

SENATE BILL No. 176

By Committee on Ways and Means

2-12

Proposed Amendments for SB 176
February 26, 2013
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Office of the Revisor of Statutes

Senate Education Committee
Date 2-26-13
Attachment 2

1 AN ACT creating the coalition of innovative districts act.

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

4 Section 1. The provisions of sections 1 through 9, and amendments
5 thereto, shall be known and may be cited as the coalition of innovative
6 districts act.

7 Sec. 2. As used in sections 1 through 9, and amendments thereto:

8 (a) "Board of education" means the locally elected board of education
9 of a school district.

10 (b) "Public innovative district" means a school district that has been
11 approved to operate as a public innovative district pursuant to section 3,
12 and amendments thereto.

13 (c) "Coalition" means the coalition of innovative districts established
14 pursuant to section 4, and amendments thereto.

15 (d) "Completion percentage" means the percentage of high school
16 graduates of a public innovative district that have enlisted in military
17 service or completed a postsecondary educational certificate program or
18 degree program as determined by the national student clearinghouse, or
19 other postsecondary educational program completion database utilized by
20 such public innovative district.

21 (e) "School district" means a unified school district organized and
22 operated under the laws of this state.

23 (f) "School year" means the 12-month period ending June 30.

24 (g) "State board" means the state board of education.

25 Sec. 3. (a) Except as provided in section 5, and amendments thereto,
26 the board of education of any school district may apply to the state board
27 of education for a grant of authority to operate such school district as a
28 public innovative district. The application shall be submitted in the form
29 and manner prescribed by the state board, and shall be submitted not later
30 than December 1 of the school year preceding the school year in which the
31 school district intends to operate as a public innovative district.

32 (b) The application shall include the following:

33 (1) A description of the educational programs of the public innovative
34 district;

35 (2) a description of the interest and support for partnerships between
36 the public innovative district, parents and the community;

1 (3) the specific goals and the measurable pupil outcomes to be
2 obtained by operating as a public innovative district; and

3 (4) an explanation of how pupil performance in achieving the
4 specified outcomes will be measured, evaluated and reported.

5 (c) (1) Within 90 days from the date such application is submitted, the
6 state board shall review the application to determine compliance with this
7 section, and shall approve or deny such application. If the application is
8 determined to be in compliance with this section, the state board shall
9 approve such application and grant the school district authority to operate
10 as a public innovative district. Notification of such approval shall be sent
11 to the board of education of such school district within 10 days after such
12 decision.

13 (2) If the state board determines such application is not in compliance
14 with either this section, or section 5, and amendments thereto, the state
15 board shall deny such application. Notification of such denial shall be sent
16 to the board of education of such school district within 10 days after such
17 decision and shall specify the reasons therefor. Within 30 days from the
18 date such notification is sent, the board of education of such school district
19 may submit a request to the state board for reconsideration of the
20 application and may submit an amended application with such request.
21 The state board shall act on the request for reconsideration within 60 days
22 of receipt of such request.

23 (d) A public innovative district shall:

24 (1) Not charge tuition for any of the pupils residing within the public
25 innovative district;

26 (2) participate in all Kansas math and reading assessments applicable
27 to such public innovative district, or an alternative assessment program for
28 measuring student progress as determined by the board of education;

29 (3) abide by all financial and auditing requirements that are
30 applicable to school districts, except that a public innovative district may
31 use generally accepted accounting principles;

32 (4) comply with all applicable health, safety and access laws; and

33 (5) comply with all statements set forth in the application submitted
34 pursuant to subsection (a).

35 (e) (1) Except as otherwise provided in sections 1 through 9, and
36 amendments thereto, or as required by the board of education of the public
37 innovative district, a public innovative district shall be exempt from all
38 laws and rules and regulations that are applicable to school districts.

39 (2) A public innovative district shall be subject to the special
40 education for exceptional children act, the virtual school act, the school
41 district finance and quality performance act, the provisions of K.S.A. 72-
42 8801 et seq., and amendments thereto, the provisions of K.S.A. 75-2315 et
43 seq., and amendments thereto, the provisions of K.S.A. 74-4901 et seq.,

on or before the conclusion of such 90-day period

1 30 days after receipt of the request for approval by the last member to
2 receive such request, the coalition board shall meet to approve or deny the
3 request. Notification of the approval or denial of a request shall be sent to
4 the board of education of the requesting school district within 10 days after
5 such decision. If the request is denied, the notification shall specify the
6 reasons therefor. Within 30 days from the date a notification of denial is
7 sent, the board of education of the requesting school district may submit a
8 request to the coalition board for reconsideration of the request for
9 approval and may submit an amended request for approval with the
10 request for reconsideration. The coalition board shall act on the request for
11 reconsideration within 30 days of receipt of such request.

12 (d) At no time shall there be more than 10 public innovative districts
13 operating in this state. Any request for approval submitted at such time
14 shall be denied by the coalition board.

15 Sec. 6. (a) The authority to operate as a public innovative district
16 shall be effective for a period of five school years. At least 90 days prior to
17 the expiration of such five-year period, the board of education of a public
18 innovative district may submit an application for renewal of its authority to
19 operate as a public innovative district. Such renewal application shall be
20 submitted in such form and manner as prescribed by the state board.

21 (b) A renewal application submitted pursuant to this section shall
22 include:

23 (1) Evidence that such public innovative district has met the standards
24 on the math and reading state assessments, or the alternative assessment
25 adopted by the board of education, during the period of operation as a
26 public innovative district;

27 (2) evidence that such public innovative district has shown
28 improvement in its completion percentage during the period of operation
29 as a public innovative district;

30 (3) demonstrated progress that such public innovative district is
31 achieving the goals and outcomes described in its application for authority
32 to operate as a public innovative district; and

33 (4) a description of compliance with the provisions of sections 1
34 through 9, and amendments thereto.

35 (c) (1) Within 60 days after such renewal application is submitted, the
36 state board shall review the renewal application to determine compliance
37 with this section. If the renewal application is in compliance with the
38 provisions of this section, the state board shall grant the renewal of the
39 authority to operate as a public innovative district for a subsequent five-
40 year period and notify the board of education of such public innovative
41 district within 10 days after such decision.

42 (2) If the state board determines the renewal application is not in
43 compliance with this section, the state board shall hold a hearing on the

1 and amendments thereto, and all laws governing the election of members
2 of the board of education.

3 Sec. 4. (a) There is hereby established the coalition of innovative
4 districts, which shall consist of each school district granted authority to
5 operate as a public innovative district pursuant to section 3, and
6 amendments thereto.

7 (b) The duties and functions of the coalition set forth in the
8 provisions of sections 1 through 9, and amendments thereto, shall be
9 carried out by the coalition board, which shall consist of one representative
10 of each public innovative district who shall be designated by the board of
11 education of such public innovative district.

12 (c) The chairperson of the coalition board shall be appointed by the
13 governor, the chairperson of the senate committee on education and the
14 chairperson of the house of representatives committee on education whose
15 decision shall be unanimous. The chairperson shall serve for a term of five
16 years. In the event of a vacancy in the position of chairperson, a successor
17 shall be appointed pursuant to this subsection.

18 (d) The coalition board may meet at such times and places as
19 determined by the coalition board. Any action by the coalition board shall
20 be taken only upon approval by a majority of the members.

21 Sec. 5. (a) Until such time as two or more public innovative districts
22 have been granted authority to operate as public innovative districts
23 pursuant to section 3, and amendments thereto, any board of education
24 desiring to operate as a public innovative district shall submit a request for
25 approval to operate as a public innovative district to the governor, the
26 chairperson of the senate committee on education and the chairperson of
27 the house of representatives committee on education and have such request
28 approved by a majority of the three persons prior to submitting an
29 application to the state board under section 3, and amendments thereto.
30 The request for approval shall include such information as is required to be
31 included on an application for authority to operate as a public innovative
32 district under section 3, and amendments thereto.

33 (b) Upon the approval of the first two public innovative districts, the
34 board of education of a school district desiring to operate as a public
35 innovative district shall submit a request for approval to operate as a
36 public innovative district to the coalition board and have such request
37 approved by the coalition board prior to submitting any application to the
38 state board under section 3, and amendments thereto.

39 (c) The request for approval required by subsection (b) shall include
40 such information as is required to be included on an application for
41 authority to operate as a public innovative district under section 3, and
42 amendments thereto. Copies of the request for approval shall be submitted
43 to each public innovative district that is a member of the coalition. Within

The coalition board, in its sole discretion, shall approve or deny the request. As part of its review of such request, the coalition board may make recommendations to the requesting school district to modify the request, and may consider any such modifications prior to making a final decision.

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1 issues in controversy. Representatives of the public innovative district
 2 shall be provided the opportunity to present information refuting the basis
 3 upon which the noncompliance is premised. At least 30 days' notice shall
 4 be provided to the board of education of the public innovative district prior
 5 to the hearing. Within 60 days after the hearing, the state board shall
 6 determine whether to not renew the grant of authority, renew the grant of
 7 authority contingent upon compliance with specified conditions or renew
 8 the grant of authority without conditions. Notification of such decision
 9 shall be sent to the board of education of the public innovative district and
 10 shall specify the reasons therefor.

11 (3) If a grant of authority is not renewed, the board of education of
 12 such school district may apply for a grant of authority to operate as a
 13 public innovative district in accordance with the provisions of sections 1
 14 through 9, and amendments thereto.

15 Sec. 7. The members of the coalition, represented by the
 16 superintendent of each public innovative district, shall meet at least once a
 17 month to discuss the educational programs of the public innovative
 18 districts and the success or failure thereof. Such meetings shall be
 19 conducted in the spirit of cooperation and the sharing of educational
 20 program concepts that are either being implemented or being considered
 21 for implementation.

22 Sec. ~~8~~ The state board shall provide, upon request, any board of
 23 education with technical advice and assistance regarding the preparation of
 24 an application for a grant of authority to operate a public innovative
 25 district.

26 Sec. ~~9~~ The state board shall adopt such rules and regulations as
 27 necessary for the implementation and administration of the provisions of
 28 sections 1 through 9, and amendments thereto.

29 Sec. ~~10~~ This act shall take effect and be in force from and after its
 30 publication in the statute book.

(a) If at any time a public innovative district fails to meet any of the
 renewal criteria set forth in subsection (b) of section 6, and amendments
 thereto, for two or more consecutive school years, then:

(1) Such public innovative district may submit a petition to the state
 board for a release of the grant of authority to operate as a public
 innovative district; or

(2) the coalition board may submit a petition to the state board
 requesting that such public innovative district have its grant of authority
 to operate as a public innovative district revoked.

(b) If a petition is submitted to the state board pursuant to subsection
 (a)(1), then the state board shall grant such petition and release such
 public innovative district from the grant of authority to operate as a
 public innovative district. Such release shall be effective for the school
 year immediately succeeding the grant of the petition.

(c) If a petition is submitted to the state board pursuant to subsection
 (a)(2), then the state board shall hold a hearing on the issues in
 controversy. Representatives of the public innovative district shall be
 provided the opportunity to present information refuting the basis upon
 which the petition is premised. At least 30 days' notice shall be provided
 to the board of education of the public innovative district prior to the
 hearing. Within 60 days after the hearing, the state board shall determine
 whether to grant or deny the petition. Notification of such decision shall
 be sent to the board of education of the public innovative district and
 shall specify the reasons therefor. If the petition is granted, the authority
 to operate as a public innovative district shall be revoked commencing
 with the school year immediately succeeding the grant of the petition.
 Sec. 8.

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