

SENATE BILL No. 44

By Committee on Ways and Means

1-24

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

7

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

9

Section 1.

10

DEPARTMENT OF EDUCATION

11

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

13

KPERS – employer

14

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

15

KPERS – employer

16

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

17

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

18

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

23

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

29

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

34

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

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

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

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

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

20 Sec. 2.

21 DEPARTMENT OF EDUCATION

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

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

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

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

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

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

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

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

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

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

43 KPERS – employer

1 contributions (652-00-1000-0100).....\$543,865,035
2 *Provided*, That any unencumbered balance in the KPERS – employer
3 contributions account in excess of \$100 as of June 30, 2019, is hereby
4 reappropriated for fiscal year 2020: *Provided further*; That all expenditures
5 from the KPERS – employer contributions account shall be for payment of
6 participating employers' contributions to the Kansas public employees
7 retirement system as provided in K.S.A. 74-4939, and amendments
8 thereto: *And provided further*; That expenditures from this account for the
9 payment of participating employers' contributions to the Kansas public
10 employees retirement system may be made regardless of when the liability
11 was incurred.
12 KPERS employer contribution
13 layering payment #1 (652-00-1000-0120).....\$6,400,000
14 KPERS employer contribution
15 layering payment #2.....\$19,400,000
16 Career and technical education
17 transportation (652-00-1000-0190).....\$650,000
18 Education super highway (652-00-1000-0180).....\$950,000
19 *Provided*, That any unencumbered balance in the education super highway
20 account in excess of \$100 as of June 30, 2019, is hereby reappropriated for
21 fiscal year 2020.
22 Juvenile transitional crisis center
23 pilot project (652-00-1000-0210).....\$300,000
24 *Provided*, That expenditures from the juvenile transitional crisis center
25 pilot project account shall be used by the above agency during fiscal year
26 2020 to develop a regional crisis center pilot project at the Beloit special
27 education cooperative, founded on research and evidence-based practices
28 designed to meet the unique social and emotional needs of students
29 identified as at-risk or with disabilities: *Provided further*; That such project
30 shall provide individualized programming to attain such student's high
31 school diploma and job skills while working through the social skills
32 program: *And provided further*; That the commissioner of education shall
33 provide an update on the implementation of the pilot project developed by
34 this proviso to the legislature on or before the first day of the 2020 regular
35 legislative session.
36 ACT and workkeys assessments
37 program (652-00-1000-0140).....\$2,800,000
38 *Provided*, That expenditures shall be made by the above agency from the
39 ACT and workkeys assessments program account to provide the ACT
40 college entrance exam and the three ACT workkeys assessments that are
41 required to earn a national career readiness certificate to each student
42 enrolled in grades nine through 12: *Provided further*; That no student
43 enrolled in grades nine through 12 of any school district shall be required

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

7 Mental health intervention team
 8 pilot program (652-00-1000-0150).....\$4,190,776

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

34 MHIT pilot program – online
 35 database (652-00-1000-0160).....\$500,000

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

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

40 Educable deaf-blind and
 41 severely handicapped children's

42 programs aid (652-00-1000-0630).....\$110,000
 43 School district juvenile detention

1 facilities and Flint Hills job corps
2 center grants (652-00-1000-0290).....\$5,060,528
3 *Provided*, That any unencumbered balance in the school district juvenile
4 detention facilities and Flint Hills job corps center grants account in excess
5 of \$100 as of June 30, 2019, is hereby reappropriated for fiscal year 2020:
6 *Provided further*, That expenditures shall be made from the school district
7 juvenile detention facilities and Flint Hills job corps center grants account
8 for grants to school districts in amounts determined pursuant to and in
9 accordance with the provisions of K.S.A. 72-1173, and amendments
10 thereto.
11 Governor's teaching excellence scholarships
12 and awards (652-00-1000-0770).....\$360,693
13 *Provided*, That any unencumbered balance in the governor's teaching
14 excellence scholarships and awards account in excess of \$100 as of June
15 30, 2019, is hereby reappropriated for fiscal year 2020: *Provided further*,
16 That all expenditures from the governor's teaching excellence scholarships
17 and awards account for teaching excellence scholarships shall be made in
18 accordance with K.S.A. 72-2166, and amendments thereto: *And provided*
19 *further*, That each such grant shall be required to be matched on a \$1 for \$1
20 basis from nonstate sources: *And provided further*, That award of each such
21 grant shall be conditioned upon the recipient entering into an agreement
22 requiring the grant to be repaid if the recipient fails to complete the course
23 of training under the national board for professional teaching standards
24 certification program: *And provided further*, That all moneys received by
25 the department of education for repayment of grants for governor's
26 teaching excellence scholarships shall be deposited in the state treasury
27 and credited to the governor's teaching excellence scholarships program
28 repayment fund (652-00-7221-7200).
29 Governor's scholars program scholarships
30 and awards (652-00-1000-0770).....\$20,000
31 (b) There is appropriated for the above agency from the following
32 special revenue fund or funds for the fiscal year ending June 30, 2020, all
33 moneys now or hereafter lawfully credited to and available in such fund or
34 funds, except that expenditures other than refunds authorized by law and
35 transfers to other state agencies shall not exceed the following:
36 State school district
37 finance fund (652-00-7393-7000).....No limit
38 School district capital
39 improvements fund (652-00-2880-2880).....No limit
40 *Provided*, That expenditures from the school district capital improvements
41 fund shall be made only for the payment of general obligation bonds
42 approved by voters under the authority of K.S.A. 72-5457, and
43 amendments thereto.

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

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

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

14 State grants for improving teacher quality –

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

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

42 (c) There is appropriated for the above agency from the children's
 43 initiatives fund for the fiscal year ending June 30, 2020, the following:

1 Parent education program (652-00-2000-2510).....\$8,237,635
 2 *Provided*, That any unencumbered balance in the parent education
 3 program account in excess of \$100 as of June 30, 2019, is hereby
 4 reappropriated for fiscal year 2020: *Provided further*; That expenditures
 5 from the parent education program account for each such grant shall be
 6 matched by the school district in an amount that is equal to not less than
 7 50% of the grant.

8 Children's cabinet
 9 accountability fund (652-00-2000-2402).....\$375,000
 10 *Provided*, That any unencumbered balance in the children's cabinet
 11 accountability fund account in excess of \$100 as of June 30, 2019, is
 12 hereby reappropriated for fiscal year 2020.

13 CIF grants (652-00-2000-2408).....\$18,127,914
 14 *Provided*, That any unencumbered balance in the CIF grants account in
 15 excess of \$100 as of June 30, 2019, is hereby reappropriated for fiscal year
 16 2020.

17 Quality initiative infants
 18 and toddlers (652-00-2000-2420).....\$500,000
 19 *Provided*, That any unencumbered balance in the quality initiative infants
 20 and toddlers account in excess of \$100 as of June 30, 2019, is hereby
 21 reappropriated for fiscal year 2020.

22 Early childhood block grant
 23 autism diagnosis (652-00-2000-2422).....\$50,000
 24 *Provided*, That any unencumbered balance in the early childhood block
 25 grant autism diagnosis account in excess of \$100 as of June 30, 2019, is
 26 hereby reappropriated for fiscal year 2020.

27 Communities aligned in early development
 28 and education (652-00-2000-2550).....\$1,000,000
 29 Pre-K pilot (652-00-2000-2435).....\$4,200,000

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

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

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

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

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

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

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

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

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

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

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

42 (k) During the fiscal year ending June 30, 2020, the commissioner of
43 education, with the approval of the director of the budget, may transfer any

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

7 Sec. 3.

8 DEPARTMENT OF EDUCATION

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

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

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

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

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

19 KPERS – employer

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

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

31 KPERS – employer

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

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

43 (b) There is appropriated for the above agency from the following

1 special revenue fund or funds for the fiscal year ending June 30, 2021, all
2 moneys now or hereafter lawfully credited to and available in such fund or
3 funds, except that expenditures shall not exceed the following:

4 Mineral production
5 education fund (652-00-7669-7669).....No limit

6 State school district
7 finance fund (652-00-7393-7000).....No limit

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

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

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

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

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

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

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

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

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

1 (1) For school year 2018-2019, \$4,165;
2 (2) for school year 2019-2020, ~~\$4,302~~ \$4,436;
3 (3) for school year 2020-2021, ~~\$4,439~~ \$4,569;
4 (4) for school year 2021-2022, ~~\$4,576~~ \$4,706;
5 (5) for school year 2022-2023, ~~\$4,713~~ \$4,846; and
6 (6) for school year 2023-2024, and each school year thereafter, the
7 BASE aid shall be the BASE aid amount for the immediately preceding
8 school year plus an amount equal to the average percentage increase in the
9 consumer price index for all urban consumers in the midwest region as
10 published by the bureau of labor statistics of the United States department
11 of labor during the three immediately preceding school years rounded to
12 the nearest whole dollar amount.

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

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

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

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

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

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

35 (l) "Enrollment" means:

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

1 two quarters, or the equivalent thereof.

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

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

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

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

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

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

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

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

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

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

42 (m) "February 20" has its usual meaning, except that in any year in
43 which February 20 is not a day on which school is maintained, it means

1 the first day after February 20 on which school is maintained.

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

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

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

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

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

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

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

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

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

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

43 (4) an amount equal to the amount deposited in the general fund in

1 the current school year from moneys received in such school year by the
2 school district pursuant to contracts made and entered into under authority
3 of K.S.A. 72-3125, and amendments thereto;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42 (D) A student enrolled in and attending an institution of
43 postsecondary education that is authorized under the laws of this state to

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

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

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

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

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

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

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

- 33 (a) A student whose parent or legal guardian is an employee of the
34 school district where such student is enrolled; or
35 (b) a student who attended public school in Kansas during school
36 year 2016-2017 and who attended public school in Kansas during the
37 immediately preceding school year.

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

- 39 (A) An individual residing at the Flint Hills job corps center;
40 (B) except as provided in paragraph (2), an individual confined in and
41 receiving educational services provided for by a school district at a
42 juvenile detention facility; and
43 (C) an individual enrolled in a school district but housed, maintained

1 and receiving educational services at a state institution or a psychiatric
2 residential treatment facility.

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

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

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

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

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

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

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

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

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

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

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

43 Sec. 6. On and after July 1, 2019, K.S.A. 72-5462 is hereby amended

1 to read as follows: 72-5462. (a) There is hereby established in the state
2 treasury the school district capital improvements fund. The fund shall
3 consist of all amounts transferred thereto under the provisions of
4 subsection (c).

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

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

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

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

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

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

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

43 (F) multiply the amount determined under subsection (b)(1)(E) by the

1 applicable state aid percentage factor.

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

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

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

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

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

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

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

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

42 (A) The state board of education shall determine the six-year average
43 amount of capital improvement state aid by calculating the average of the

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

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

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

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

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

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

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

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

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

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

1 an election held on or after July 1, 2017, that are issued for the purpose of
2 financing the construction of new school facilities.

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

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

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

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

40 (f) On or before the first day of the legislative session in 2017, and
41 each year thereafter, the state board of education shall prepare and submit
42 a report to the legislature that includes information on school district
43 elections held on or after July 1, 2016, to approve the issuance of general

1 obligation bonds and the amount of payments school districts were
2 approved to receive from the school district capital improvements fund
3 pursuant to subsection (b)(4)(C).

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

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

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