entity  
33 against the state of Kansas, the state board of education, the state  
34 department of education, other state agency or any state officer or  
35 employee regarding the school district finance and quality performance  
36 act, *prior to its repeal, the excellence in education act* or any other law  
37 concerning school finance. No such moneys shall be paid, donated or  
38 otherwise provided to any person, association, corporation or other entity  
39 and used for the purpose of any such litigation.

40 (b) Nothing in ~~K.S.A. 72-6433~~ *section 8* or this section, and  
41 amendments thereto, shall be construed as prohibiting the expenditure, use  
42 or transfer of moneys ~~from the supplemental general fund received by a~~  
43 *district pursuant to section 8, and amendments thereto*, for the purposes

1 specified in subsection (a).

2 Sec. 65. From and after July 1, 2013, K.S.A. 2011 Supp. 72-64c03 is  
3 hereby amended to read as follows: 72-64c03. (a) *In determining the*  
4 *appropriation of moneys necessary to pay the base state aid, property*  
5 *value equalization state aid, supplemental equalization state aid,*  
6 *transportation state aid, career technical education state aid and school*  
7 *facility state aid in accordance with the provisions of sections 1 through*  
8 *29, and amendments thereto, the legislature and the state board of*  
9 *education shall consider the amount of such state aid necessary for the*  
10 *operation of school districts for two consecutive fiscal years. Any two-year*  
11 *appropriation shall be subject to adjustment at any time during such two-*  
12 *year period.*

13 (b) The appropriation of moneys necessary to pay ~~general state aid~~  
14 ~~and supplemental general state aid under the school district finance and~~  
15 ~~quality performance act~~ *the base state aid, property value equalization*  
16 *state aid, supplemental equalization state aid, transportation state aid,*  
17 *career technical education state aid and school facility state aid in*  
18 *accordance with the excellence in education act, and state aid for the*  
19 *provision of special education and related services under the special*  
20 *education for exceptional children act shall be given first priority in the*  
21 *legislative budgeting process and shall be paid first from existing state*  
22 *revenues.*

23 Sec. 66. From and after July 1, 2013, K.S.A. 72-6622 is hereby  
24 amended to read as follows: 72-6622. In the event that all of the property  
25 acquired by any two cities under the provisions of K.S.A. 3-404 *et seq.*,  
26 *and amendments thereto*, is included within the territory of a unified  
27 school district in which only one of such cities is located:

28 (a) One-half of the assessed valuation of such property shall be  
29 assigned to each of the two school districts in which such cities are located  
30 for the purposes of:

31 (1) Determining the assessed valuation of each district for ~~(1)~~  
32 ~~entitlement to supplemental general state aid under the school district~~  
33 ~~finance and quality performance act, and (2)~~ entitlement to payment from  
34 the school district capital improvements fund; *and*

35 (2) *determining the valuation per pupil, as defined in section 2, and*  
36 *amendments thereto, for entitlement to property value equalization state*  
37 *aid;*

38 (b) the revenue to be received by each district under subsection (c)  
39 shall be used as a receipt by such district in computing its *ad valorem* tax  
40 requirement for each tax levy fund; and

41 (c) such property shall be subject to taxation for school purposes at a  
42 rate equal to the aggregate of all rates imposed for school purposes upon  
43 property located within the school district in which such property is

1 located, but one-half of the proceeds derived from such levy shall be  
2 allocated to each of the two school districts in which such cities are  
3 located.

4 Sec. 67. From and after July 1, 2013, K.S.A. 2011 Supp. 72-6624 is  
5 hereby amended to read as follows: 72-6624. (a) As used in this section:

6 (1) "School district" means unified school district No. 404, unified  
7 school district No. 493, unified school district No. 499 and unified school  
8 district No. 508.

9 (2) "Property" means any property, and improvements thereon,  
10 comprising a racetrack gaming facility or lottery gaming facility under the  
11 Kansas expanded lottery act located in Cherokee county.

12 (3) "State aid" means ~~general state aid, supplemental general state~~  
13 ~~aid, base state aid, property value equalization state aid, supplemental~~  
14 ~~equalization state aid, transportation state aid, career technical education~~  
15 ~~state aid, school facility state aid, capital improvements state aid, capital~~  
16 ~~outlay state aid and any other state aid paid, distributed or allocated to~~  
17 ~~school districts under the school district finance and quality performance~~  
18 ~~excellence in education act or other law, and any other state aid paid,~~  
19 ~~distributed or allocated to school districts on the basis of the assessed~~  
20 ~~valuation of school districts.~~

21 (b) For the purposes of computing the assessed valuation of school  
22 districts for the payment, distribution or allocation of state aid and the  
23 levying of school taxes,  $\frac{1}{4}$  of the assessed valuation of such property shall  
24 be assigned to each of the school districts.

25 (c) The provisions of this section shall not apply if the property is not  
26 or ceases to be used as a racetrack gaming facility or lottery gaming  
27 facility under the Kansas expanded lottery act.

28 Sec. 68. From and after July 1, 2013, K.S.A. 2011 Supp. 72-6625 is  
29 hereby amended to read as follows: 72-6625. (a) As used in this section:

30 (1) "School district" means unified school district No. 507 and  
31 unified school district No. 374.

32 (2) "Property" means the following described property, and  
33 improvements thereon, comprised of 1,120 acres, more or less, located in  
34 Haskell county: All of Section 34, Township 29 South, Range 33 West and  
35 the West  $\frac{1}{2}$  of Section 3, Township 30 South, Range 33 West and the  
36 Northeast Quarter of Section 3, Township 30 South, Range 33 West.

37 (3) "State aid" means ~~general state aid, supplemental general state~~  
38 ~~aid, base state aid, property value equalization state aid, supplemental~~  
39 ~~equalization state aid, transportation state aid, career technical education~~  
40 ~~state aid, school facility state aid, capital improvements state aid, capital~~  
41 ~~outlay state aid and any other state aid paid, distributed or allocated to~~  
42 ~~school districts under the school district finance and quality performance~~  
43 ~~excellence in education act or other law, and any other state aid paid,~~

1 distributed or allocated to school districts on the basis of the assessed  
2 valuation of school districts.

3 (b) For the purposes of computing the assessed valuation of school  
4 districts for the payment, distribution or allocation of state aid and the  
5 levying of school taxes,  $\frac{1}{2}$  of the assessed valuation of such property shall  
6 be assigned to each of the school districts.

7 (c) The provisions of this section shall not apply if the property is not  
8 or ceases to be used for the production of ethanol.

9 Sec. 69. From and after July 1, 2013, K.S.A. 72-6757 is hereby  
10 amended to read as follows: 72-6757. (a) As used in this section:

11 (1) "Receiving school district" means a school district of  
12 nonresidence of a pupil who attends school in such school district.

13 (2) "Sending school district" means a school district of residence of a  
14 pupil who attends school in a school district not of the pupil's residence.

15 (b) The board of education of any school district may make and enter  
16 into contracts with the board of education of any receiving school district  
17 located in this state for the purpose of providing for the attendance of  
18 pupils at school in the receiving school district.

19 (c) The board of education of any school district may make and enter  
20 into contracts with the governing authority of any accredited school  
21 district located in another state for the purpose of providing for the  
22 attendance of pupils from this state at school in such other state or for the  
23 attendance of pupils from such other state at school in this state.

24 (d) Pupils attending school in a receiving school district in  
25 accordance with a contract authorized by this section and made and  
26 entered into by such receiving school district with a sending school district  
27 located in this state shall be counted as regularly enrolled in and attending  
28 school in the sending school district for the purpose of computations under  
29 the ~~school district finance and quality performance~~ *excellence in education*  
30 act.

31 (e) Any contract made and entered into under authority of this section  
32 is subject to the following conditions:

33 (1) The contract shall be for the benefit of pupils who reside at  
34 inconvenient or unreasonable distances from the schools maintained by the  
35 sending school district or for pupils who, for any other reason deemed  
36 sufficient by the board of education of the sending school district, should  
37 attend school in a receiving school district;

38 (2) the contract shall make provision for the payment of tuition by the  
39 sending school district to the receiving school district;

40 (3) if a sending school district is located in this state and the receiving  
41 school district is located in another state, the amount of tuition provided to  
42 be paid for the attendance of a pupil or pupils at school in the receiving  
43 school district shall not exceed  $\frac{1}{2}$  of the amount of the budget per pupil of

1 the sending school district under the ~~school district finance and quality~~  
2 ~~performance~~ *excellence in education* act for the current school year; and

3 (4) the contract shall make provision for transportation of pupils to  
4 and from the school attended on every school day.

5 (f) Amounts received pursuant to contracts made and entered into  
6 under authority of this section by a school district located in this state for  
7 enrollment and attendance of pupils at school in regular educational  
8 programs shall be deposited in the general fund of the school district.

9 (g) The provisions of subsection (e)(3) do not apply to unified school  
10 district No. 104, Jewell county.

11 (h) The provisions of this section do not apply to contracts made and  
12 entered into under authority of the special education for exceptional  
13 children act.

14 (i) The provisions of this section are deemed to be alternative to the  
15 provisions of K.S.A. 72-8233, and amendments thereto, and no procedure  
16 or authorization under K.S.A. 72-8233, and amendments thereto, shall be  
17 limited by the provisions of this section.

18 Sec. 70. From and after July 1, 2013, K.S.A. 2011 Supp. 72-67,115 is  
19 hereby amended to read as follows: 72-67,115. (a) The board of education  
20 of any school district may:

21 (1) Offer and teach courses and conduct preschool programs for  
22 children under the age of eligibility to attend kindergarten.

23 (2) Enter into cooperative or interlocal agreements with one or more  
24 other boards for the establishment, operation and maintenance of such  
25 preschool programs.

26 (3) Contract with private, nonprofit corporations or associations or  
27 with any public or private agency or institution, whether located within or  
28 outside the state, for the establishment, operation and maintenance of such  
29 preschool programs.

30 (4) Prescribe and collect fees for providing such preschool programs.

31 (b) Fees for providing preschool programs shall be prescribed and  
32 collected only to recover the costs incurred as a result of and directly  
33 attributable to the establishment, operation and maintenance of the  
34 preschool programs. Revenues from fees collected by a board under this  
35 section shall be deposited in the general fund of the school district and  
36 shall be considered reimbursements to the district for the purpose of the  
37 ~~school district finance and quality performance~~ *excellence in education*  
38 act and may be expended whether the same have been budgeted or not and  
39 amounts so expended shall not be considered operating expenses.

40 Sec. 71. From and after July 1, 2013, K.S.A. 2011 Supp. 72-8187 is  
41 hereby amended to read as follows: 72-8187. (a) In each school year, to the  
42 extent that appropriations are available, each school district which has  
43 provided educational services for pupils residing at the Flint Hills job



1 corps center, for pupils housed at a psychiatric residential treatment facility  
2 or for pupils confined in a juvenile detention facility is eligible to receive a  
3 grant of state moneys in an amount to be determined by the state board of  
4 education.

5 (b) In order to be eligible for a grant of state moneys provided for by  
6 this section, each school district which has provided educational services  
7 for pupils residing at the Flint Hills job corps center, for pupils housed at a  
8 psychiatric residential treatment facility or for pupils confined in a juvenile  
9 detention facility shall submit to the state board of education an  
10 application for a grant and shall certify the amount expended, and not  
11 reimbursed or otherwise financed, in the school year for the services  
12 provided. The application and certification shall be prepared in such form  
13 and manner as the state board shall require and shall be submitted at a time  
14 to be determined and specified by the state board. Approval by the state  
15 board of applications for grants of state moneys is prerequisite to the  
16 award of grants.

17 (c) Each school district which is awarded a grant under this section  
18 shall make such periodic and special reports of statistical and financial  
19 information to the state board as it may request.

20 (d) All moneys received by a school district under authority of this  
21 section shall be deposited in the general fund of the school district and  
22 shall be considered reimbursement of the district for the purpose of the  
23 ~~school district finance and quality performance~~ *excellence in education*  
24 act.

25 (e) The state board of education shall approve applications of school  
26 districts for grants, determine the amount of grants and be responsible for  
27 payment of grants to school districts. In determining the amount of a grant  
28 which a school district is eligible to receive, the state board shall compute  
29 the amount of state financial aid the district would have received on the  
30 basis of enrollment of pupils residing at the Flint Hills job corps center,  
31 housed at a psychiatric residential treatment facility or confined in a  
32 juvenile detention facility if such pupils had been counted as two pupils  
33 under the school district finance and quality performance act and compare  
34 such computed amount to the amount certified by the district under  
35 subsection (b). The amount of the grant the district is eligible to receive  
36 shall be an amount equal to the lesser of the amount computed under this  
37 subsection or the amount certified under subsection (b). If the amount of  
38 appropriations for the payment of grants under this section is insufficient  
39 to pay in full the amount each school district is determined to be eligible to  
40 receive for the school year, the state board shall prorate the amount  
41 appropriated among all school districts which are eligible to receive grants  
42 of state moneys in proportion to the amount each school district is  
43 determined to be eligible to receive.

1 (f) On or before July 1 of each year, the secretary of social and  
2 rehabilitation services shall submit to the Kansas department of education  
3 a list of facilities which have been certified and licensed as psychiatric  
4 residential treatment facilities.

5 (g) As used in this section:

6 (1) "Enrollment" means the number of pupils who are: (A) Residing  
7 at the Flint Hills job corps center, confined in a juvenile detention facility  
8 or residing at a psychiatric residential treatment facility; and (B) for whom  
9 a school district is providing educational services on September 20, on  
10 November 20, or on April 20 of a school year, whichever is the greatest  
11 number of pupils;

12 (2) "juvenile detention facility" means any public or private facility  
13 which is used for the lawful custody of accused or adjudicated juvenile  
14 offenders and which shall not be a jail; and

15 (3) "psychiatric residential treatment facility" means a facility which  
16 provides psychiatric services to individuals under the age of 21 and which  
17 conforms with the regulations of the centers for medicare/medicaid  
18 services, is licensed by the Kansas department of health and environment  
19 and is certified by the Kansas department of social and rehabilitation  
20 services pursuant to subsection (f).

21 Sec. 72. From and after July 1, 2013, K.S.A. 72-8189 is hereby  
22 amended to read as follows: 72-8189. For the purposes of the ~~school~~  
23 ~~district finance and quality performance~~ *excellence in education* act, and  
24 notwithstanding any provision of the act to the contrary, the term local  
25 effort, as applied to U.S.D. No. 450, Shawnee county, shall not include  
26 within its meaning the proceeds from taxes which may be paid upon  
27 property of Heartland Park of Topeka for the 1988 through 1991 tax years.  
28 Any such tax proceeds which may be distributed to the school district as  
29 the result of a final and binding judicial decree may be deposited in the  
30 ~~supplemental~~ general fund of the district or may be disposed of as  
31 provided in ~~K.S.A. 72-6427~~ *section 22*, and amendments thereto.

32 Sec. 73. From and after July 1, 2013, K.S.A. 72-8230 is hereby  
33 amended to read as follows: 72-8230. (a) In the event the boards of  
34 education of any two or more school districts enter into a school district  
35 interlocal cooperation agreement for the purpose of jointly and  
36 cooperatively performing any of the services, duties, functions, activities,  
37 obligations or responsibilities which are authorized or required by law to  
38 be performed by school districts of this state, the following conditions  
39 shall apply:

40 (1) A school district interlocal cooperation agreement shall establish a  
41 board of directors which shall be responsible for administering the joint or  
42 cooperative undertaking. The agreement shall specify the organization and  
43 composition of and manner of appointment to the board of directors. Only

1 members of boards of education of school districts party to the agreement  
2 shall be eligible for membership on the board of directors. The terms of  
3 office of members of the board of directors shall expire concurrently with  
4 their terms as board of education members. Vacancies in the membership  
5 of the board of directors shall be filled within 30 days from the date of the  
6 vacancy in the manner specified in the agreement.

7 (2) A school district interlocal cooperation agreement may provide  
8 for the establishment and composition of an executive board. The  
9 members of the executive board, if established, shall be selected by the  
10 board of directors from its membership. The executive board shall  
11 exercise the powers, have the responsibilities, and perform the duties and  
12 functions of the board of directors to the extent authority to do so is  
13 delegated by the board of directors.

14 (3) A school district interlocal cooperation agreement shall be  
15 effective only after approval by the state board of education.

16 (4) A school district interlocal cooperation agreement shall be subject  
17 to change or termination by the legislature.

18 (5) The duration of a school district interlocal cooperation agreement  
19 for joint or cooperative action in performing any of the services, duties,  
20 functions, activities, obligations or responsibilities, other than the  
21 provision of special education services, which are authorized or required  
22 by law to be performed by school districts of this state, shall be for a term  
23 of at least three years but not exceeding five years.

24 (6) (A) The duration of a school district interlocal cooperation  
25 agreement for joint or cooperative action in providing special education  
26 services shall be perpetual unless the agreement is partially or completely  
27 terminated in accordance with this provision. This provision applies to  
28 every school district interlocal cooperation agreement for the provision of  
29 special education services entered into under authority of this section after  
30 the effective date of this act and to every such agreement entered into  
31 under this section prior to the effective date of this act, and extant on the  
32 effective date of this act, regardless of any provisions in such an agreement  
33 to the contrary.

34 (B) Partial termination of a school district interlocal cooperation  
35 agreement for the provision of special education services made and  
36 entered into by the boards of three or more school districts may be  
37 accomplished only upon petition for withdrawal from the agreement by a  
38 contracting school district to the other contracting school districts and  
39 approval by the state board of written consent to the petition by such other  
40 school districts or upon order of the state board after appeal to it by a  
41 school district from denial of consent to a petition for withdrawal and  
42 hearing thereon conducted by the state board. The state board shall  
43 consider all the testimony and evidence brought forth at the hearing and

1 issue an order approving or disapproving withdrawal by the school district  
2 from the agreement.

3 (C) Complete termination of a school district interlocal cooperation  
4 agreement for the provision of special education services made and  
5 entered into by the boards of two school districts may be accomplished  
6 upon approval by the state board of a joint petition made to the state board  
7 for termination of the agreement by both of the contracting school districts  
8 after adoption of a resolution to that effect by each of the contracting  
9 school districts or upon petition for withdrawal from the agreement made  
10 by a contracting school district to the other contracting school district and  
11 approval by the state board of written consent to the petition by such other  
12 school district or upon order of the state board after appeal to it by a school  
13 district from denial of consent to a petition for withdrawal and hearing  
14 thereon conducted by the state board. The state board shall consider all the  
15 testimony and evidence brought forth at the hearing and issue an order  
16 approving or disapproving withdrawal by the school district from the  
17 agreement.

18 (D) Complete termination of a school district interlocal cooperation  
19 agreement for the provision of special education services made and  
20 entered into by the boards of three or more school districts may be  
21 accomplished only upon approval by the state board of a joint petition  
22 made to the state board for termination of the agreement by not less than  
23  $\frac{2}{3}$  of the contracting school districts after adoption of a resolution to that  
24 effect by each of the contracting school districts seeking termination of the  
25 agreement. The state board shall consider the petition and approve or  
26 disapprove termination of the agreement.

27 (E) The state board shall take such action in approving or  
28 disapproving the complete or partial termination of a school district  
29 interlocal cooperation agreement for the provision of special education  
30 services as the state board deems to be in the best interests of the involved  
31 school districts and of the state as a whole in the provision of special  
32 education services for exceptional children. Whenever the state board has  
33 disapproved the complete or partial termination of such an agreement, no  
34 further action with respect to such agreement shall be considered or taken  
35 by the state board for a period of not less than three years.

36 (7) A school district interlocal cooperation agreement shall specify  
37 the method or methods to be employed for disposing of property upon  
38 partial or complete termination.

39 (8) Within the limitations provided by law, a school district interlocal  
40 cooperation agreement may be changed or modified by affirmative vote of  
41 not less than  $\frac{2}{3}$  of the contracting school districts.

42 (b) Except as otherwise specifically provided in this subsection, any  
43 power or powers, privileges or authority exercised or capable of exercise

1 by any school district of this state, or by any board of education thereof,  
2 may be jointly exercised pursuant to the provisions of a school district  
3 interlocal cooperation agreement. No power or powers, privileges or  
4 authority with respect to the levy and collection of taxes, the issuance of  
5 bonds, or the purposes and provisions of the ~~school district finance and~~  
6 ~~quality performance~~ *excellence in education* act or title I of public law 874  
7 shall be created or effectuated for joint exercise pursuant to the provisions  
8 of a school district interlocal cooperation agreement.

9 (c) Payments from the general fund of each school district which  
10 enters into any school district interlocal cooperation agreement for the  
11 purpose of financing the joint or cooperative undertaking provided for by  
12 the agreement shall be operating expenses.

13 (d) Upon partial termination of a school district interlocal cooperation  
14 agreement, the board of directors established under a renegotiated  
15 agreement thereof shall be the successor in every respect to the board of  
16 directors established under the former agreement.

17 (e) Nothing contained in this section shall be construed to abrogate,  
18 interfere with, impair, qualify or affect in any manner the exercise and  
19 enjoyment of all of the powers, privileges and authority conferred upon  
20 school districts and boards of education thereof by the provisions of the  
21 interlocal cooperation act, except that boards of education and school  
22 districts are required to comply with the provisions of this section when  
23 entering into an interlocal cooperation agreement that meets the definition  
24 of school district interlocal cooperation agreement.

25 (f) As used in this section:

26 (1) "School district interlocal cooperation agreement" means an  
27 agreement which is entered into by the boards of education of two or more  
28 school districts pursuant to the provisions of the interlocal cooperation act.

29 (2) "State board" means the state board of education.

30 Sec. 74. From and after July 1, 2013, K.S.A. 72-8233 is hereby  
31 amended to read as follows: 72-8233. (a) In accordance with the  
32 provisions of this section, the boards of education of any two or more  
33 unified school districts may make and enter into agreements providing for  
34 the attendance of pupils residing in one school district at school in  
35 kindergarten or any of the grades one through 12 maintained by any such  
36 other school district. The boards of education may also provide by  
37 agreement for the combination of enrollments for kindergarten or one or  
38 more grades, courses or units of instruction.

39 (b) Prior to entering into any agreement under authority of this  
40 section, the board of education shall adopt a resolution declaring that it has  
41 made a determination that such an agreement should be made and that the  
42 making and entering into of such an agreement would be in the best  
43 interests of the educational system of the school district. Any such

1 agreement is subject to the following conditions:

2 (1) The agreement may be for any term not exceeding a term of five  
3 years.

4 (2) The agreement shall be subject to change or termination by the  
5 legislature.

6 (3) Within the limitations provided by law, the agreement may be  
7 changed or terminated by mutual agreement of the participating boards of  
8 education.

9 (4) The agreement shall make provision for transportation of pupils to  
10 and from the school attended on every school day, for payment or sharing  
11 of the costs and expenses of pupil attendance at school, and for the  
12 authority and responsibility of the participating boards of education.

13 (c) Provision by agreements entered into under authority of this  
14 section for the attendance of pupils at school in a school district of  
15 nonresidence of such pupils shall be deemed to be compliance with the  
16 kindergarten, grade, course and units of instruction requirements of law.

17 (d) The board of education of any school district which enters into an  
18 agreement under authority of this section for the attendance of pupils at  
19 school in another school district may discontinue kindergarten or any or all  
20 of the grades, courses and units of instruction specified in the agreement  
21 for attendance of pupils enrolled in kindergarten or any such grades,  
22 courses and units of instruction at school in such other school district.  
23 Upon discontinuing kindergarten or any grade, course or unit of instruction  
24 under authority of this subsection, the board of education may close any  
25 school building or buildings operated or used for attendance by pupils  
26 enrolled in such discontinued kindergarten, grades, courses or units of  
27 instruction. The closing of any school building under authority of this  
28 subsection shall require a majority vote of the members of the board of  
29 education and shall require no other procedure or approval.

30 (e) Pupils attending school in a school district of nonresidence of  
31 such pupils in accordance with an agreement made and entered into under  
32 authority of this section shall be counted as regularly enrolled in and  
33 attending school in the school district of residence of such pupils for the  
34 purpose of computations under the ~~school district finance and quality~~  
35 ~~performance excellence in education act.~~

36 (f) Pupils who satisfactorily complete grade 12 while in attendance at  
37 school in a school district of nonresidence of such pupils in accordance  
38 with the provisions of an agreement entered into under authority of this  
39 section shall be certified as having graduated from the school district of  
40 residence of such pupils unless otherwise provided for by the agreement.

41 Sec. 75. From and after July 1, 2013, K.S.A. 72-8236 is hereby  
42 amended to read as follows: 72-8236. (a) The board of education of any  
43 school district may: (1) Establish, operate and maintain a child care

1 facility; (2) enter into cooperative or interlocal agreements with one or  
2 more other boards for the establishment, operation and maintenance of a  
3 child care facility; (3) contract with private, nonprofit corporations or  
4 associations or with any public or private agency or institution, whether  
5 located within or outside the state, for the establishment, operation and  
6 maintenance of a child care facility; and (4) prescribe and collect fees for  
7 providing care at a child care facility.

8 (b) Fees for providing care at a child care facility established under  
9 authority of this section shall be prescribed and collected only to recover  
10 the costs incurred as a result of and directly attributable to the  
11 establishment, operation and maintenance of the child care facility.  
12 Revenues from fees collected by a board under this section shall be  
13 deposited in the general fund of the school district and shall be considered  
14 reimbursements to the district for the purpose of the ~~school district finance~~  
15 ~~and quality performance~~ *excellence in education* act and may be expended  
16 whether the same have been budgeted or not and amounts so expended  
17 shall not be considered operating expenses.

18 (c) Every school district which establishes, operates and maintains a  
19 child care facility shall be subject to the provisions contained in article 5 of  
20 chapter 65 of Kansas Statutes Annotated, *and amendments thereto*.

21 (d) As used in this section, the term "child" means any child who is  
22 three years of age or older, and any infant or toddler whose parent or  
23 parents are pupils or employees of a school district which establishes,  
24 operates and maintains, or cooperates in the establishment, operation and  
25 maintenance of, a child care facility under authority of this act.

26 Sec. 76. K.S.A. 2011 Supp. 72-8237 is hereby amended to read as  
27 follows: 72-8237. (a) The board of education of any school district may:  
28 (1) Establish, operate and maintain a summer program for pupils; (2) enter  
29 into cooperative or interlocal agreements with one or more other boards of  
30 education for the establishment, operation and maintenance of a summer  
31 program for pupils; and (3) prescribe and collect fees for providing a  
32 summer program for pupils or provide such program without charge.

33 (b) Fees for providing a summer program for pupils shall be  
34 prescribed and collected only to recover the costs incurred as a result of  
35 and directly attributable to the establishment, operation and maintenance  
36 of the program.

37 (c) No school district may collect fees for providing a summer  
38 program for pupils required to attend such a program in accordance with  
39 the provisions of law, rules and regulations of the state board of education,  
40 policy of the board of education, or an individualized education plan  
41 developed for an exceptional child.

42 (d) There is hereby established in every district which establishes,  
43 operates and maintains a summer program a fund which shall be called the

1 summer program fund, which fund shall consist of all moneys deposited  
2 therein or transferred thereto according to law. All moneys received by a  
3 district from fees collected under this section or from any other source for  
4 summer programs shall be credited to the summer program fund. The  
5 expenses of a district directly attributable to summer programs shall be  
6 paid from the summer program fund.

7 Any unencumbered balance of moneys remaining in the summer  
8 program fund of a school district on June 30, ~~2011~~ 2012, may be expended  
9 in school year ~~2011-2012~~ 2012-2013 by the school district for general  
10 operating expenses of the school district as approved by the board of  
11 education.

12 (e) As used in this section, the term "summer program" means a  
13 program which is established by the board of education of a school district  
14 and operated during the summer months for the purpose of giving remedial  
15 instruction to pupils or for the purpose of conducting special projects and  
16 activities designed to enrich and enhance the educational experience of  
17 pupils, or for both such purposes.

18 Sec. 77. K.S.A. 2011 Supp. 72-8250 is hereby amended to read as  
19 follows: 72-8250. (a) There is hereby established in every school district a  
20 textbook and student materials revolving fund. Moneys in such fund shall  
21 be used to:

22 (1) Purchase any items designated in K.S.A. 72-5389, and  
23 amendments thereto;

24 (2) pay the cost of materials or other items used in curricular,  
25 extracurricular or other school-related activities; and

26 (3) purchase textbooks as authorized by K.S.A. 72-4141, and  
27 amendments thereto.

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

37 Any unencumbered balance of moneys remaining in the textbook and  
38 student materials revolving fund of a school district on June 30, ~~2011~~  
39 2012, may be expended in school year ~~2011-2012~~ 2012-2013 by the school  
40 district for general operating expenses of the school district as approved by  
41 the board of education in an amount not to exceed  $\frac{1}{3}$  of the unencumbered  
42 balance of the school district's textbook and student materials revolving  
43 fund.



1       Sec. 78. From and after July 1, 2013, K.S.A. 2011 Supp. 72-8251 is  
2 hereby amended to read as follows: 72-8251. Whenever a school district is  
3 required by law to make any payment during the month of June and there  
4 is insufficient revenue to make such payment as a result of the payment of  
5 state aid after the date prescribed by the state board of education pursuant  
6 to ~~K.S.A. 72-6417 or 72-6434~~ *section 20*, and amendments thereto, the  
7 school district shall make such payment as soon as moneys are available.

8       Sec. 79. From and after July 1, 2013, K.S.A. 2011 Supp. 72-8302 is  
9 hereby amended to read as follows: 72-8302. (a) The board of education of  
10 a school district may provide or furnish transportation for pupils who are  
11 enrolled in the school district to or from any school of the school district or  
12 to or from any school of another school district attended by such pupils in  
13 accordance with the provisions of an agreement entered into under  
14 authority of K.S.A. 72-8233, and amendments thereto.

15       (b) (1) When any or all of the conditions specified in this provision  
16 exist, the board of education of a school district shall provide or furnish  
17 transportation for pupils who reside in the school district and who attend  
18 any school of the school district or who attend any school of another  
19 school district in accordance with the provisions of an agreement entered  
20 into under authority of K.S.A. 72-8233, and amendments thereto. The  
21 conditions which apply to the requirements of this provision are as  
22 follows:

23       (A) The residence of the pupil is inside or outside the corporate limits  
24 of a city, the school building attended is outside the corporate limits of a  
25 city and the school building attended is more than 2½ miles by the usually  
26 traveled road from the residence of the pupil; or

27       (B) the residence of the pupil is outside the corporate limits of a city,  
28 the school building attended is inside the corporate limits of a city and the  
29 school building attended is more than 2½ miles by the usually traveled  
30 road from the residence of the pupil; or

31       (C) the residence of the pupil is inside the corporate limits of one city,  
32 the school building attended is inside the corporate limits of a different city  
33 and the school building attended is more than 2½ miles by the usually  
34 traveled road from the residence of the pupil.

35       (2) The provisions of this subsection are subject to the provisions of  
36 subsections (c) and (d).

37       (c) The board of education of every school district is authorized to  
38 adopt rules and regulations to govern the conduct, control and discipline of  
39 all pupils while being transported in school buses. The board may suspend  
40 or revoke the transportation privilege or entitlement of any pupil who  
41 violates any rules and regulations adopted by the board under authority of  
42 this subsection.

43       (d) The board of education of every school district may suspend or

1 revoke the transportation privilege or entitlement of any pupil who is  
2 detained at school at the conclusion of the school day for violation of any  
3 rules and regulations governing pupil conduct or for disobedience of an  
4 order of a teacher or other school authority. Suspension or revocation of  
5 the transportation privilege or entitlement of any pupil specified in this  
6 subsection shall be limited to the school day or days on which the pupil is  
7 detained at school. The provisions of this subsection do not apply to any  
8 pupil who has been determined to be an exceptional child, except gifted  
9 children, under the provisions of the special education for exceptional  
10 children act.

11 (e) (1) Subject to the limitations specified in this subsection, the  
12 board of education of any school district may prescribe and collect fees to  
13 offset, totally or in part, the costs incurred for the provision or furnishing  
14 of transportation for pupils. The limitations which apply to the  
15 authorization granted by this subsection are as follows:

16 (A) Fees for the provision or furnishing of transportation for pupils  
17 shall be prescribed and collected only to recover the costs incurred as a  
18 result of and directly attributable to the provision or furnishing of  
19 transportation for pupils and only to the extent that such costs are not  
20 reimbursed from any other source provided by law;

21 (B) fees for the provision or furnishing of transportation may not be  
22 assessed against or collected from any pupil who is counted in determining  
23 the transportation ~~weighting of state aid~~ the school district *is entitled to*  
24 *receive* under the provisions of the ~~school district finance and quality~~  
25 ~~performance excellence in education~~ act or any pupil who is determined to  
26 be a child with disabilities under the provisions of the special education for  
27 exceptional children act or any pupil who is eligible for free or reduced  
28 price meals under the national school lunch act or any pupil who is entitled  
29 to transportation under the provisions of subsection (a) of K.S.A. 72-8306,  
30 and amendments thereto, and who resides 2½ miles or more by the regular  
31 route of a school bus from the school attended;

32 (C) fees for the provision or furnishing of transportation for pupils in  
33 accordance with the provisions of an agreement entered into under  
34 authority of K.S.A. 72-8233 or 72-8307, and amendments thereto, shall be  
35 controlled by the provisions of the agreement.

36 (2) All moneys received by a school district from fees collected under  
37 this subsection shall be deposited in the general fund of the district.

38 Sec. 80. From and after July 1, 2013, K.S.A. 72-8309 is hereby  
39 amended to read as follows: 72-8309. (a) The board of education of a  
40 school district shall not furnish or provide transportation for pupils or  
41 students who reside in another school district except in accordance with  
42 the written consent of the board of education of the school district in which  
43 such pupil or student resides, or in accordance with an order issued by a

1 board of education under the provisions of K.S.A. 72-1046b, and  
2 amendments thereto, or in accordance with the provisions of an agreement  
3 entered into under authority of K.S.A. 72-8233, and amendments thereto.

4 (b) A school district may transport a nonresident pupil or student if  
5 such pupil or student boards the school bus within the boundaries or on the  
6 boundary of the transporting school district. To the extent that the  
7 provisions of this subsection conflict with the provisions of subsection (a),  
8 the provisions of subsection (a) shall control.

9 (c) No pupil or student who is furnished or provided transportation by  
10 a school district which is not the school district in which the pupil or  
11 student resides shall be counted in the computation of the ~~school district's~~  
12 ~~transportation weighting under article 64 of chapter 72 of Kansas Statutes~~  
13 ~~Annotated~~ *transportation state aid the school district is entitled to receive*  
14 *under the provisions of the excellence in education act.*

15 Sec. 81. From and after July 1, 2013, K.S.A. 2011 Supp. 72-8316 is  
16 hereby amended to read as follows: 72-8316. (a) Any board of education,  
17 pursuant to a policy developed and adopted by it, may provide for the use  
18 of district-owned or leased school buses when such buses are not being  
19 used for regularly required school purposes. The policy may provide for:

20 (1) (A) Transporting parents and other adults to or from school-  
21 related functions or activities, (B) transporting pupils to or from functions  
22 or activities sponsored by organizations, the membership of which is  
23 principally composed of children of school age, and (C) transporting  
24 persons engaged in field trips in connection with their participation in an  
25 adult education program maintained by the transporting school district or  
26 by any other school district, within or outside the boundaries of the  
27 transporting school district; and

28 (2) contracting with: (A) The governing body of any township, city or  
29 county for transportation of individuals, groups or organizations; ; (B) the  
30 governing authority of any nonpublic school for transportation of pupils  
31 attending such nonpublic school to or from interschool or intraschool  
32 functions or activities; ; (C) the board of trustees of any community  
33 college for transportation of students enrolled in such community college  
34 to or from attendance at class at the community college or to and from  
35 functions or activities of the community college; ; (D) a public recreation  
36 commission established and operated under the laws of this state, for any  
37 purposes related to the operation of the recreation commission and all  
38 programs and services thereof; ; (E) the board of education of any other  
39 school district for transportation, on a cooperative and shared-cost basis, of  
40 pupils, school personnel, parents and other adults to or from school-related  
41 functions or activities; ; or (F) a four-year college or university, area  
42 vocational school or area vocational-technical school for transportation of  
43 students to or from attendance at class at the four-year college or

1 university, area vocational school or area vocational-technical school or for  
 2 transportation of students, alumni and other members of the public to or  
 3 from functions or activities of the four-year college or university, area  
 4 vocational school or area vocational-technical school.

5 (b) The costs related to the use of school buses under authority of this  
 6 section shall not be considered in determining the transportation ~~weighting~~  
 7 ~~of state aid~~ a school district *is entitled to receive* under ~~article 64 of~~  
 8 ~~chapter 72 of Kansas Statutes Annotated~~ *the provisions of the excellence in*  
 9 *education act.*

10 (c) Transportation fees may be charged by the board to offset, totally  
 11 or in part, the costs incurred for the use of school buses under authority of  
 12 this section.

13 (d) Any revenues received by a board of education as transportation  
 14 fees or under any contract entered into pursuant to this section shall be  
 15 deposited in the general fund of the district and shall be considered  
 16 reimbursements to the district for the purpose of the ~~school district finance~~  
 17 ~~and quality performance~~ *excellence in education act*. Such revenues may  
 18 be expended whether the same have been budgeted or not.

19 (e) The provisions of subsection (c) of K.S.A. 8-1556, and  
 20 amendments thereto, apply to the use of school buses under authority of  
 21 this section.

22 Sec. 82. From and after July 1, 2013, K.S.A. 2011 Supp. 72-8319 is  
 23 hereby amended to read as follows: 72-8319. (a) The board of education of  
 24 Fort Leavenworth, U.S.D. No. 207 may provide transportation for any  
 25 pupil in grades 10 through 12 who resides on Fort Leavenworth military  
 26 reservation, but who is enrolled in and attends high school in  
 27 Leavenworth, U.S.D. No. 453.

28 (b) ~~Solely for the purpose of computation of transportation weighting,~~  
 29 ~~as provided by this section,~~ *the transportation state aid U.S.D. No. 207 is*  
 30 *entitled to receive under the provisions of the excellence in education act,*  
 31 any pupil provided transportation pursuant to this section shall be counted  
 32 as regularly enrolled in and attending school in U.S.D. No. 207 on  
 33 September 20 of the current school year.

34 Sec. 83. From and after July 1, 2013, K.S.A. 2011 Supp. 72-8415b is  
 35 hereby amended to read as follows: 72-8415b. (a) Any school district that  
 36 elects to become a self-insurer under the provisions of K.S.A. 72-8414,  
 37 and amendments thereto, may transfer moneys from its general fund to the  
 38 special reserve fund of the district as provided by ~~K.S.A. 72-6428~~ *section*  
 39 *24,* and amendments thereto.

40 (b) Any community college that elects to become a self-insurer under  
 41 the provisions of K.S.A. 72-8414, and amendments thereto, may transfer  
 42 such amounts from its general fund to the health care services reserve fund  
 43 or the disability income benefits reserve fund, or the group life benefit

1 reserve fund, or all three, as may be deemed necessary to meet the cost of  
2 health care services or disability income benefits, or group life insurance  
3 claims, whichever is applicable.

4 Sec. 84. K.S.A. 2011 Supp. 72-8814 is hereby amended to read as  
5 follows: 72-8814. (a) There is hereby established in the state treasury the  
6 school district capital outlay state aid fund. Such fund shall consist of all  
7 amounts transferred thereto under the provisions of subsection (c).

8 (b) In each school year, each school district which levies a tax  
9 pursuant to K.S.A. 72-8801 *et seq.*, and amendments thereto, shall be  
10 entitled to receive payment from the school district capital outlay state aid  
11 fund in an amount determined by the state board of education as provided  
12 in this subsection. The state board of education shall:

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

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

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

27 (4) determine a state aid percentage factor for each school district by  
28 assigning a state aid computation percentage to the amount of the median  
29 AVPP shown on the schedule, decreasing the state aid computation  
30 percentage assigned to the amount of the median AVPP by one percentage  
31 point for each \$1,000 interval above the amount of the median AVPP, and  
32 increasing the state aid computation percentage assigned to the amount of  
33 the median AVPP by one percentage point for each \$1,000 interval below  
34 the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp.  
35 72-8814b, and amendments thereto, the state aid percentage factor of a  
36 school district is the percentage assigned to the schedule amount that is  
37 equal to the amount of the AVPP of the school district, except that the state  
38 aid percentage factor of a school district shall not exceed 100%. The state  
39 aid computation percentage is 25%;

40 (5) determine the amount levied by each school district pursuant to  
41 K.S.A. 72-8801 *et seq.*, and amendments thereto;

42 (6) multiply the amount computed under (5), but not to exceed 8-  
43 *eight* mills, by the applicable state aid percentage factor. The product is the

1 amount of payment the school district is entitled to receive from the school  
2 district capital outlay state aid fund in the school year.

3 (c) The state board shall certify to the director of accounts and reports  
4 the entitlements of school districts determined under the provisions of  
5 subsection (b), and an amount equal thereto shall be transferred by the  
6 director from the state general fund to the school district capital outlay  
7 state aid fund for distribution to school districts, except that no transfers  
8 shall be made from the state general fund to the school district capital  
9 outlay state aid fund during the fiscal years ending June 30, 2012, or June  
10 30, 2013. All transfers made in accordance with the provisions of this  
11 subsection shall be considered to be demand transfers from the state  
12 general fund.

13 (d) Payments from the school district capital outlay state aid fund  
14 shall be distributed to school districts at times determined by the state  
15 board of education. The state board of education shall certify to the  
16 director of accounts and reports the amount due each school district  
17 entitled to payment from the fund, and the director of accounts and reports  
18 shall draw a warrant on the state treasurer payable to the treasurer of the  
19 school district. Upon receipt of the warrant, the treasurer of the school  
20 district shall credit the amount thereof to the capital outlay fund of the  
21 school district to be used for the purposes of such fund.

22 (e) Amounts transferred to the capital outlay fund of a school district  
23 as authorized by K.S.A. 72-6433, and amendments thereto, shall not be  
24 included in the computation when determining the amount of state aid to  
25 which a district is entitled to receive under this section.

26 (f) *The provisions of this section shall not apply to any levies imposed*  
27 *by a resolution adopted by the board of education of the school district*  
28 *after June 30, 2012, and before July 1, 2017.*

29 Sec. 85. From and after July 1, 2013, K.S.A. 72-8908 is hereby  
30 amended to read as follows: 72-8908. As used in this act:

31 (a) "Juvenile" means a person who is less than 18 years of age;

32 (b) "adult" means a person who is 18 years of age or older;

33 (c) "felony" means any crime designated a felony by the laws of  
34 Kansas or the United States;

35 (d) "misdemeanor" means any crime designated a misdemeanor by  
36 the laws of Kansas or the United States;

37 (e) "school day" means any day on which school is maintained;

38 (f) "school year" has the ~~meaning ascribed thereto in K.S.A. 72-6408~~  
39 *same meaning as such term is defined in section 2*, and amendments  
40 thereto;

41 (g) "counsel" means any person a pupil selects to represent and  
42 advise the pupil at all proceedings conducted pursuant to the provisions of  
43 this act; and

1 (h) "principal witness" means any witness whose testimony is of  
2 major importance in support of the charges upon which a proposed  
3 suspension or expulsion from school is based, or in determination of  
4 material questions of fact.

5 Sec. 86. From and after July 1, 2013, K.S.A. 2011 Supp. 72-9002 is  
6 hereby amended to read as follows: 72-9002. As used in this act:

7 (a) *"Accredited" means accredited by the state board of education.*

8 (b) "Board" means the board of education of a school district, the  
9 governing authority of any nonpublic school offering any of grades  
10 kindergarten through 12 in accredited schools and the board of control of  
11 an area vocational-technical school.

12 ~~(b) "State board" means, in the case of school districts and nonpublic  
13 schools, the state board of education; and in the case of area vocational-  
14 technical schools, the state board of regents.~~

15 (c) "Employees" means all licensed employees of school districts and  
16 of nonpublic schools and all instructional and administrative employees of  
17 area vocational-technical schools.

18 (d) "School year" means the period from July 1 to June 30.

19 ~~(e) "Accredited" means accredited by the state board of education.~~  
20 *"State board" means, in the case of school districts and nonpublic schools,  
21 the state board of education, and in the case of area vocational-technical  
22 schools, the state board of regents.*

23 (f) *"Superintendent" means the superintendent of schools, or the  
24 superintendent's designee, for the school district employing the employee.*

25 (g) *"Teacher" means any instructor who holds a teacher's certificate  
26 issued by the state board.*

27 Sec. 87. From and after July 1, 2013, K.S.A. 2011 Supp. 72-9003 is  
28 hereby amended to read as follows: 72-9003. Each board shall adopt a  
29 written policy of personnel evaluation procedure in accordance with  
30 K.S.A. 72-9002 *et seq.*, and amendments thereto. *For school districts,  
31 such policy shall include, but is not limited to, the Kansas educator  
32 evaluation protocol adopted by the state board of education.* Every policy  
33 so adopted shall:

34 (a) Be prescribed in writing at the time of original adoption and at all  
35 times thereafter when any amendments are adopted; ;

36 (b) include evaluation procedures applicable to all employees; ;

37 (c) provide that all evaluations are to be made in writing and that  
38 evaluation documents and responses thereto are to be maintained in a  
39 personnel file for each employee for a period of not less than three years  
40 from the date each evaluation is made; ;

41 (d) except as provided herein, provide that every employee in the first  
42 two consecutive school years of employment shall be evaluated at least  
43 one time per semester by not later than the 60<sup>th</sup> school day of the semester.

1 Any employee who is not employed for the entire semester shall not be  
2 required to be evaluated. During the third and fourth years of employment,  
3 every employee shall be evaluated at least one time each school year by  
4 not later than February 15. After the fourth year of employment, every  
5 employee shall be evaluated at least once in every three years not later  
6 than February 15 of the school year in which the employee is evaluated- ;

7 *(e) for school districts, provide, at a minimum, the guidelines*  
8 *described in the Kansas educator evaluation protocol adopted by the state*  
9 *board of education; and*

10 *(f) be approved by the state board.*

11 Sec. 88. From and after July 1, 2013, K.S.A. 72-9004 is hereby  
12 amended to read as follows: 72-9004. Evaluation policies adopted under  
13 K.S.A. 72-9003, and amendments thereto, shall meet the following  
14 guidelines or criteria:

15 (a) Consideration shall be given to the following employee attributes:  
16 Efficiency, personal qualities, professional deportment, ability, results and  
17 performance, including improvement in the academic performance of  
18 pupils or students insofar as the evaluated employee has authority to cause  
19 such academic improvement, in the case of teachers, the capacity to  
20 maintain control of pupils or students, and such other matters as may be  
21 deemed material.

22 (b) Community attitudes toward, support for and expectations with  
23 regard to educational programs shall be reflected.

24 (c) The original policy and amendments thereto shall be developed by  
25 the board in cooperation with the persons responsible for making  
26 evaluations and the persons who are to be evaluated, and, to the extent  
27 practicable, consideration shall be given to comment and suggestions from  
28 other community interests.

29 (d) Evaluations of the chief administrator employed by a board shall  
30 be made by the board. The board shall place primary responsibility upon  
31 members of the administrative staff in making evaluations of other  
32 employees.

33 (e) Persons to be evaluated shall participate in their evaluations, and  
34 shall be afforded the opportunity for self-evaluation.

35 (f) The contract of any person subject to evaluation shall not be  
36 nonrenewed on the basis of incompetence unless an evaluation of such  
37 person has been made prior to notice of nonrenewal of the contract and  
38 unless the evaluation is in substantial compliance with the board's policy  
39 of personnel evaluation procedure as filed with the state board in  
40 accordance with the provisions of K.S.A. 72-9003, and amendments  
41 thereto.

42 *(g) The contract of any teacher subject to evaluation under the*  
43 *provisions of K.S.A. 72-9001 et seq., and amendments thereto, who*



1 receives a rating designation of ineffective pursuant to K.S.A. 72-9001 et  
2 seq., and amendments thereto, in two consecutive school years and has  
3 been provided an opportunity to participate in professional development  
4 in accordance with the provisions of K.S.A. 72-9601 et seq., and  
5 amendments thereto, may be terminated.

6 (h) Evaluations shall comply with the provisions of K.S.A. 72-9001 et  
7 seq., and amendments thereto.

8 Sec. 89. From and after July 1, 2013, K.S.A. 72-9005 is hereby  
9 amended to read as follows: 72-9005. (a) Whenever any evaluation is  
10 made of an employee, the written document thereof shall be presented to  
11 the employee, and the employee shall acknowledge such presentation by  
12 ~~his or her signature thereon~~ signing such written document. At any time  
13 not later than two (2) weeks after such presentation, the employee may  
14 respond thereto in writing.

15 (b) If an employee receives a rating designation of progressing or  
16 ineffective pursuant to section 34, and amendments thereto, such employee  
17 shall be entitled to an in-person conference with the superintendent to  
18 discuss such employee's evaluation.

19 (c) Subject to subsection (d), except by order of a court of competent  
20 jurisdiction, evaluation documents and responses thereto shall be available  
21 only to the evaluated employee, the board, the appropriate administrative  
22 staff members designated by the board, the school board attorney upon  
23 request of the board, the state board of education as provided in K.S.A. 72-  
24 7515, the board and the administrative staff of any school to which such  
25 employee applies for employment, and other persons specified by the  
26 employee in writing to his or her board.

27 (d) Upon consideration of any responses provided by the employee  
28 pursuant to subsection (a), a summary of the evaluation for such  
29 employee, which shall consist solely of the name of such employee and the  
30 rating designation given in the evaluation, shall be published on an  
31 internet website designated by the board. Such internet website shall be  
32 accessible to the parents of the students enrolled in the school district, and  
33 no fee shall be associated with or otherwise charged for access to such  
34 internet website.

35 Sec. 90. K.S.A. 2011 Supp. 72-9509 is hereby amended to read as  
36 follows: 72-9509. (a) There is hereby established in every school district a  
37 fund which shall be called the bilingual education fund, which fund shall  
38 consist of all moneys deposited therein or transferred thereto according to  
39 law. The expenses of a district directly attributable to such bilingual  
40 education programs shall be paid from the bilingual education fund.

41 (b) Any balance remaining in the bilingual education fund at the end  
42 of the budget year shall be carried forward into the bilingual education  
43 fund for succeeding budget years. Such fund shall not be subject to the

1 provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.  
2 In preparing the budget of such school district, the amounts credited to and  
3 the amount on hand in the bilingual education fund, and the amount  
4 expended therefrom shall be included in the annual budget for the  
5 information of the residents of the school district. Interest earned on the  
6 investment of moneys in any such fund shall be credited to that fund.

7 Any unencumbered balance of moneys remaining in the bilingual  
8 education fund of a school district on June 30, ~~2011~~ 2012, may be  
9 expended in school year ~~2011-2012~~ 2012-2013 by the school district for  
10 general operating expenses of the school district as approved by the board  
11 of education.

12 (c) Each year the board of education of each school district shall  
13 prepare and submit to the state board a report on the bilingual education  
14 program and assistance provided by the district. Such report shall include  
15 information specifying the number of pupils who were served or provided  
16 assistance, the type of service provided, the research upon which the  
17 district relied in determining that a need for service or assistance existed,  
18 the results of providing such service or assistance and any other  
19 information required by the state board.

20 Sec. 91. From and after July 1, 2013, K.S.A. 2011 Supp. 72-9608 is  
21 hereby amended to read as follows: 72-9608. (a) In each school year, each  
22 school district which is maintaining an approved professional development  
23 program shall be eligible to receive from state funds, within the limits of  
24 appropriations for professional development, an amount to be determined  
25 by the state board on the basis of priorities established ~~through a needs-~~  
26 ~~assessment survey conducted by the state board~~ pursuant to section 35,  
27 and amendments thereto. In no event shall the amount allocated and  
28 distributed to any school district under this act exceed: (1) An amount  
29 which is equal to .50 of 1% of the amount of the general fund budget of  
30 the school district, or an amount equal to 50% of the actual expenses  
31 incurred by the school district in maintaining an approved professional  
32 development program, whichever is the lesser amount; or (2) an amount  
33 which is equal to 50% of the actual expenses incurred by the school  
34 district for the provision of innovative and experimental procedures,  
35 activities and services, if any of the same are provided and approved by  
36 the state board, in a professional development program maintained by the  
37 school district and approved by the state board.

38 (b) If the amount of appropriations for professional development  
39 programs is insufficient to pay in full the amount each school district is  
40 determined to be eligible to receive for the school year, the state board  
41 shall prorate the amount appropriated among all school districts which are  
42 eligible to receive state aid under the provisions of this act in proportion to  
43 the amount each school district is determined to be eligible to receive.

1 (c) The state board shall prescribe all forms necessary for reporting  
2 under this act.

3 (d) Every board shall make such periodic and special reports of  
4 statistical and financial information to the state board as it may request.

5 Sec. 92. K.S.A. 2011 Supp. 72-9609 is hereby amended to read as  
6 follows: 72-9609. There is hereby established in every school district a  
7 fund which shall be called the professional development fund, which fund  
8 shall consist of all moneys deposited therein or transferred thereto  
9 according to law. All moneys received by the school district from whatever  
10 source for professional development programs established under this act  
11 shall be credited to the fund established by this section. The expenses of a  
12 school district directly attributable to professional development programs  
13 shall be paid from the professional development fund.

14 Any unencumbered balance of moneys remaining in the professional  
15 development fund of a school district on June 30, ~~2011~~ 2012, may be  
16 expended in school year ~~2011-2012~~ 2012-2013 by the school district for  
17 general operating expenses of the school district as approved by the board  
18 of education.

19 Sec. 93. From and after July 1, 2013, K.S.A. 2011 Supp. 74-32,141 is  
20 hereby amended to read as follows: 74-32,141. (a) On July 1, 1999, the  
21 technical colleges, area vocational schools and area vocational-technical  
22 schools established and existing under the laws of this state shall be and  
23 hereby are transferred from the supervision of the state board of education  
24 to supervision and coordination by the state board of regents. The technical  
25 colleges, area vocational schools and area vocational-technical schools  
26 shall continue to be operated, managed and controlled by governing boards  
27 as provided for in article 44 of chapter 72 of Kansas Statutes Annotated.  
28 The state board of regents shall exercise such supervision and coordination  
29 of the operation, management and control of technical colleges, area  
30 vocational schools and area vocational-technical schools as may be  
31 prescribed by law.

32 (b) On July 1, 1999, all of the powers, duties, functions, records and  
33 property of the state board of education relating to operations of technical  
34 colleges, area vocational schools and area vocational-technical schools  
35 shall be and are hereby transferred to and conferred and imposed upon the  
36 state board of regents.

37 (c) On and after July 1, 1999, the state board of regents shall be the  
38 successor in every way to the powers, duties and functions of the state  
39 board of education relating to operations of technical colleges, area  
40 vocational schools and area vocational-technical schools in which the  
41 same were vested prior to July 1, 1999. Every act performed by the state  
42 board of regents shall be deemed to have the same force and effect as if  
43 performed by the state board of education in which such functions were

1 vested prior to July 1, 1999.

2 (d) On and after July 1, 1999, whenever the state board of education,  
3 or words of like effect, is referred to or designated by a statute, contract or  
4 other document relating to operations of technical colleges, area vocational  
5 schools or area vocational-technical schools, such reference or designation  
6 shall be deemed to apply to the state board of regents established.

7 (e) All rules and regulations, and all orders and directives of the state  
8 board of education relating to operations of technical colleges, area  
9 vocational schools and area vocational-technical schools which are in  
10 existence on July 1, 1999, shall continue to be effective and shall be  
11 deemed to be the duly adopted rules and regulations or orders and  
12 directives of the state board of regents until revised, amended, revoked or  
13 nullified pursuant to law.

14 (f) The unexpended balance of any appropriation for and any funds  
15 available to the state board of education for purposes relating to operations  
16 of technical colleges, area vocational schools and area vocational-technical  
17 schools shall be transferred to the state board of regents on July 1, 1999.

18 (g) On and after July 1, 1999, all books, records and papers of the  
19 governing boards of technical colleges, area vocational schools and area  
20 vocational-technical schools shall be open and available, at all reasonable  
21 times, to the state board of regents and its designated officers, employees  
22 and agents.

23 (h) Except as otherwise specifically provided in this act, the transfer  
24 of supervision of the technical colleges, area vocational schools and area  
25 vocational-technical schools from the state board of education to  
26 supervision and coordination by the state board of regents shall not be  
27 construed in any manner so as to change or affect the operation,  
28 management and control of any technical college, area vocational school  
29 or area vocational-technical school or to change or affect any existing  
30 power, duty or function of the governing board of any technical college,  
31 area vocational school or area vocational-technical school with respect to  
32 such operation, management and control.

33 (i) For the purposes of the ~~school district finance and quality~~  
34 ~~performance excellence in education~~ act, the term approved "career  
35 technical" education program means, in the case of career technical  
36 education programs offered and provided in the area vocational schools,  
37 the area vocational-technical schools, and the technical colleges, approved  
38 by the state board of regents; , and in the case of career technical education  
39 programs offered and provided in the high schools of a school district,  
40 approved by the state board of education.

41 Sec. 94. From and after July 1, 2013, K.S.A. 2011 Supp. 74-4939a is  
42 hereby amended to read as follows: 74-4939a. ~~On and after the effective~~  
43 ~~date of this act~~ (a) For each fiscal year commencing with fiscal year

1 2005, notwithstanding the provisions of K.S.A. 74-4939, and amendments  
2 thereto, or any other statute, all moneys appropriated for the department of  
3 education from the state general fund ~~commencing with fiscal year 2005,~~  
4 ~~and each ensuing fiscal year thereafter,~~ by appropriation act of the  
5 legislature, in the KPERS — employer contributions account and all  
6 moneys appropriated for the department of education from the state  
7 general fund or any special revenue fund for each fiscal year ~~commencing~~  
8 ~~with fiscal year 2005, and each ensuing fiscal year thereafter,~~ by any such  
9 appropriation act in that account or any other account for payment of  
10 employer contributions for school districts, shall be distributed by the  
11 department of education to school districts in accordance with this section.  
12 Notwithstanding the provisions of K.S.A. 74-4939, and amendments  
13 thereto, *and subject to the provisions of subsection (b),* the department of  
14 education shall disburse to each school district that is an eligible employer  
15 as specified in subsection (1) of K.S.A. 74-4931, and amendments thereto,  
16 an amount certified by the board of trustees of the Kansas public  
17 employees retirement system which is equal to the participating employer's  
18 obligation of such school district to the system in accordance with policies  
19 and procedures which are hereby authorized and directed to be adopted by  
20 the department of education for the purposes of this section and in  
21 accordance with any requirements prescribed by the board of trustees of  
22 the Kansas public employees retirement system. Upon receipt of each such  
23 disbursement of moneys, the school district shall deposit the entire amount  
24 thereof into a special retirement contributions fund of the school district,  
25 which shall be established by the school district in accordance with such  
26 policies and procedures and which shall be used *only* for the ~~sole purpose~~  
27 *purposes* of receiving such disbursements from the department of  
28 education , *receiving any funds transferred by the school district to such*  
29 *fund pursuant to section 25, and amendments thereto,* and making the  
30 remittances to the system in accordance with this section and such policies  
31 and procedures. Upon receipt of each such disbursement of moneys from  
32 the department of education, the school district shall remit, in accordance  
33 with the provisions of such policies and procedures and in the manner and  
34 on the date or dates prescribed by the board of trustees of the Kansas  
35 public employees retirement system, an equal amount to the Kansas public  
36 employees retirement system from the special retirement contributions  
37 fund of the school district to satisfy such school district's obligation as a  
38 participating employer. Notwithstanding the provisions of K.S.A. 74-4939,  
39 and amendments thereto, each school district that is an eligible employer  
40 as specified in subsection (1) of K.S.A. 74-4931, and amendments thereto,  
41 shall show within the budget of such school district all amounts received  
42 from disbursements into the special retirement contributions fund of such  
43 school district. Notwithstanding the provisions of any other statute, no

1 official action of the school board of such school district shall be required  
2 to approve a remittance to the system in accordance with this section and  
3 such policies and procedures. All remittances of moneys to the system by a  
4 school district in accordance with this ~~subsection~~ section and such policies  
5 and procedures shall be deemed to be expenditures of the school district.

6 *(b) For each fiscal year commencing with fiscal year 2014, the*  
7 *department of education shall adjust the amount certified by the board of*  
8 *trustees of the Kansas public employees retirement system, which is equal*  
9 *to the participating employer's obligation of such school district, to be*  
10 *disbursed to a school district pursuant to subsection (a) by subtracting*  
11 *from such amount the amount of funds transferred by such school district*  
12 *to its special retirement contributions fund pursuant to section 25, and*  
13 *amendments thereto. If the amount of funds transferred by the school*  
14 *district to its special retirement contributions fund pursuant to section 25,*  
15 *and amendments thereto, is in excess of the amount so certified by the*  
16 *board of trustees of the Kansas public employees retirement system to be*  
17 *disbursed to the school district, then no disbursement shall be made to*  
18 *such school district under this section. The amount of funds in the special*  
19 *retirement contributions fund that is in excess of the amount so certified by*  
20 *the board of trustees of the Kansas public employees retirement system to*  
21 *be disbursed to the school district shall be carried forward in such fund*  
22 *pursuant to section 25, and amendments thereto, and shall be used to*  
23 *adjust the amount certified by the board of trustees of the Kansas public*  
24 *employees retirement system to be disbursed to such school district in*  
25 *accordance with this subsection in the immediately succeeding fiscal year*  
26 *and each fiscal year thereafter until the total of such excess amount is*  
27 *expended under section 25, and amendments thereto. Any adjustment in*  
28 *the amount certified by the board of trustees of the Kansas public*  
29 *employees retirement system to be disbursed to such school district for*  
30 *such excess amount shall be in addition to any other adjustments which*  
31 *may be required under this subsection for such fiscal year.*

32 Sec. 95. K.S.A. 2011 Supp. 75-2319 is hereby amended to read as  
33 follows: 75-2319. (a) There is hereby established in the state treasury the  
34 school district capital improvements fund. The fund shall consist of all  
35 amounts transferred thereto under the provisions of subsection (c).

36 (b) Subject to the provisions of subsection (f), in each school year,  
37 each school district which is obligated to make payments from its capital  
38 improvements fund shall be entitled to receive payment from the school  
39 district capital improvements fund in an amount determined by the state  
40 board of education as provided in this subsection. The state board of  
41 education shall:

42 (1) Determine the amount of the assessed valuation per pupil (AVPP)  
43 of each school district in the state and round such amount to the nearest

- 1 \$1,000. The rounded amount is the AVPP of a school district for the  
2 purposes of this section;
- 3 (2) determine the median AVPP of all school districts;
- 4 (3) prepare a schedule of dollar amounts using the amount of the  
5 median AVPP of all school districts as the point of beginning. The  
6 schedule of dollar amounts shall range upward in equal \$1,000 intervals  
7 from the point of beginning to and including an amount that is equal to the  
8 amount of the AVPP of the school district with the highest AVPP of all  
9 school districts and shall range downward in equal \$1,000 intervals from  
10 the point of beginning to and including an amount that is equal to the  
11 amount of the AVPP of the school district with the lowest AVPP of all  
12 school districts;
- 13 (4) determine a state aid percentage factor for each school district by  
14 assigning a state aid computation percentage to the amount of the median  
15 AVPP shown on the schedule, decreasing the state aid computation  
16 percentage assigned to the amount of the median AVPP by one percentage  
17 point for each \$1,000 interval above the amount of the median AVPP, and  
18 increasing the state aid computation percentage assigned to the amount of  
19 the median AVPP by one percentage point for each \$1,000 interval below  
20 the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp.  
21 75-2319c, and amendments thereto, the state aid percentage factor of a  
22 school district is the percentage assigned to the schedule amount that is  
23 equal to the amount of the AVPP of the school district. The state aid  
24 percentage factor of a school district shall not exceed 100%. The state aid  
25 computation percentage is 5% for contractual bond obligations incurred by  
26 a school district prior to the effective date of this act, and 25% for  
27 contractual bond obligations incurred by a school district on or after the  
28 effective date of this act;
- 29 (5) determine the amount of payments in the aggregate that a school  
30 district is obligated to make from its bond and interest fund and, of such  
31 amount, compute the amount attributable to contractual bond obligations  
32 incurred by the school district prior to the effective date of this act and the  
33 amount attributable to contractual bond obligations incurred by the school  
34 district on or after the effective date of this act;
- 35 (6) multiply each of the amounts computed under *paragraph* (5) by  
36 the applicable state aid percentage factor; and
- 37 (7) add the products obtained under *paragraph* (6). The amount of the  
38 sum is the amount of payment the school district is entitled to receive from  
39 the school district capital improvements fund in the school year.
- 40 (c) The state board of education shall certify to the director of  
41 accounts and reports the entitlements of school districts determined under  
42 the provisions of subsection (b), and an amount equal thereto shall be  
43 transferred by the director from the state general fund to the school district

1 capital improvements fund for distribution to school districts. All transfers  
2 made in accordance with the provisions of this subsection shall be  
3 considered to be demand transfers from the state general fund, except that  
4 all such transfers during the fiscal years ending June 30, 2012, and June  
5 30, 2013, shall be considered to be revenue transfers from the state general  
6 fund.

7 (d) Payments from the school district capital improvements fund shall  
8 be distributed to school districts at times determined by the state board of  
9 education to be necessary to assist school districts in making scheduled  
10 payments pursuant to contractual bond obligations. The state board of  
11 education shall certify to the director of accounts and reports the amount  
12 due each school district entitled to payment from the fund, and the director  
13 of accounts and reports shall draw a warrant on the state treasurer payable  
14 to the treasurer of the school district. Upon receipt of the warrant, the  
15 treasurer of the school district shall credit the amount thereof to the bond  
16 and interest fund of the school district to be used for the purposes of such  
17 fund.

18 (e) (1) The provisions of this section apply only to contractual  
19 obligations incurred by school districts pursuant to general obligation  
20 bonds issued upon approval of a majority of the qualified electors of the  
21 school district voting at an election upon the question of the issuance of  
22 such bonds.

23 (2) *The provisions of this section shall not apply to contractual*  
24 *obligations incurred by school districts pursuant to general obligation*  
25 *bonds issued upon approval of a majority of the qualified electors of the*  
26 *school district voting at an election upon the question of the issuance of*  
27 *such bonds when such election is held after June 30, 2012 and before July*  
28 *1, 2017.*

29 (f) Amounts transferred to the capital improvements fund of a school  
30 district as authorized by K.S.A. 72-6433, and amendments thereto, shall  
31 not be included in the computation when determining the amount of state  
32 aid to which a district is entitled to receive under this section.

33 Sec. 96. From and after July 1, 2013, K.S.A. 2011 Supp. 79-201x is  
34 hereby amended to read as follows: 79-201x. For taxable years ~~2011 and~~  
35 ~~2012~~ 2013 and 2014, the following described property, to the extent herein  
36 specified, shall be and is hereby exempt from the property tax levied  
37 pursuant to the provisions of ~~K.S.A. 72-6431~~ section 6, and amendments  
38 thereto: Property used for residential purposes to the extent of \$20,000 of  
39 its appraised valuation.

40 New Sec. 97. Except as provided in section 28, and amendments  
41 thereto, the provisions of this act are hereby declared severable. If any  
42 provision of this act, or the application thereof, is held invalid or  
43 unconstitutional, it shall be conclusively presumed that the legislature



1 would have enacted the remainder of the act without such invalid or  
2 unconstitutional provision.

3 Sec. 98. K.S.A. 72-4417 and 72-4419 and K.S.A. 2011 Supp. 72-  
4 3607, 72-3715, 72-6414a, 72-6414b, 72-6420, 72-6421, 72-6423, 72-6426,  
5 72-6460, 72-8237, 72-8250, 72-8814, 72-9509, 72-9609 and 75-2319 are  
6 hereby repealed.

7 Sec. 99. From and after July 1, 2013, K.S.A. 12-1677, 72-1412, 72-  
8 1413, 72-1414, 72-1415, 72-4463, 72-5333b, 72-6406, 72-6408, 72-6411,  
9 72-6415, 72-6416, 72-6418, 72-6419, 72-6422, 72-6424, 72-6427, 72-  
10 6429, 72-6432, 72-6436, 72-6437, 72-6444, 72-6446, 72-6447, 72-6622,  
11 72-6757, 72-8189, 72-8230, 72-8233, 72-8236, 72-8309, 72-8908, 72-  
12 9004 and 72-9005 and K.S.A. 2011 Supp. 10-1116a, 46-3401, 46-3402,  
13 71-201, 71-609, 72-978, 72-1046b, 72-1398, 72-3712, 72-3715, as  
14 amended by section 50 of this act, 72-5413, 72-6405, 72-6407, 72-6409,  
15 72-6410, 72-6412, 72-6413, 72-6414, 72-6414a, 72-6414b, 72-6415b, 72-  
16 6417, 72-6420, 72-6421, 72-6423, 72-6425, 72-6426, 72-6428, 72-6430,  
17 72-6431, 72-6433, 72-6433d, 72-6434, 72-6434b, 72-6435, 72-6438, 72-  
18 6439, 72-6439a, 72-6441, 72-6442b, 72-6443, 72-6445a, 72-6448, 72-  
19 6449, 72-6450, 72-6451, 72-6452, 72-6453, 72-6454, 72-6455, 72-6456,  
20 72-6457, 72-6458, 72-6459, 72-6460, 72-64b01, 72-64c03, 72-6624, 72-  
21 6625, 72-67,115, 72-8187, 72-8251, 72-8302, 72-8316, 72-8319, 72-  
22 8415b, 72-9002, 72-9003, 72-9608, 74-32,141, 74-4939a and 79-201x are  
23 hereby repealed.

24 Sec. 100. This act shall take effect and be in force from and after its  
25 publication in the statute book.