

HOUSE BILL No. 2006

AN ACT concerning the state inservice education opportunities act; renaming the act the education professional development act; amending K.S.A. 72-6409, 72-9601, 72-9602, 72-9603, 72-9604, 72-9605, 72-9606, 72-9607, 72-9608, 72-9609, 72-9610 and 72-9901 and repealing the existing sections.

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

Section 1. K.S.A. 72-6409 is hereby amended to read as follows: 72-6409. (a) "General fund" means the fund of a district from which operating expenses are paid and in which is deposited the proceeds from the tax levied under K.S.A. 72-6431, and amendments thereto, all amounts of general state aid under this act, payments under K.S.A. 72-7105a, and amendments thereto, payments of federal funds made available under the provisions of title I of public law 874, except amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program, and such other moneys as are provided by law.

(b) "Operating expenses" means the total expenditures and lawful transfers from the general fund of a district during a school year for all purposes, except expenditures for the purposes specified in K.S.A. 72-6430, and amendments thereto.

(c) "General fund budget" means the amount budgeted for operating expenses in the general fund of a district.

(d) "Budget per pupil" means the general fund budget of a district divided by the enrollment of the district.

(e) "Program weighted fund" means and includes the following funds of a district: Transportation fund, vocational education fund, and bilingual education fund.

(f) "Categorical fund" means and includes the following funds of a district: Special education fund, food service fund, driver training fund, adult education fund, adult supplementary education fund, area vocational school fund, ~~inservice education~~ *professional development* fund, parent education program fund, summer program fund, extraordinary school program fund, and educational excellence grant program fund.

Sec. 2. K.S.A. 72-9601 is hereby amended to read as follows: 72-9601. This act shall be known and may be cited as the ~~state inservice education opportunities~~ *professional development* act. It is hereby declared that it is essential to the welfare of the people of Kansas that the provision of quality educational opportunities for all pupils in the state be assured. Therefore, it is the intention of this act to promote continuous professional development, diversification in academic foundations or subject knowledge, improvement in job effectiveness, enhancement of skills and techniques, and competent on-the-job performance of all certificated personnel serving regularly in the accredited elementary and secondary schools of the state of Kansas.

Sec. 3. K.S.A. 72-9602 is hereby amended to read as follows: 72-9602. As used in this act:

(a) ~~"Inservice education"~~ "*Professional development*" means any planned learning opportunities provided to certificated personnel employed by a school district or other authorized educational agency for purposes of improving the performance of such personnel in already held or assigned positions;

(b) "certificated personnel" means all employees of a school district or an authorized educational agency required to be certificated by the state board of education;

(c) "school district" means any public school district organized under the laws of this state;

(d) "authorized educational agencies" means area professional development centers, state education agencies, institutions of postsecondary education which are authorized under the laws of this state to award academic degrees, and other organizations which serve school districts;

(e) "area professional development center" means any regional organization providing ~~inservice education~~ *professional development* to school districts;

(f) "state board" means the state board of education;

(g) "department" means the state department of education;

(h) "board" means the board of education of any school district; and

(i) "school year" means the twelve-month period ending June 30.

Sec. 4. K.S.A. 72-9603 is hereby amended to read as follows: 72-9603. (a) The state board shall adopt rules and regulations for the ad-

ministration of this act and shall: (1) Prescribe and adopt policies and guidelines for the provision of ~~inservice education~~ *professional development* programs for all certificated personnel;

(2) establish standards and criteria for procedures, activities and services to be provided in ~~inservice education~~ *professional development* programs; and

(3) establish standards and criteria for reviewing, evaluating and approving school district ~~inservice education~~ *professional development* programs and applications of boards for state aid.

(b) The standards and criteria established under subsection (a)(3) for evaluating school district ~~inservice education~~ *professional development* programs shall include measures for assessing the impact of programs on improvement of the skills of certificated personnel in effectuation of effective instructional skills and improvement of the academic performance of pupils.

Sec. 5. K.S.A. 72-9604 is hereby amended to read as follows: 72-9604. (a) Each board shall establish and maintain ~~an inservice education~~ *a professional development* program for certificated personnel of the school district. ~~Inservice education~~ *Professional development* programs shall meet standards and criteria set by the state board.

(b) Each board, in complying with the requirements of subsection (a), may:

(1) Develop policies and plans for the provision of ~~inservice education~~ *professional development* programs based on identified needs at the individual, building and district levels;

(2) provide for ~~inservice education~~ *professional development* programs at any time during the school year;

(3) contract with area professional development centers and authorized educational agencies in providing for ~~inservice education~~ *professional development* programs; and

(4) enter into cooperative or interlocal agreements with one or more other school districts in providing for ~~inservice education~~ *professional development* programs.

Sec. 6. K.S.A. 72-9605 is hereby amended to read as follows: 72-9605. (a) In each school year, each board which has established and is maintaining ~~an inservice education~~ *a professional development* program in compliance with the requirements of this act and which desires to secure state aid for part of the cost of maintaining the program shall certify and file an application with the state board for approval of the program.

(b) Each board which is maintaining an approved ~~inservice education~~ *professional development* program and which desires to secure state aid in any school year for part of the cost of exploring and implementing innovative and experimental procedures, activities and services to be provided in the program for enhancement thereof shall certify and file an application with the state board for approval of such procedures, activities and services.

(c) Applications shall be in a form prescribed and furnished by the department, shall contain such information as the state board may require and shall be filed annually at a time to be determined and specified by the state board. Approval by the state board of the program, any innovative and experimental procedures, activities or services provided therein, and the application shall be prerequisite to payment of state aid to any board.

Sec. 7. K.S.A. 72-9606 is hereby amended to read as follows: 72-9606. In order to be approved for payment of state aid, any application under K.S.A. 72-9605, and amendments thereto, shall contain the following information:

(a) The number of certificated personnel of the school district who are participating in the program;

(b) a description of the scope, objectives, procedures and activities of and the services provided by the ~~inservice education~~ *professional development* program for the school year;

(c) the manner in which the ~~inservice education~~ *professional development* program is aligned with the mission, academic focus, and quality performance accreditation school improvement plan;

(d) a description of the performance measures utilized in meeting

the evaluation standards and criteria established under subsection (b) of K.S.A. 72-9603, and amendments thereto;

(e) the amount budgeted by the board for its ~~inservice education~~ *professional development* program;

(f) the amount of the actual expenses incurred by the school district in maintaining an approved ~~inservice education~~ *professional development* program;

(g) the amount of the actual expenses, if any, incurred by the school district for the provision of innovative and experimental procedures, activities and services in its ~~inservice education~~ *professional development* program; and

(h) such additional information as determined by the state board.

Sec. 8. K.S.A. 72-9607 is hereby amended to read as follows: 72-9607. The state board shall be responsible for the allocation and distribution of state aid for ~~inservice education~~ *professional development* in accordance with appropriation acts and the statutes of this state. Such moneys shall be expended only in accordance with and for the purposes specified in this act. Payments under this act may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

Sec. 9. K.S.A. 72-9608 is hereby amended to read as follows: 72-9608. (a) In each school year, each school district which is maintaining an approved ~~inservice education~~ *professional development* program shall be eligible to receive from state funds, within the limits of appropriations for ~~inservice education~~ *professional development*, an amount to be determined by the state board on the basis of priorities established through a needs-assessment survey conducted by the state board. In no event shall the amount allocated and distributed to any school district under this act exceed: (1)~~(A)~~ An amount which is equal to .50 of 1% of the amount of the general fund budget of the school district, or ~~(B)(i) for the 1994-95 and 1995-96 school years, an amount equal to 60% of the actual expenses incurred by the school district in maintaining an approved inservice education program, whichever of (A) or (B)(i) is the lesser amount, and for the 1996-97 school year and for school years thereafter, (ii) an amount equal to 50% of the actual expenses incurred by the school district in maintaining an approved inservice education~~ *professional development* program, whichever of ~~(A) or (B)(ii)~~ is the lesser amount; or (2) an amount which is equal to 50% of the actual expenses incurred by the school district for the provision of innovative and experimental procedures, activities and services, if any of the same are provided and approved by the state board, in ~~an inservice education~~ *a professional development* program maintained by the school district and approved by the state board.

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

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

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

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

Sec. 11. K.S.A. 72-9610 is hereby amended to read as follows: 72-9610. The state board may provide any board, upon its request therefor, with technical advice and assistance in the establishment and operation of ~~an inservice education~~ *a professional development* program, and may

make studies and gather and disseminate information relating to materials, resources, procedures, programs and personnel which are or may become available to school districts for utilization in ~~in-service education~~ *professional development* programs.

Sec. 12. K.S.A. 72-9901 is hereby amended to read as follows: 72-9901. As used in this act:

(a) “Board” means the board of education of any school district.

(b) “School district” means any public school district organized and operating under the laws of this state.

(c) “Educational excellence grant program” or “program” means a program under which the state, for the purpose of promoting excellence in education, provides assistance through the award of grants of state moneys to school districts which develop and maintain educational system enhancement plans or at risk pupil assistance plans or both such plans.

(d) “Educational system enhancement plan” or “enhancement plan” means a plan which is developed and maintained by the board of a school district for the purpose of improving the educational system of the school district. The plan may encompass, but not by way of limitation, such measures as identification of goals and needs, formulation of priorities and objectives, evaluation and enrichment of curriculum and instructional program, examination and refinement of delivery methods, engagement in research and planning activities, exploration and implementation of innovative and experimental procedures and activities, development of more effective instructional materials and techniques, enhancement of staff development and ~~in-service education~~ *professional development* programs, exploration of ways and means of forming school-business partnerships and formation of such partnerships, formulation and introduction of before or after school sessions or both before and after school sessions for the purpose of affording pupils an opportunity to strengthen basic skills or participate in curriculum enrichment activities, development and installation of action plans for general improvement of pupil attitudes and achievement, and establishment or enhancement and operation of charter schools.

(e) “At risk pupil assistance plan” or “assistance plan” means a plan which is developed and maintained by the board of a school district for the specific purpose of addressing the needs of at risk pupils of the school district. The plan may encompass, but not by way of limitation, such measures as remedial instruction, intensive guidance and counseling services, child care services, independent study assistance, strategies for provision of the opportunity to complete requirements for grade level promotion or graduation from high school, and instruction in parenting, consumer, work and other life skills.

(f) “At risk pupil” means any person who is enrolled in preschool, kindergarten or any of the grades one through 12 maintained by a school district and who is at risk of not meeting the educational goals and objectives established by the school district or of not completing the requirements necessary for promotion to grade level, grade-to-grade promotion, or graduation from high school or of not becoming a productive worker and citizen. At risk pupils may be characterized, but not by way of limitation, by any one or more of the following indicators: (1) A high rate of absenteeism from school attendance; (2) failure to achieve grade-level standards; (3) failure in two or more subjects or courses of study; (4) two or more credits behind other pupils in modal grade in the number of graduation credits attained; (5) retention at grade level one or more times; (6) below modal grade for pupils in the same age group; (7) pregnancy or parenthood or both; (8) repeated commission of any of the disciplinary infractions specified in K.S.A. 72-8901, and amendments thereto, whether or not such conduct resulted in a suspension or expulsion from school. The definition of at risk pupil does not include within its meaning any person determined to be an exceptional child under the provisions of the special education for exceptional children act.

(g) “State board” means the state board of education.

Sec. 13. K.S.A. 72-6409, 72-9601, 72-9602, 72-9603, 72-9604, 72-9605, 72-9606, 72-9607, 72-9608, 72-9609, 72-9610 and 72-9901 are hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.