

SESSION OF 2005

**CONFERENCE COMMITTEE REPORT BRIEF  
SENATE BILL NO. 43**

As Agreed to April 30, 2005

**Brief \***

SB 43 would amend the School District Finance and Quality Performance Act; other school funding legislation; and statutes governing the Teacher Service Scholarship program.

**School District Finance and Quality Performance Act**

- **Skills for Success.** The bill would provide clarifying language about the process for school districts and the State Board of Education responsibilities and duties for implementation of the new program. In addition, the bill would clarify the process for distribution of grant moneys to local school districts. The bill would transfer the oversight responsibilities for the program from the 2010 Commission to the Legislative Educational Planning Committee. Finally, the bill would create the Skills For Success in School Fund and permit carry forward balances without a penalty.
- **Four-Year-Old At-Risk Program.** The bill would create the Preschool-Aged Four-Year-Old At-Risk Education Fund and allow for moneys to be carried forward from year-to-year without a penalty. In addition, the number of children to be served under the program would be set by the amount of appropriations. Under current law, the State Board of Education is limited to no more than 5,500 preschool-aged at-risk pupils.
- **School District Reporting.** The bill would provide clarifying language about the school district reporting requirements.

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\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org>

- **Local Option Budget.** The bill would allow districts that are authorized to adopt a Local Option Budget of 25 percent in school year 2004-2005 to increase it up to 27 percent in school year 2005-2006 on independent action of the local board. Under current law, the provision applies only to school districts that have adopted a 25 percent Local Option Budget.
- **New Facilities Weighting.** The bill would grandfather the Local Option Budget for purposes of the New Facilities Weighting to be the state prescribed percentage at the time: the bonds were authorized; the bonds to finance such facilities have been approved at an election held on or before June 30, 2005; or contracts for such facilities have been entered into on or before June 30, 2005. Under current law, the state prescribed percentage is set at the time the weighting is requested.
- **Joint Building Committee.** The bill would repeal the requirement that a district with extraordinarily declining enrollment adopt a local option budget at the state prescribed percentage. Such districts would be required to consult with the Joint Committee on State Building Construction prior to building new facilities.
- **Cost-of-Living Weighting.** The bill would enact a technical change to the language establishing the Cost-of-Living Weighting Formula. In addition, the bill would waive the protest petition requirement for this weighting for the 2005-2006 school year.
- **Three-Judge Panel.** The bill would require the Chief Justice of the Kansas Supreme Court to notify the Chief Judge of the Court of Appeals, who would appoint a panel of three current or former district judges to hear any suit brought by a plaintiff alleging a violation of the Education Article (Article 6) of the *Kansas Constitution*. Under provisions of the bill, venue for such cases would be in the county designated by the three-judge panel based on the location of the parties and witnesses. The bill would provide that an appeal from the three-judge panel's decision would be made directly to the Kansas Supreme Court as a matter of right under KSA 60-2012(b).
- **Priority of Appropriations.** The bill would amend the current law to require that the appropriation of moneys necessary to pay general state aid and supplemental general state aid to school districts would be given first priority in the legislative budgeting

process. In addition, school funding would be paid first from existing state revenues.

### **Other School Finance Legislation**

The bill also would repeal the following requirements:

- That \$1,540,000 be distributed each year to school districts for driver training courses;
- That \$210,000 be distributed each year to school districts for motorcycle safety courses; and
- That \$70,000 be distributed each year to the Kansas Board of Regents for truck driver training courses.

In addition, the bill would permit the State Board of Education to determine the amount to be distributed each year for the driver training, motorcycle safety, and truck driver training courses.

### **Teacher Service Scholarship Program**

The bill would amend the Teacher Service Scholarship Program statutes to include Washburn University.

The bill would be effective upon publication in the *Kansas Register*.

### **Conference Committee Action**

In Conference Committee, the conferees agreed to all of the House amendments and added the amendments dealing with the school finance law and the Teacher Service Scholarship Program.

### **Background**

The Conference Committee made the above changes to address concerns raised after passage of HB 2247, the school finance bill. The issues required clarification or cleanup. The Teachers Service Scholarship Program provisions were amended in SB 48 without

inclusion of Washburn University. In addition, the Conference Committee added the three-judge panel provisions from SB 181 into the bill.