

SENATE BILL No. 196

By Committee on Ways and Means

2-13

1 AN ACT concerning public charter schools; creating the Kansas public
2 charter school act; amending K.S.A. 2012 Supp. 72-6407, 79-32,117
3 and 79-32,138 and repealing the existing sections; also repealing
4 K.S.A. 72-1903, 72-1904, 72-1908, 72-1909 and 72-1911 and K.S.A.
5 2012 Supp. 72-1906, 72-1907 and 72-1910.

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

7
8 New Section 1. The provisions of sections 1 through 27, and
9 amendments thereto, shall be known and may be cited as the Kansas
10 public charter school act.

11 New Sec. 2. (a) The legislature hereby finds and declares the
12 following:

13 (1) The state of Kansas recognizes the establishment of public charter
14 schools as necessary to improving the opportunities of all families to
15 choose the public school that meets the needs of their children, and
16 believes that public charter schools serve a distinct purpose in supporting
17 innovations and best practices that can be adopted among all public
18 schools.

19 (2) The state of Kansas recognizes that there must be a variety of
20 public institutions that can authorize the establishment of public charter
21 schools as defined by law, and recognizes that independent but publicly
22 accountable multiple authorizing authorities, such as independent state
23 entities or universities, contribute to the health and growth of strong and
24 innovative public charter schools.

25 (b) The legislature hereby finds and declares that the purpose of this
26 act is to do the following:

27 (1) Allow the creation of innovative public charter schools which
28 may operate independently of state laws or rules and regulations, other
29 than those specified in this act, deemed by the public charter school
30 authorizer to hinder its goals to achieve at the highest level possible;

31 (2) establish that existing or new public entities may be created to
32 approve and monitor public charter schools in addition to unified school
33 district school boards; and

34 (3) remove procedural and funding barriers to public charter school
35 success.

36 New Sec. 3. As used in sections 1 through 27, and amendments

Proposed Amendments for SB 196
For Committee on Education
Re: Payment to school district if student transfers after Sept. 20
March 18, 2013
Prepared by: Eunice Peters
Office of Revisor of Statutes

Senate Education Committee
Date 3-19-13
Attachment 3

1 pursuant to K.S.A. 72-6405 et seq., and amendments thereto, a school
2 district shall continue to count any student attending a public charter
3 school authorized by such school district as a pupil of the school district.

4 (c) (1) For each student enrolled in a public charter school authorized
5 by an authorizer other than a school district, the state board shall distribute
6 an amount equal to the general state aid per pupil plus the supplemental
7 general state aid per pupil such student's resident school district would
8 otherwise be entitled to receive if such student were enrolled in the
9 resident school district pursuant to K.S.A. 72-6405 et seq., and
10 amendments thereto, to the authorizer of the public charter school where
11 such student is enrolled. The authorizer shall pay to each public charter
12 school under its oversight an amount equal to the distribution received by
13 such authorizer from the state board based on the enrollment of such
14 public charter school.

15 (2) For purposes of this subsection and for calculating enrollment
16 pursuant to K.S.A. 72-6405 et seq., and amendments thereto, a resident
17 school district shall not count any student attending a public charter school
18 as a pupil of such resident school district.

19 (3) For purposes of this subsection, "resident school district" means
20 the school district in which the student resides and would otherwise be
21 enrolled if the student were not enrolled in a public charter school.

22 (d) Distributions made by the state board pursuant to subsection (c)
23 shall be made at the same time as general state aid distributions and shall
24 be made in accordance with the provisions of K.S.A. 72-6417, and
25 amendments thereto.

26 (e) Except as otherwise provided in subsection (f), payments by
27 authorizers required by this section shall be made in 12 substantially equal
28 payments on the first day of each month. If any authorizer fails to make a
29 payment required by this section, the state board shall deduct the amount
30 of such underpayment from the amount to be distributed to the authorizer
31 and shall pay such amount directly to the public charter school that is
32 entitled to receive such funds.

33 (f) Amounts payable to a public charter school during its first year of
34 operations shall be based on first year enrollment projections as
35 established in the charter contract. Such projections shall be reconciled
36 with the actual enrollment of the public charter school and any necessary
37 adjustments shall be made to the payments made to the public charter
38 school during the remainder of the first year of operation. At least 90 days
39 prior to the first day of instruction, a public charter school shall receive an
40 amount equal to $\frac{1}{3}$ of the aggregate amount of funds such public charter
41 school is entitled to receive under this section based on first year
42 enrollment projections. The remaining $\frac{2}{3}$ of the aggregate amount of such
43 funds shall be paid in 12 substantially equal payments on the first day of