

SENATE BILL No. 512

By Senator Bunten

2-11

10 AN ACT concerning school districts; relating to budgets; amending
11 K.S.A. 79-2925 and K.S.A. 2003 Supp. 72-8247 and 79-2926 and re-
12 pealing the existing sections.
13

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

15 New Section 1. (a) Sections 1, ~~2 and 3~~ **[through 4]**, and amend-
16 ments thereto, shall be known and may be cited as the school-based
17 budget law.

18 (b) The purpose of this law is to require school districts to prepare a
19 budget which provides the taxpayers of the school district with as much
20 information as possible at a building-level within the district.

21 (c) The requirements imposed by the school-based budget law shall
22 be in addition to the requirements imposed pursuant to the general
23 budget law.

24 New Sec. 2. As used in the school-based budget law:

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

26 (b) "Budget" or "school district budget" means the budget of the
27 school district as a whole.

28 (c) "Sub-budget" means a budget for each school building in a school
29 district.

30 (d) "School building" means any attendance center operated and
31 maintained by the board. Each elementary school, junior high school,
32 middle school and high school shall be counted as a separate attendance
33 center even if two or more such schools are located at or in the same
34 facility.

35 ***[(e) "School district" means a school district having an enroll-
36 ment of more than 2,500 pupils on September 2, 2003.]***

37 New Sec. 3. (a) Based upon recommendations by the state depart-
38 ment of education, the director of accounts and reports shall prepare and
39 prescribe forms for the annual budget, summary of the proposed budget
40 of school districts and the sub-budgets for school buildings in school dis-
41 tricts. The state department of education shall make such recommenda-
42 tions after considering the best practices and standards established by the
43 government finance officers association and the association of school busi-

1 ness officials. Subject to subsection (i), such forms shall show the infor-
2 mation required by the general budget law, school-based budget law and
3 any other state or federal law necessary and proper to disclose complete
4 information as to the financial condition of school districts, and the re-
5 ceipts and expenditures thereof, both past and anticipated.

6 (b) (1) Subject to subsection (i), the school district budget form shall
7 include an aggregate listing of the amount of expenditures for salaries,
8 wages and any fringe benefits for the following:

9 (A) Administrators, listed by individual category;

10 (B) persons employed full-time as teachers;

11 (C) persons employed as teachers' aides;

12 (D) special education teachers;

13 (E) special education paraprofessionals;

14 (F) other certified employees who are not employed full-time as
15 teachers, listed by individual category, including but not limited to,
16 nurses, librarians and counselors;

17 (G) classified employees;

18 (H) substitutes and other temporary employees; and

19 (I) other positions designated by the state department of education.

20 (2) Subject to subsection (i), the school district budget form shall
21 show the total amount of expenditures for salaries, wages and fringe ben-
22 efits for persons listed in paragraph (1) of this subsection.

23 (3) Subject to subsection (i), the school district budget form shall
24 show the amount of expenditures, in the aggregate for salaries, wages and
25 fringe benefits for persons listed in paragraph (1) of this subsection from
26 each fund of the district and from any federal funds. The form also shall
27 show the total amount of expenditures for such salaries, wages and fringe
28 benefits.

29 (4) The school district budget form shall show the number of em-
30 ployee positions specified in paragraph (1) of this subsection, except for
31 substitute teachers.

32 (c) The school district budget form shall show as separate items es-
33 timated expenditures for district-wide purposes or programs and the es-
34 timated revenue for such expenditures, with the amount estimated to be
35 received from each source separately stated. Items of expenditures and
36 receipts required to be included on the budget form pursuant to this
37 subsection shall include, but not be limited to:

38 (1) Central administrative costs of the district including operating and
39 maintenance costs of the central office;

40 (2) adult education;

41 (3) adult supplementary education;

42 (4) parent education;

43 (5) driver training;

- 1 (6) food service;
 - 2 (7) capital outlay;
 - 3 (8) summer school;
 - 4 (9) extraordinary school programs;
 - 5 (10) special liability expenses;
 - 6 (11) extraordinary growth facilities;
 - 7 (12) contingency reserve;
 - 8 (13) textbook and student materials;
 - 9 (14) transportation;
 - 10 (15) data processing;
 - 11 (16) bond and interest;
 - 12 (17) gifts and bequests;
 - 13 (18) student support;
 - 14 (19) instruction;
 - 15 (20) instructional staff support; and
 - 16 (21) student activities.
- 17 (d) Subject to subsection (i), expenditures for special education and
18 related services shall be shown on the budget form of the district as
19 follows:
- 20 (1) Except as provided by paragraph (2), a school district that obtains
21 special education and related services pursuant to a cooperative agree-
22 ment or an interlocal agreement shall show the expenditure as a transfer
23 made at the district level in the central office budget;
 - 24 (2) the board of directors of an interlocal and the sponsoring district
25 of a cooperative shall show expenditures for special education and related
26 services, using the format and coding developed by the department for a
27 building sub-budget;
 - 28 (3) a school district that provides its own special education and related
29 services and which is not a party to an interlocal agreement or a coop-
30 erative agreement shall show expenditures on a district-wide basis using
31 the format and coding developed by the department for a building sub-
32 budget.
- 33 (e) Subject to subsection (i), the sub-budget form for each school
34 building shall show the estimated amount of expenditures attributed to
35 each school building from the:
- 36 (1) General fund;
 - 37 (2) supplemental general fund;
 - 38 (3) bilingual education fund;
 - 39 (4) professional development fund; and
 - 40 (5) federal funds.
- 41 (f) (1) Subject to subsection (i), the sub-budget form for each school
42 building shall include an aggregate listing of the amount of expenditures
43 for salaries, wages and fringe benefits for the following persons employed

- 1 at such building:
- 2 (A) Administrators, listed by individual category;
 - 3 (B) persons employed full-time as teachers;
 - 4 (C) persons employed as teachers' aides;
 - 5 (D) special education teachers;
 - 6 (E) special education paraprofessionals;
 - 7 (F) other certified employees who are not employed full-time as
 - 8 teachers, listed by individual category, including but not limited to,
 - 9 nurses, librarians and counselors;
 - 10 (G) classified employees;
 - 11 (H) substitutes and other temporary employees; and
 - 12 (I) other positions designated by the state department of education.
- 13 (2) Subject to subsection (i), the sub-budget form for each school
- 14 building shall show the total number of pupils, the number of special
- 15 education pupils and the number of nonspecial education pupils at the
- 16 building.
- 17 (3) Subject to the subsection (i), the sub-budget form for each school
- 18 building shall show the pupil to (certified) teacher ratio.
- 19 (4) Subject to subsection (i), the sub-budget form for each school
- 20 building shall show the total square footage of the building.
- 21 (g) The summary of the proposed budget of the school district form
- 22 shall include:
- 23 (1) An overview of the proposed budget of the school district and the
 - 24 budgetary process;
 - 25 (2) a summary of the changes in the proposed budget from the pre-
 - 26 vious budget year;
 - 27 (3) a summary of the estimated expenditures to be made and reve-
 - 28 nues to be received in the ensuing budget year and the sources of such
 - 29 revenue;
 - 30 (4) the total number of pupils in the district;
 - 31 (5) the number of students by classification including, but not limited
 - 32 to, special education, bi-lingual, at-risk, minority and sex; and
 - 33 (6) the internet website address for school building report cards com-
 - 34 piled by the state department of education.
 - 35 (h) Forms required by this section shall show any other information
 - 36 required by the state department of education.
 - 37 (i) Each school district shall prepare its budgets and each sub-budget
 - 38 using the format and standard coding system of expenditures and receipts
 - 39 prescribed by the department pursuant to section 4, and amendments
 - 40 thereto.
 - 41 (j) Any transfer from the general fund of the school district for a
 - 42 district-wide program shall be shown as an expenditure of such program
 - 43 and not as an expenditure attributable to the central office.

1 (k) Nothing in this section shall be construed as limiting the authority
2 of school districts to develop and provide material or information in ad-
3 dition to that required by the state department of education.

4 (l) The state department of education shall provide technical advice
5 and assistance to school districts to insure compliance with the provisions
6 of this section.

7 (m) All forms required by this section and tax levy forms shall be
8 printed by the division of printing in such quantity as required by the
9 director. The director shall deliver the forms for school districts to the
10 clerk of the board of education of each school district.

11 (n) Subject to the provisions of subsection (i), expenditures for area
12 vocational schools shall be shown on the budget form of the district as a
13 transfer made at the district level in the central office budget.

14 ***[New Sec. 4. School districts shall not be required to comply***
15 ***with the provisions of the school-based budget law unless the leg-***
16 ***islature appropriates moneys for the payment of the costs of such***
17 ***compliance by such districts. Such moneys shall be in addition to***
18 ***any state aid or moneys the state is otherwise required to provide***
19 ***to school districts.]***

20 New Sec. 4 [5]. (a) The state department of education shall design
21 a budget and sub-budget format and a standard coding system to be used
22 by school districts when preparing the budget and sub-budgets of the
23 district as required by the school-based budget law.

24 (b) The forms shall be designed to show expenditures and receipts
25 of the central office of the district using the same format and coding
26 system as used to prepare the sub-budgets of the district.

27 (c) The forms shall be designed to show expenditures and receipts
28 for operations and maintenance of each school building as a building-
29 level expenditure in the sub-budget of such building using the same for-
30 mat and coding system to prepare the sub-budgets of the district.

31 Sec. 5 [6]. K.S.A. 2003 Supp. 72-8247 is hereby amended to read as
32 follows: 72-8247. (a) On or before October 1 of each year, the board of
33 education of each school district shall provide to a newspaper of general
34 circulation within the district a statement showing the name, position ~~and~~
35 salary *and any fringe benefits* of the superintendent, deputy superinten-
36 dents, assistant superintendents, directors, principals and any other ad-
37 ministrator with district-wide responsibilities of such school district.

38 (b) The provisions of this section shall expire on June 30, 2006.

39 Sec. 6 [7]. K.S.A. 79-2925 is hereby amended to read as follows: 79-
40 2925. (a) ~~This act~~ *K.S.A. 79-2925 through 79-2937, and amendments*
41 *thereto, shall be known and may be cited as the general budget law.*

42 (b) *Except as provided by this section, the general budget law shall*
43 *apply to all taxing subdivisions or municipalities of the state, except.*

- 1 (c) *The general budget law shall not apply to:*
- 2 (1) Townships in counties having the county road unit system which
3 have an annual expenditure of less than ~~two hundred dollars~~, \$200.
- 4 (2) Any money received by such taxing subdivision or municipality as
5 a gift or bequest;
- 6 (3) Any revolving fund ~~set up~~ *established* for the operation of a mu-
7 nicipal airport. Any city, board of park commissioners; or other agency
8 designated and authorized to operate a municipal airport ~~is hereby au-~~
9 ~~thorized to set up~~ *may establish* a revolving fund for use as an operating
10 fund, either out of the budget or out of the receipts from the operation
11 of such airport, in an amount as may be reasonable and necessary as an
12 operating fund for the efficient and business-like operation of such air-
13 port. The financial transactions of ~~said the~~ airport shall be audited in
14 accordance with the minimum standard audit program prescribed by the
15 director of accounts and reports as other municipal funds. Profits arising
16 from the operation of the airport after the payment of all necessary op-
17 erating expenses and the establishment of the revolving fund shall be
18 applied to reduce the tax levy for the budgeted fund under which the
19 operation of such airport is financed;
- 20 (4) Any special recreation facilities reserve ~~set up~~ *established* by the
21 board of park commissioners in any city for the repair, replacement, or
22 addition to the recreation facilities of such city. The financial transactions
23 of ~~said the~~ recreation facilities shall be audited in accordance with the
24 minimum standard audit program prescribed by the director of accounts
25 and reports as other municipal funds. Profits arising from the coliseum
26 events fund and the coliseum concessions, after the payment of all nec-
27 essary expenses, and the establishment and maintenance of such special
28 recreation facilities reserve shall be applied to reduce the tax levy for the
29 budget fund under which the operation of such recreation facilities is
30 financed; ~~and~~.
- 31 (5) Any special recreation facilities fund ~~set up~~ *established* by the
32 board of county commissioners for the operation of a county coliseum.
33 The financial transactions of the special recreation facilities fund shall be
34 audited in accordance with the minimum standard audit program pre-
35 scribed by the director of accounts and reports as other municipal funds.
36 Moneys derived from the operation of a county coliseum and deposited
37 in the special recreation facilities fund shall be applied to reduce the tax
38 levy for the budget fund under which the operation of such county coli-
39 seum is financed.
- 40 ~~(b) Whenever the term "fund" is used in this act it is intended to~~
41 ~~have reference to those funds which are~~
- 42 (d) *As used in the budget law:*
- 43 (1) *"Fund" means any fund* authorized by statute to be established.

1 “Fund” is not intended to mean the individual budgeted items of a fund,
2 but is intended to have reference to the total of such individual items.

3 ~~(c) Whenever the term “director” is used in this act it shall mean the~~
4 ~~state director of property valuation.~~

5 ~~(2) “Director” means the director of accounts and reports.~~

6 Sec. 7 [8]. K.S.A. 2003 Supp. 79-2926 is hereby amended to read as
7 follows: 79-2926. (a) ~~Subject to the provisions of subsection (b), The~~
8 ~~[Subject to the provisions of subsection (b), the]~~ director of accounts
9 and reports shall prepare and prescribe forms for the annual budgets of
10 all taxing subdivisions or municipalities of the state. Such forms shall show
11 the information required by this act necessary and proper to disclose
12 complete information as to the financial condition of such taxing subdivi-
13 sion or municipality, and the receipts and expenditures thereof, both
14 past and anticipated.

15 ~~(b) (1) From and after July 1, 2004 and based upon recommenda-~~
16 ~~tions by the state department of education, the director shall prepare and~~
17 ~~prescribe forms for the annual budget and a summary of the proposed~~
18 ~~budget of school districts. The state department of education shall make~~
19 ~~such recommendations after considering the best practices and standards~~
20 ~~established by the government finance officers association and the asso-~~
21 ~~ciation of school business officials.~~

22 ~~(2) (A) The school district budget form shall include a separate table~~
23 ~~outlining the aggregate amount of expenditures for salaries and wages for~~
24 ~~the following categories:~~

- 25 ~~(i) Certified and noncertified administrators;~~
26 ~~(ii) persons employed full-time as teachers;~~
27 ~~(iii) other certified employees who are not employed full-time as~~
28 ~~teachers;~~
29 ~~(iv) classified employees;~~
30 ~~(v) other positions designated by the state department of education;~~
31 ~~and~~

32 ~~(vi) substitutes and other temporary employees.~~

33 ~~(B) The school district budget form shall show the number of full-~~
34 ~~time employee positions specified in paragraph (A) of this subsection and~~
35 ~~the average salaries or wages for such positions.~~

36 ~~(C) The school district budget form shall show any other information~~
37 ~~recommended by the state department of education.~~

38 ~~(3) The summary of the proposed budget form shall include:~~

39 ~~(A) An overview of the proposed budget of the school district and the~~
40 ~~budgetary process;~~

41 ~~(B) a summary of the changes in the proposed budget from the pre-~~
42 ~~vious budget year;~~

43 ~~(C) a summary of the estimated expenditures to be made and reve-~~

1 nues to be received in the ensuing budget year and the sources of such
2 revenue;

3 — (D) the internet website address for school building report cards
4 compiled by the state department of education, and

5 — (E) any other information specified by the state department of
6 education.

7 — (4) Nothing in this subsection (b) shall be construed as limiting the
8 authority of school districts to develop and provide material or informa-
9 tion in addition to that required by the state department of education.

10 — (5) The state department of education shall provide technical advice
11 and assistance to school districts to insure compliance with the provisions
12 of this section.

13 *[(b) (1) Based upon recommendations by the state department
14 of education, the director shall prepare and prescribe forms for the
15 annual budget and a summary of the proposed budget of school
16 districts. The state department of education shall make such rec-
17 ommendations after considering the best practices and standards
18 established by the government finance officers association and the
19 association of school business officials.]*

20 *[(2) (A) The school district budget form shall include a sepa-
21 rate table outlining the aggregate amount of expenditures for sal-
22 aries and wages for the following categories:*

23 *[(i) Certified and noncertified administrators;*

24 *[(ii) persons employed full-time as teachers;*

25 *[(iii) other certified employees who are not employed full-time
26 as teachers;*

27 *[(iv) classified employees;*

28 *[(v) other positions designated by the state department of edu-
29 cation; and*

30 *[(vi) substitutes and other temporary employees.]*

31 *[(B) The school district budget form shall show the number of
32 full-time employee positions specified in paragraph (A) of this sub-
33 section and the average salaries or wages for such positions.]*

34 *[(C) The school district budget form shall show any other in-
35 formation recommended by the state department of education.]*

36 *[(3) The summary of the proposed budget form shall include:*

37 *[(A) An overview of the proposed budget of the school district
38 and the budgetary process;*

39 *[(B) a summary of the changes in the proposed budget from the
40 previous budget year;*

41 *[(C) a summary of the estimated expenditures to be made and
42 revenues to be received in the ensuing budget year and the sources
43 of such revenue;*

1 ***[(D) the internet website address for school building report***
2 ***cards compiled by the state department of education; and***

3 ***[(E) any other information specified by the state department of***
4 ***education.***

5 ***[(4) Nothing in this subsection (b) shall be construed as limiting***
6 ***the authority of school districts to develop and provide material or***
7 ***information in addition to that required by the state department of***
8 ***education.***

9 ***[(5) The state department of education shall provide technical***
10 ***advice and assistance to school districts to insure compliance with***
11 ***the provisions of this section.]***

12 (c) ~~(b)~~ ***[(c)]*** All such budget and tax levy forms shall be printed by
13 the division of printing in such quantity as required by the director. ~~The~~
14 ~~director shall deliver the forms for school districts to the clerk of the~~
15 ~~board of education of each school district. Except as provided in section~~
16 ~~9, and amendments thereto, for school districts~~ ***[subject to the provi-***
17 ***sions of the school-based budget law, and amendments thereto]***, the
18 forms for all ~~other~~ taxing subdivisions or municipalities of the state shall
19 be delivered by the director to the county clerk of each county, who shall
20 deliver the same to the presiding officer of the governing body of the
21 respective taxing subdivisions or municipalities within the county.

22 Sec. ~~8~~ ***[9]***. K.S.A. 79-2925 and K.S.A. 2003 Supp. 72-8247 and 79-
23 2926 are hereby repealed.

24 Sec. ~~9~~ ***[10]***. This act shall take effect and be in force from and after
25 January 1, 2005, and its publication in the statute book.