

SENATE BILL No. 300

By Committee on Ways and Means

4-2

Ballroom Amendments for SB No. 300
Senate Committee on Ways and Means #1
Prepared by Jason Long
Office of Revisor of Statutes
May 6, 2015

1 AN ACT concerning education; relating to the financing and instruction
2 thereof; amending K.S.A. 2014 Supp. 72-1046b, as amended by section
3 29 of 2015 House Substitute for Senate Bill No. 7, 72-3715, as
4 amended by section 36 of 2015 House Substitute for Senate Bill No. 7,
5 72-6434, as amended by section 38 of 2015 House Substitute for
6 Senate Bill No. 7, 72-8814, as amended by section 63 of 2015 House
7 Substitute for Senate Bill No. 7 ~~and~~ 75-2319, as amended by section 72
8 of 2015 House Substitute for Senate Bill No. 7 ~~and~~ repealing the
9 existing sections; also repealing K.S.A. 2014 Supp. 72-6434, as
10 amended by section 3 of this act, and 72-8814, as amended by section 4
11 of this act.

making and concerning appropriations for the fiscal years ending
June 30, 2016, and June 30, 2017, for the department of education;

and Sections 5 and 6 of 2015 House Substitute for Senate Bill No. 7

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

13 Section 1. From and after July 1, 2015, K.S.A. 2014 Supp. 72-1046b,
14 as amended by section 29 of 2015 House Substitute for Senate Bill No. 7,
15 is hereby amended to read as follows: 72-1046b. (a) As used in this
16 section:
17

See insert: Pages 1-9

And by renumbering sections accordingly

18 (1) "School district" means a school district organized and operating
19 under the laws of this state and no part of which is located in Johnson
20 county, Sedgwick county, Shawnee county or Wyandotte county.

21 (2) "Non-resident pupil" or "pupil" means a pupil who is enrolled and
22 in attendance at a school located in a district in which such pupil is not a
23 resident and who: (A) Lives 2 1/2 or more miles from the attendance center
24 the pupil would attend in the district in which the pupil resides and is not a
25 resident of Johnson county, Sedgwick county, Shawnee county or
26 Wyandotte county; or (B) is a member of the family of a pupil meeting the
27 condition prescribed in subpart (A).

28 (3) "Member of the family" means a brother or sister of the whole or
29 half blood or by adoption, a stepbrother or stepsister, and a foster brother
30 or foster sister.

31 (b) The board of education of any school district may allow any pupil
32 who is not a resident of the district to enroll in and attend school in such
33 district. The board of education of such district may furnish or provide
34 transportation to any non-resident pupil who is enrolled in and attending
35 school in the district pursuant to this section. If the district agrees to
36 furnish or provide transportation to a non-resident pupil, such

1 transportation shall be furnished or provided until the end of the school
2 year. Prior to providing or furnishing transportation to a non-resident
3 pupil, the district shall notify the board of education of the district in
4 which the pupil resides that transportation will be furnished or provided.

5 (c) Pupils attending school in a school district in which the pupil does
6 not reside pursuant to this section shall be counted as regularly enrolled in
7 and attending school in the district where the pupil is enrolled for the
8 purpose of computations under the classroom learning assuring student
9 success act, section 4 of 2015 House Substitute for Senate Bill No. 7 et
10 seq., and amendments thereto, and for the purposes of the statutory
11 provisions contained in article 83 of chapter 72 of the Kansas Statutes
12 Annotated, and amendments thereto. Such non-resident pupil shall not be
13 charged for the costs of attendance at school.

14 (d) *Any pupil who was not a resident of the district in school year*
15 *2014-2015, but was allowed to enroll in and attend school in such district*
16 *in school year 2014-2015 by the board of education of such district, shall*
17 *be allowed to enroll in and attend school in such district in school years*
18 *2015-2016 and 2016-2017 regardless of whether such pupil is a resident*
19 *of the district in either school year. If transportation was furnished or*
20 *provided to such pupil in school year 2014-2015 by the district, then*
21 *transportation shall be furnished or provided by the district to such pupil*
22 *in school years 2015-2016 and 2016-2017.*

23 Sec. 2. From and after July 1, 2015, K.S.A. 2014 Supp. 72-3715, as
24 amended by section 36 of 2015 House Substitute for Senate Bill No. 7, is
25 hereby amended to read as follows: 72-3715. (a) In order to be included in
26 the full-time equivalent enrollment of a virtual school, a pupil shall be in
27 attendance at the virtual school on: (1) A single school day on or before
28 September 19 of each school year; and (2) on a single school day on or
29 after September 20, but before October 4 of each school year.

30 (b) A school district which offers a virtual school shall determine the
31 full-time equivalent enrollment of each pupil enrolled in the virtual school
32 on September 20 of each school year as follows:

33 (1) Determine the number of hours the pupil was in attendance on a
34 single school day on or before September 19 of each school year;

35 (2) determine the number of hours the pupil was in attendance on a
36 single school day on or after September 20, but before October 4 of each
37 school year;

38 (3) add the numbers obtained under paragraphs (1) and (2);

39 (4) divide the sum obtained under paragraph (3) by 12. The quotient
40 is the full-time equivalent enrollment of the pupil.

41 (c) The school days on which a district determines the full-time
42 equivalent enrollment of a pupil under subsections (b)(1) and (2) shall be
43 the school days on which the pupil has the highest number of hours of

1 repealed.

2 Sec. 7. From and after July 1, 2015, K.S.A. 2014 Supp. 72-1046b, as
3 amended by section 29 of 2015 House Substitute for Senate Bill No. 7, 72-
4 3715, as amended by section 36 of 2015 House Substitute for Senate Bill
5 No. 7, 72-6434, as amended by section 3 of this act, 72-8814, as amended
6 section 4 of this act, ~~and~~ 75-2319, as amended by section 72 of 2015
7 House Substitute for Senate Bill No. 7, ~~are hereby repealed.~~

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and Sections 5 and 6 of 2015 House Substitute for Senate Bill No. 7

8 Sec. 8. This act shall take effect and be in force from and after its
9 publication in the Kansas register.

Section. 1.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Block grants to USDs.....\$3,000,000

Sec. 2.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Block grants to USDs.....\$3,000,000

Sec. 3. Section 5 of 2015 House Substitute for Senate Bill No. 7 is hereby amended to read as follows: Sec. 5. (a) As used in sections 4 through 22, and amendments thereto:

(1) (A) "At-risk pupils" means pupils who are eligible for free meals under the national school lunch act and who are enrolled in a district which maintains an approved at-risk pupil assistance plan.

(B) The term "at-risk pupils" shall not include any pupil: (i) Enrolled in any of the grades one through 12 who is in attendance less than full time; or (ii) who is over 19 years of age. The provisions of this paragraph shall not apply to any pupil who has

an individualized education program.

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

(3) "Current school year" means the school year during which general state aid is determined by the state board under section 6, and amendments thereto.

(4) "Enrollment" means: (A) (i) Subject to the provisions of subsection (a)(4)(A)(ii), for school districts scheduling the school days or school hours of the school term on a trimestral or quarterly basis, the number of pupils regularly enrolled in the district on September 20 plus the number of pupils regularly enrolled in the school district on February 20 less the number of pupils regularly enrolled on February 20 who were counted in the enrollment of the school district on September 20;

(ii) for school districts not described in subsection (a)(4)(A)(i), the number of pupils regularly enrolled in the school district on September 20; and

(iii) a pupil who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the school district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the school district for at least one semester or two quarters or the equivalent thereof;

(B) if enrollment in a school district in any school year has decreased from enrollment in the preceding school year, enrollment of the school district in the current school year means whichever is the greater of:

(i) Enrollment in the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any

such pupils were enrolled, plus enrollment in the current school year of preschool-aged at-risk pupils, if any such pupils are enrolled;

or

(ii) the sum of enrollment in the current school year of preschool-aged at-risk pupils, if any such pupils are enrolled and the average of the sum of:

(a) Enrollment of the school district in the current school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils are enrolled;

(b) enrollment in the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled; and

(c) enrollment in the school year next preceding the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled.

(5) "February 20" has its usual meaning, except that in any year in which February 20 is not a day on which school is maintained, it shall mean the first day after February 20 on which school is maintained.

(6) "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor. excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid defined herein as an amount equal to the federally qualified percentage of the amount of moneys.

provided for the district under title 1 of public law 874 shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

~~(6)~~ (7) "Preceding school year" means the school year immediately before the current school year.

~~(7)~~ (8) "Preschool-aged at-risk pupil" means an at-risk pupil who has attained the age of four years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines consonant with guidelines governing the selection of pupils for participation in head start programs.

~~(8)~~ (9) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten.

~~(9)~~ (10) "Pupil" means any person who is regularly enrolled in a district and attending kindergarten or any of the grades one through 12 maintained by the district, or who is regularly enrolled in a district and attending kindergarten or any of the grades one through 12 in another district in accordance with an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto, or who is regularly enrolled in a district and attending special education services provided for preschool-aged exceptional children by the district.

~~(10)~~ (11) "School district" means a unified school district organized and operated under the laws of this state.

~~(11)~~ (12) "School year" means the 12-month period ending June 30.

~~(12)~~ (13) "September 20" has its usual meaning, except that in any year in which September 20 is not a day on which school

is maintained, it shall mean the first day after September 20 on which school is maintained.

~~(+3)~~ (14) "State board" means the state board of education.

(b) The provisions of this section shall be effective from and after July 1, 2015, through June 30, 2017.

Sec. 4. Section 6 of 2015 House Substitute for Senate Bill No. 7 is hereby amended to read as follows: Sec. 6. (a) For school year 2015-2016 and school year 2016-2017, the state board shall disburse general state aid to each school district in an amount equal to:

(1) Subject to the provisions of subsections (b) through (e) (f), the amount of general state aid such school district received for school year 2014-2015, if any, pursuant to K.S.A. 72-6416, prior to its repeal, as prorated in accordance with K.S.A. 72-6410, prior to its repeal, less:

(A) The amount directly attributable to the ancillary school facilities weighting as determined for school year 2014-2015 under K.S.A. 72-6443, prior to its repeal;

(B) the amount directly attributable to the cost of living weighting as determined for school year 2014-2015 under K.S.A. 2014 Supp. 72-6450, prior to its repeal;

(C) the amount directly attributable to declining enrollment state aid as determined for school year 2014-2015 under K.S.A. 2014 Supp. 72-6452, prior to its repeal; and

(D) the amount directly attributable to virtual school state aid as determined for school year 2014-2015 under K.S.A. 2014

Supp. 72-3715, and amendments thereto, plus;

(2) the amount of supplemental general state aid such school district received for school year 2014-2015, if any, pursuant to K.S.A. 72-6434, prior to its repeal, as prorated in accordance with K.S.A. 72-6434, prior to its repeal, plus;

(3) the amount of capital outlay state aid such school district received for school year 2014-2015, if any, pursuant to K.S.A. 2014 Supp. 72-8814, prior to its repeal, plus;

(4) (A) an amount that is directly attributable to the proceeds of the tax levied by the school district pursuant to section 14, and amendments thereto, provided, the school district has levied such tax;

(B) an amount that is directly attributable to the proceeds of the tax levied by the school district pursuant to section 15, and amendments thereto, provided, the school district has levied such tax;

(C) an amount that is directly attributable to the proceeds of the tax levied by the school district pursuant to section 16, and amendments thereto, provided, the school district has levied such tax, plus;

(5) the amount of virtual school state aid such school district is to receive under K.S.A. 2014 Supp. 72-3715, and amendments thereto, plus;

(6) an amount certified by the board of trustees of the Kansas public employees retirement system which is equal to the participating employer's obligation of such school district to the system, less;

(7) an amount equal to 0.4% of the amount determined under subsection (a)(1).

(b) For any school district whose school financing sources exceeded its state financial aid for school year 2014-2015 as calculated under the school district finance and quality performance act, prior to its repeal, the amount such school district is entitled to receive under subsection (a)(1) shall be the proceeds of the tax levied by the school district pursuant to section 11, and amendments thereto, less the difference between such school district's school financing sources and its state financial aid for school year 2014-2015 as calculated under the school district finance and quality performance act, prior to its repeal.

(c) For any school district formed by consolidation in accordance with article 87 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, prior to the effective date of this act, and whose state financial aid for school year 2014-2015 was determined under K.S.A. 72-6445a, prior to its repeal, the amount of general state aid for such school district determined under subsection (a)(1) shall be determined as if such school district was not subject to K.S.A. 72-6445a, prior to its repeal, for school year 2014-2015.

(d) For any school district that consolidated in accordance with article 87 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, and such consolidation becomes effective on or after July 1, 2015, the amount of general state aid for such school district determined under subsection (a)(1) shall be the sum of the general state aid each of the former school districts would have received under subsection (a)(1).

(e) (1) For any school district that was entitled to receive school facilities weighting for school year 2014-2015 under K.S.A. 72-6415b, prior to its repeal, and which would not have been eligible to receive such weighting for school year 2015-2016 under

K.S.A. 72-6415b, prior to its repeal, an amount directly attributable to the school facilities weighting as determined for school year 2014-2015 under K.S.A. 72-6415, prior to its repeal, for such school district shall be subtracted from the amount of general state aid for such school district determined under subsection (a)(1).

(2) For any school district which would have been eligible to receive school facilities weighting for school year 2015-2016 under K.S.A. 72-6415b, prior to its repeal, but which did not receive such weighting for school year 2014-2015, an amount directly attributable to the school facilities weighting as would have been determined under K.S.A. 72-6415, prior to its repeal, for school year 2015-2016 shall be added to the amount of general state aid for such school district determined under subsection (a)(1).

(3) For any school district which would have been eligible to receive school facilities weighting for school year 2016-2017 under K.S.A. 72-6415b, prior to its repeal, but which did not receive such weighting for school year 2014-2015, and which would not have been eligible to receive such weighting for school year 2015-2016 under K.S.A. 72-6415b, prior to its repeal, an amount directly attributable to the school facilities weighting as would have been determined under K.S.A. 72-6415, prior to its repeal, for school year 2016-2017 shall be added to the amount of general state aid for such school district determined under subsection (a)(1).

(f) (1) For any school district that received federal impact aid for school year 2014-2015, if such school district receives federal impact aid in school year 2015-2016 in an amount that is less than the amount such school district received in school year 2014-2015, then an amount equal to the difference between the amount of federal impact aid received by such school district in such school years shall be added to the amount of general state aid for such school district for school year 2015-2016 as determined under

subsection (a)(1).

(2) For any school district that received federal impact aid for school year 2014-2015, if such school district receives federal impact aid in school year 2016-2017 in an amount that is less than the amount such school district received in school year 2014-2015, then an amount equal to the difference between the amount of federal impact aid received by such school district in such school years shall be added to the amount of general state aid for such school district for school year 2016-2017 as determined under subsection (a)(1).

~~(4)~~ (g) The general state aid for each school district shall be disbursed in accordance with appropriation acts. In the event the appropriation for general state aid exceeds the amount determined under subsection (a) for any school year, then the state board shall disburse such excess amount to each school district in proportion to such school district's enrollment.

~~(5)~~ (h) The provisions of this section shall be effective from and after July 1, 2015, through June 30, 2017.