

{As Further Amended by House Committee of the Whole}

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As Amended by House Committee

Session of 2018

**HOUSE BILL No. 2445**

By Representative Rooker

1-5

1 AN ACT concerning education; relating to the financing thereof; relating  
2 to the Kansas school equity and enhancement act; **making and**  
3 **concerning appropriations for the fiscal year ending June 30, 2019,**  
4 **for the department of education;** amending K.S.A. 2017 Supp. 72-  
5 5132, 72-5133, 72-5143, 72-5145, 72-5148, 72-5149, 72-5150, 72-  
6 5151, 72-5155, **72-5170, 72-5171, 72-5173,** 72-53,113 ~~and,~~ 72-53,116  
7 **and 72-5461** and repealing the existing sections; also repealing K.S.A.  
8 2017 Supp. 72-1171, 72-6463, 72-6464, 72-6465, 72-6466, 72-6467,  
9 72-6468, 72-6469, 72-6470, 72-6471, 72-6472, 72-6473, 72-6474, 72-  
10 6475, 72-6477, 72-6478, 72-6479, 72-6480 and 72-6481.

11

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

13 **Section 1.**

14

**DEPARTMENT OF EDUCATION**

15

(a) There is appropriated for the above agency from the state  
16 general fund for the fiscal year ending June 30, 2019, the following:

17

**Operating expenditures**

18

**(including official hospitality) (652-00-1000-0053).....\$15,000**

19

**Provided, That during the fiscal year ending June 30, 2019, in addition**  
20 **to the other purposes for which expenditures may be made by the**  
21 **above agency from moneys appropriated for the operating**  
22 **expenditures (including official hospitality) account for fiscal year**  
23 **2019 by chapter 95 or 104 of the 2017 Session Laws of Kansas, this or**  
24 **any other appropriation act of the 2018 regular session of the**  
25 **legislature, expenditures shall be made by the above agency to**  
26 **implement the jobs for America's graduates - Kansas pilot program:**  
27 **Provided further, That such program shall select a total of 75 students**  
28 **for participation in the program with 25 students selected from the**  
29 **Wichita school district (U.S.D. no. 259), 25 students selected from the**  
30 **Topeka school district (U.S.D. no. 501) and 25 students selected from**  
31 **the Kansas City school district (U.S.D. no. 500): *And provided further,***  
32 **That students shall be selected for participation in the program on or**

1 before September 20, 2018: *And provided further*, That the selected  
2 students shall enroll in and attend classes at schools operated by such  
3 student's resident school district for ½ of such student's total school  
4 attendance, and shall enroll in classes provided by a virtual school  
5 operated by the southeast Kansas education service center -  
6 Greenbush for the remaining ½ of such student's total school  
7 attendance: *And provided further*, That expenditures shall be made in  
8 an amount not to exceed \$15,000 to acquire laptop computer devices  
9 for use by students participating in such pilot program.

10 State foundation aid (652-00-1000-0820).....\$29,324,200  
11 Special education services aid

12 (652-00-1000-0700).....\$44,400,363{\$32,400,363}

13 Supplemental state aid (652-00-1000-0840).....\$5,994,000

14 Community mental health center pilot program.....\$7,500,000

15 ~~Provided, That during the fiscal year ending June 30, 2019, in addition~~  
16 ~~to the other purposes for which expenditures may be made by the~~  
17 ~~above agency from moneys appropriated for the community mental~~  
18 ~~health center pilot program account for fiscal year 2019 by chapter 95~~  
19 ~~of the 2017 Session Laws of Kansas, this or any other appropriation~~  
20 ~~act of the 2018 regular session of the legislature, expenditures shall be~~  
21 ~~made by the above agency to improve social-emotional wellness and~~  
22 ~~outcomes for students by increasing schools' access to counselors,~~  
23 ~~social workers and psychologists statewide, which includes~~  
24 ~~establishing collaborative relationships with community mental health~~  
25 ~~centers, including a pilot program for school districts and their~~  
26 ~~respective community mental health centers for fiscal year 2019.~~

27 CMHC pilot program—online database.....\$2,500,000

28 {Mental health intervention team pilot program.....\$4,190,776

29 Provided, That expenditures shall be made by the above agency to  
30 implement the mental health intervention team pilot program so as to  
31 improve social-emotional wellness and outcomes for students by  
32 increasing schools' access to counselors, social workers and  
33 psychologists statewide: Provided, That school districts participating  
34 in such program shall enter into the necessary memorandums of  
35 understanding and other necessary agreements with participating  
36 community mental health centers and the appropriate state agencies  
37 to implement the pilot program: Provided further, That mental health  
38 intervention teams shall consist of school liaisons employed by the  
39 participating school district, and clinical therapists and case managers  
40 employed by the participating community mental health center: And  
41 provided further, That the following shall participate in the pilot  
42 program for fiscal year 2019: (1) 23 schools in the Wichita school  
43 district (U.S.D. no. 259); (2) 28 schools in the Topeka school district

1 (U.S.D. no. 501); (3) 10 schools in the Kansas City school district  
2 (U.S.D. no. 500); (4) 5 schools in the Parsons school district (U.S.D. no.  
3 503); (5) 4 schools in the Garden City school district (U.S.D. no. 457);  
4 and (6) 9 schools served by the central Kansas cooperative in  
5 education: And provided further, That on or before June 30, 2019, the  
6 director of the division of health care finance of the department of  
7 health and environment shall certify to the director of the budget and  
8 the director of the legislative research department the aggregate  
9 amount of expenditures for fiscal year 2019 for treatment and services  
10 for students provided under the mental health intervention team pilot  
11 program, or provided based on a referral from such program.

12 MHIT pilot program – online database.....\$2,500,000  
13 MHIT school liaisons.....\$3,263,110

14 Provided, That expenditures shall be made by the above agency for  
15 mental health intervention team school liaisons employed by those  
16 school districts and education cooperatives participating in the mental  
17 health intervention team pilot program.

18 (b) During fiscal year 2019, upon certification by the  
19 commissioner of education that the necessary memorandums of  
20 understanding have been executed between the participating school  
21 districts and community mental health centers to implement the  
22 mental health intervention team pilot program, the director of  
23 accounts and reports shall transfer \$1,541,050 from the mental health  
24 intervention pilot program account in the state general fund of the  
25 department of education to the community mental health center  
26 improvement fund of the department for aging and disability services:  
27 Provided, That moneys transferred pursuant to this subsection shall  
28 be expended to provide treatment and services for students under the  
29 mental health intervention team pilot program who are uninsured or  
30 underinsured.}

31 ~~Section 1.~~ **Sec. 2.** On and after July 1, 2018, K.S.A. 2017 Supp. 72-  
32 5132 is hereby amended to read as follows: 72-5132. As used in the  
33 Kansas school equity and enhancement act, K.S.A. 2017 Supp. 72-5131 et  
34 seq., and amendments thereto:

35 (a) "Adjusted enrollment" means the enrollment of a school district  
36 adjusted by adding the following weightings, if any, to the enrollment of a  
37 school district: At-risk student weighting; bilingual weighting; career  
38 technical education weighting; ~~declining enrollment weighting~~; high-  
39 density at-risk student weighting; high enrollment weighting; low  
40 enrollment weighting; school facilities weighting; ancillary school  
41 facilities weighting; cost-of-living weighting; special education and related  
42 services weighting; and transportation weighting.

43 (b) "Ancillary school facilities weighting" means an addend

1 component assigned to the enrollment of school districts pursuant to  
2 K.S.A. 2017 Supp. 72-5158, and amendments thereto, on the basis of costs  
3 attributable to commencing operation of one or more new school facilities  
4 by such school districts.

5 (c) (1) "At-risk student" means a student who is eligible for free  
6 meals under the national school lunch act, and who is enrolled in a school  
7 district that maintains an approved at-risk student assistance program.

8 (2) The term "at-risk student" shall not include any student enrolled  
9 in any of the grades one through 12 who is in attendance less than full  
10 time, or any student who is over 19 years of age. The provisions of this  
11 paragraph shall not apply to any student who has an individualized  
12 education program.

13 (d) "At-risk student weighting" means an addend component assigned  
14 to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-  
15 5151(a), and amendments thereto, on the basis of costs attributable to the  
16 maintenance of at-risk educational programs by such school districts.

17 (e) "Base aid for student excellence" or "BASE aid" means an amount  
18 appropriated by the legislature in a fiscal year for the designated year. The  
19 amount of BASE aid shall be as follows:

20 (1) For school year ~~2017-2018~~, \$4,006 **2018-2019, \$4,170;**

21 (2) for school year ~~2018-2019~~, \$4,128 **2019-2020, \$4,307;**

22 **(3) for school year 2020-2021, \$4,444;**

23 **(4) for school year 2021-2022, \$4,581;**

24 **(5) for school year 2022-2023, \$4,718; and**

25 ~~(3)(6)~~ for school year ~~2019-2020~~ **2023-2024**, and each school year  
26 thereafter, the BASE aid shall be the BASE aid amount for the  
27 immediately preceding school year plus an amount equal to the average  
28 percentage increase in the consumer price index for all urban consumers in  
29 the midwest region as published by the bureau of labor statistics of the  
30 United States department of labor during the three immediately preceding  
31 school years.

32 (f) "Bilingual weighting" means an addend component assigned to  
33 the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-5150,  
34 and amendments thereto, on the basis of costs attributable to the  
35 maintenance of bilingual educational programs by such school districts.

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

37 (h) "Budget per student" means the general fund budget of a school  
38 district divided by the enrollment of the school district.

39 (i) "Categorical fund" means and includes the following funds of a  
40 school district: Adult education fund; adult supplementary education fund;  
41 at-risk education fund; bilingual education fund; career and postsecondary  
42 education fund; driver training fund; educational excellence grant program  
43 fund; extraordinary school program fund; food service fund; parent

1 education program fund; preschool-aged at-risk education fund;  
2 professional development fund; special education fund; and summer  
3 program fund.

4 (j) "Cost-of-living weighting" means an addend component assigned  
5 to the enrollment of school districts pursuant to K.S.A. 2017 Supp. 72-  
6 5159, and amendments thereto, on the basis of costs attributable to the cost  
7 of living in such school districts.

8 (k) "Current school year" means the school year during which state  
9 foundation aid is determined by the state board under K.S.A. 2017 Supp.  
10 72-5134, and amendments thereto.

11 ~~(l) "Declining enrollment weighting" means an addend component~~  
12 ~~assigned to the enrollment of school districts pursuant to K.S.A. 2017-~~  
13 ~~Supp. 72-5160, and amendments thereto, on the basis of costs attributable~~  
14 ~~to the declining enrollment of such school districts.~~

15 ~~(m)~~ (l) "Enrollment" means:

16 (1) The number of students regularly enrolled in kindergarten and  
17 grades one through 12 in the school district on September 20 of the  
18 preceding school year plus the number of preschool-aged at-risk students  
19 regularly enrolled in the school district on September 20 of the current  
20 school year, except a student who is a foreign exchange student shall not  
21 be counted unless such student is regularly enrolled in the school district  
22 on September 20 and attending kindergarten or any of the grades one  
23 through 12 maintained by the school district for at least one semester or  
24 two quarters, or the equivalent thereof.

25 (2) If the enrollment in a school district in the preceding school year  
26 has decreased from enrollment in the second preceding school year, the  
27 enrollment of the school district in the current school year means the sum  
28 of:

29 (A) The enrollment in the second preceding school year, excluding  
30 students under paragraph (2)(B), minus enrollment in the preceding school  
31 year of preschool-aged at-risk students, if any, plus enrollment in the  
32 current school year of preschool-aged at-risk students, if any; and

33 (B) the adjusted enrollment in the second preceding school year of  
34 any students participating in the tax credit for low income students  
35 scholarship program pursuant to K.S.A. 2017 Supp. 72-4351 et seq., and  
36 amendments thereto, in the preceding school year, if any, plus the adjusted  
37 enrollment in the preceding school year of preschool-aged at-risk students  
38 who are participating in the tax credit for low income students scholarship  
39 program pursuant to K.S.A. 2017 Supp. 72-4351 et seq., and amendments  
40 thereto, in the current school year, if any.

41 (3) For any school district that has a military student, as that term is  
42 defined in K.S.A. 2017 Supp. 72-5139, and amendments thereto, enrolled  
43 in such district, and that received federal impact aid for the preceding

1 school year, if the enrollment in such school district in the preceding  
2 school year has decreased from enrollment in the second preceding school  
3 year, the enrollment of the school district in the current school year means  
4 whichever is the greater of:

5 (A) The enrollment determined under subsection (m)(2); or

6 (B) the sum of the enrollment in the preceding school year of  
7 preschool-aged at-risk students, if any, and the arithmetic mean of the sum  
8 of:

9 (i) The enrollment of the school district in the preceding school year  
10 minus the enrollment in such school year of preschool-aged at-risk  
11 students, if any;

12 (ii) the enrollment in the second preceding school year minus the  
13 enrollment in such school year of preschool-aged at-risk students, if any;  
14 and

15 (iii) the enrollment in the third preceding school year minus the  
16 enrollment in such school year of preschool-aged at-risk students, if any.

17 ~~(4) (A) For school year 2017-2018, the enrollment determined under~~  
18 ~~paragraph (1), (2) or (3), except if the school district offers kindergarten on~~  
19 ~~a full-time basis in such school year, students regularly enrolled in~~  
20 ~~kindergarten in the school district in the preceding school year shall be~~  
21 ~~counted as one student regardless of actual attendance during such~~  
22 ~~preceding school year.~~

23 ~~(B) For school year 2018-2019 and each school year thereafter, The~~  
24 ~~enrollment determined under paragraph (1), (2) or (3), except if the school~~  
25 ~~district begins to offer kindergarten on a full-time basis in such school~~  
26 ~~year, students regularly enrolled in kindergarten in the school district in the~~  
27 ~~preceding school year shall be counted as one student regardless of actual~~  
28 ~~attendance during such preceding school year.~~

29 ~~(m)~~ (m) "February 20" has its usual meaning, except that in any year  
30 in which February 20 is not a day on which school is maintained, it means  
31 the first day after February 20 on which school is maintained.

32 ~~(n)~~ (n) "Federal impact aid" means an amount equal to the federally  
33 qualified percentage of the amount of moneys a school district receives in  
34 the current school year under the provisions of title I of public law 874 and  
35 congressional appropriations therefor, excluding amounts received for  
36 assistance in cases of major disaster and amounts received under the low-  
37 rent housing program. The amount of federal impact aid shall be  
38 determined by the state board in accordance with terms and conditions  
39 imposed under the provisions of the public law and rules and regulations  
40 thereunder.

41 ~~(o)~~ (o) "General fund" means the fund of a school district from which  
42 operating expenses are paid and in which is deposited all amounts of state  
43 foundation aid provided under this act, payments under K.S.A. 2017 Supp.

1 72-528, and amendments thereto, payments of federal funds made  
2 available under the provisions of title I of public law 874, except amounts  
3 received for assistance in cases of major disaster and amounts received  
4 under the low-rent housing program and such other moneys as are  
5 provided by law.

6 (¶) (p) "General fund budget" means the amount budgeted for  
7 operating expenses in the general fund of a school district.

8 (¶) (q) "High-density at-risk student weighting" means an addend  
9 component assigned to the enrollment of school districts pursuant to  
10 K.S.A. 2017 Supp. 72-5151(b), and amendments thereto, on the basis of  
11 costs attributable to the maintenance of at-risk educational programs by  
12 such school districts.

13 (¶) (r) "High enrollment weighting" means an addend component  
14 assigned to the enrollment of school districts pursuant to K.S.A. 2017  
15 Supp. 72-5149(b), and amendments thereto, on the basis of costs  
16 attributable to maintenance of educational programs by such school  
17 districts.

18 (¶) (s) "Juvenile detention facility" means the same as such term is  
19 defined in K.S.A. 2017 Supp. 72-1173, and amendments thereto.

20 (¶) (t) "Local foundation aid" means the sum of the following  
21 amounts:

22 (1) An amount equal to any unexpended and unencumbered balance  
23 remaining in the general fund of the school district, except moneys  
24 received by the school district and authorized to be expended for the  
25 purposes specified in K.S.A. 2017 Supp. 72-5168, and amendments  
26 thereto;

27 (2) an amount equal to any remaining proceeds from taxes levied  
28 under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto,  
29 prior to their repeal;

30 (3) an amount equal to the amount deposited in the general fund in  
31 the current school year from moneys received in such school year by the  
32 school district under the provisions of K.S.A. 2017 Supp. 72-3123(a), and  
33 amendments thereto;

34 (4) an amount equal to the amount deposited in the general fund in  
35 the current school year from moneys received in such school year by the  
36 school district pursuant to contracts made and entered into under authority  
37 of K.S.A. 2017 Supp. 72-3125, and amendments thereto;

38 (5) an amount equal to the amount credited to the general fund in the  
39 current school year from moneys distributed in such school year to the  
40 school district under the provisions of articles 17 and 34 of chapter 12 of  
41 the Kansas Statutes Annotated, and amendments thereto, and under the  
42 provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes  
43 Annotated, and amendments thereto;

1 (6) an amount equal to the amount of payments received by the  
2 school district under the provisions of K.S.A. 2017 Supp. 72-3423, and  
3 amendments thereto;

4 (7) an amount equal to the amount of any grant received by the  
5 school district under the provisions of K.S.A. 2017 Supp. 72-3425, and  
6 amendments thereto; and

7 (8) an amount equal to 70% of the federal impact aid of the school  
8 district.

9 ~~(v)~~ (u) "Low enrollment weighting" means an addend component  
10 assigned to the enrollment of school districts pursuant to K.S.A. 2017  
11 Supp. 72-5149(a), and amendments thereto, on the basis of costs  
12 attributable to maintenance of educational programs by such school  
13 districts.

14 ~~(w)~~ (v) "Operating expenses" means the total expenditures and lawful  
15 transfers from the general fund of a school district during a school year for  
16 all purposes, except expenditures for the purposes specified in K.S.A.  
17 2017 Supp. 72-5168, and amendments thereto.

18 ~~(x)~~ (w) "Preceding school year" means the school year immediately  
19 before the current school year.

20 ~~(y)~~ (x) "Preschool-aged at-risk student" means an at-risk student who  
21 has attained the age of ~~four~~ **three** years, is under the age of eligibility for  
22 attendance at kindergarten, and has been selected by the state board in  
23 accordance with guidelines governing the selection of students for  
24 participation in head start programs.

25 ~~(z)~~ (y) "Preschool-aged exceptional children" means exceptional  
26 children, except gifted children, who have attained the age of three years  
27 but are under the age of eligibility for attendance at kindergarten. The  
28 terms "exceptional children" and "gifted children" have the same meaning  
29 as those terms are defined in K.S.A. 2017 Supp. 72-3404, and amendments  
30 thereto.

31 ~~(aa)~~ (z) "Psychiatric residential treatment facility" means the same as  
32 such term is defined in K.S.A. 2017 Supp. 72-1173, and amendments  
33 thereto.

34 ~~(bb)~~ (aa) "School district" means a school district organized under the  
35 laws of this state that is maintaining public school for a school term in  
36 accordance with the provisions of K.S.A. 2017 Supp. 72-3115, and  
37 amendments thereto.

38 ~~(cc)~~ (bb) "School facilities weighting" means an added component  
39 assigned to the enrollment of school districts pursuant to K.S.A. 2017  
40 Supp. 72-5156, and amendments thereto, on the basis of costs attributable  
41 to commencing operation of one or more new school facilities by such  
42 school districts.

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



1       ~~(ee)~~ *(dd)* "September 20" has its usual meaning, except that in any  
2 year in which September 20 is not a day on which school is maintained, it  
3 means the first day after September 20 on which school is maintained.

4       ~~(ff)~~ *(ee)* "Special education and related services weighting" means an  
5 addend component assigned to the enrollment of school districts pursuant  
6 to K.S.A. 2017 Supp. 72-5157, and amendments thereto, on the basis of  
7 costs attributable to the maintenance of special education and related  
8 services by such school districts.

9       ~~(gg)~~ *(ff)* "State board" means the state board of education.

10       ~~(hh)~~ *(gg)* "State foundation aid" means the amount of aid distributed  
11 to a school district as determined by the state board pursuant to K.S.A.  
12 2017 Supp. 72-5134, and amendments thereto.

13       ~~(ii)~~ *(hh)* (1) "Student" means any person who is regularly enrolled in  
14 a school district and attending kindergarten or any of the grades one  
15 through 12 maintained by the school district or who is regularly enrolled in  
16 a school district and attending kindergarten or any of the grades one  
17 through 12 in another school district in accordance with an agreement  
18 entered into under authority of K.S.A. 2017 Supp. 72-13,101, and  
19 amendments thereto, or who is regularly enrolled in a school district and  
20 attending special education services provided for preschool-aged  
21 exceptional children by the school district.

22       (2) (A) Except as otherwise provided in this subsection, the following  
23 shall be counted as one student:

- 24       (i) A student in attendance full-time; and  
25       (ii) a student enrolled in a school district and attending special  
26 education and related services, provided for by the school district.

27       (B) The following shall be counted as  $\frac{1}{2}$  student:

- 28       (i) A student enrolled in a school district and attending special  
29 education and related services for preschool-aged exceptional children  
30 provided for by the school district; and

- 31       (ii) a preschool-aged at-risk student enrolled in a school district and  
32 receiving services under an approved at-risk student assistance plan  
33 maintained by the school district.

34       (C) A student in attendance part-time shall be counted as that  
35 proportion of one student (to the nearest  $\frac{1}{10}$ ) that the student's attendance  
36 bears to full-time attendance.

37       (D) A student enrolled in and attending an institution of  
38 postsecondary education that is authorized under the laws of this state to  
39 award academic degrees shall be counted as one student if the student's  
40 postsecondary education enrollment and attendance together with the  
41 student's attendance in either of the grades 11 or 12 is at least  $\frac{5}{6}$  time,  
42 otherwise the student shall be counted as that proportion of one student (to  
43 the nearest  $\frac{1}{10}$ ) that the total time of the student's postsecondary education

1 attendance and attendance in grades 11 or 12, as applicable, bears to full-  
2 time attendance.

3 (E) A student enrolled in and attending a technical college, a career  
4 technical education program of a community college or other approved  
5 career technical education program shall be counted as one student, if the  
6 student's career technical education attendance together with the student's  
7 attendance in any of grades nine through 12 is at least  $\frac{5}{6}$  time, otherwise  
8 the student shall be counted as that proportion of one student (to the  
9 nearest  $\frac{1}{10}$ ) that the total time of the student's career technical education  
10 attendance and attendance in any of grades nine through 12 bears to full-  
11 time attendance.

12 (F) A student enrolled in a school district and attending a non-virtual  
13 school and also attending a virtual school shall be counted as that  
14 proportion of one student (to the nearest  $\frac{1}{10}$ ) that the student's attendance  
15 at the non-virtual school bears to full-time attendance.

16 (G) A student enrolled in a school district and attending special  
17 education and related services provided for by the school district and also  
18 attending a virtual school shall be counted as that proportion of one  
19 student (to the nearest  $\frac{1}{10}$ ) that the student's attendance at the non-virtual  
20 school bears to full-time attendance.

21 (H) (i) Except as provided in clause (ii), a student enrolled in a school  
22 district who is not a resident of Kansas shall be counted as ~~follows:~~  
23 **{follows:}**

24 ~~(a) For school years 2017-2018 and 2018-2019,~~ **{(a) For school**  
25 **year 2018-2019,}** one student;

26 ~~(b) for school year 2019-2020 and 2020-2021,~~  $\frac{3}{4}$  of a student; and

27 ~~(c) for school year 2021-2022 and each school year thereafter,~~  $\frac{1}{2}$  of a  
28 student.

29 ~~(ii) This subparagraph (H) shall not apply to:~~

30 ~~(a) A student whose parent or legal guardian is an employee of the~~  
31 ~~school district where such student is enrolled; or~~

32 ~~(b) a student who attended public school in Kansas during school~~  
33 ~~year 2016-2017 and who attended public school in Kansas during the~~  
34 ~~immediately preceding school year~~ **A student shall not be counted if:**

35 ~~(a) The school such student attends is located more than eight~~  
36 ~~miles from the Kansas state line by the usually traveled road; or~~

37 ~~(b) the out-of-state school district in which the student resides is~~  
38 ~~adjacent to the Kansas school district in which the student is enrolled,~~  
39 ~~and the out-of-state school where the student would attend is located~~  
40 ~~not more than eight miles from the Kansas state line by the usually~~  
41 ~~traveled road ;~~

42 ~~(b) for school years 2019-2020 and 2020-2021,~~  $\frac{3}{4}$  of a student;  
43 and

1 (c) for school year 2021-2022 and each school year thereafter, 1/2  
2 of a student.

3 (ii) This subparagraph (H) shall not apply to:

4 (a) A student whose parent or legal guardian is an employee of  
5 the school district where such student is enrolled; or

6 (b) a student who attended public school in Kansas during school  
7 year 2016-2017 and who attended public school in Kansas during the  
8 immediately preceding school year}.

9 (3) The following shall not be counted as a student:

10 (A) An individual residing at the Flint Hills job corps center;

11 (B) except as provided in subsection (ii)(2), an individual confined in  
12 and receiving educational services provided for by a school district at a  
13 juvenile detention facility; and

14 (C) an individual enrolled in a school district but housed, maintained  
15 and receiving educational services at a state institution or a psychiatric  
16 residential treatment facility.

17 (4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et  
18 seq., and amendments thereto, shall be counted in accordance with the  
19 provisions of K.S.A. 2017 Supp. 72-3715, and amendments thereto.

20 ~~(jj)~~ (ii) "Total foundation aid" means an amount equal to the product  
21 obtained by multiplying the BASE aid by the adjusted enrollment of a  
22 school district.

23 ~~(kk)~~ (jj) "Transportation weighting" means an addend component  
24 assigned to the enrollment of school districts pursuant to K.S.A. 2017  
25 Supp. 72-5148, and amendments thereto, on the basis of costs attributable  
26 to the provision or furnishing of transportation.

27 ~~(H)~~ (kk) "Virtual school" means the same as such term is defined in  
28 K.S.A. 2017 Supp. 72-3712, and amendments thereto.

29 ~~Sec. 2.~~ **3. On and after July 1, 2018**, K.S.A. 2017 Supp. 72-5133 is  
30 hereby amended to read as follows: 72-5133. (a) The state school district  
31 finance fund, established by K.S.A. 1991 Supp. 72-7081, prior to its  
32 repeal, is hereby continued in existence and shall consist of: (1) All  
33 moneys credited to such fund under K.S.A. 2017 Supp. 72-6463 through  
34 72-6481, prior to their expiration ~~July 1, 2017~~; and (2) all amounts  
35 transferred to such fund under K.S.A. 2017 Supp. 72-5136, 72-5142, 72-  
36 5143, 72-5158, 72-5159 and 72-5160, and amendments thereto.

37 (b) The state school district finance fund shall be used for the purpose  
38 of school district finance and for no other governmental purpose. It is the  
39 intent of the legislature that the fund shall remain intact and inviolate for  
40 such purpose, and moneys in the fund shall not be subject to the provisions  
41 of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

42 (c) Amounts in the state school district finance fund shall be allocated  
43 and distributed to school districts as a portion of state foundation aid

1 provided for under this act.

2 Sec. ~~3~~ 4. **On and after July 1, 2018**, K.S.A. 2017 Supp. 72-5143 is  
3 hereby amended to read as follows: 72-5143. (a) In each school year, the  
4 board of education of a school district may adopt, by resolution, a local  
5 option budget that does not exceed the state prescribed percentage.

6 (b) Subject to the limitations of subsection (a), in each school year,  
7 the board of education of a school district may adopt, by resolution, a local  
8 option budget in an amount that does not exceed:

9 ~~(1) The amount that the board was authorized to adopt under any~~  
10 ~~resolution adopted pursuant to K.S.A. 2017 Supp. 72-6471, prior to its~~  
11 ~~expiration; or~~

12 ~~(2) the state-wide statewide average for the preceding school year as~~  
13 ~~determined by the state board pursuant to subsection (i) (j).~~ The adoption  
14 of a resolution pursuant to this section shall require a majority vote of the  
15 members of the board. Such resolution shall be effective upon adoption  
16 and shall require no other procedure, authorization or approval.

17 (c) If the board of a school district desires ~~to increase its~~ local option  
18 budget authority above the amount authorized under subsection (b), the  
19 board may adopt, by resolution, such budget in an amount not to exceed  
20 the state prescribed percentage. The adoption of a resolution pursuant to  
21 this subsection shall require a majority vote of the members of the board.  
22 The resolution shall be published at least once in a newspaper having  
23 general circulation in the school district. The resolution shall be published  
24 in substantial compliance with the following form:

25 Unified School District No. \_\_\_\_\_,  
26 \_\_\_\_\_ County, Kansas.

27 RESOLUTION

28 Be It Resolved that:

29 The board of education of the above-named school district shall be  
30 authorized to adopt a local option budget in each school year in an amount  
31 not to exceed \_\_\_\_% of the amount of total foundation aid. The local  
32 option budget authorized by this resolution may be adopted, unless a  
33 petition in opposition to the same, signed by not less than ~~5%~~ 10% of the  
34 qualified electors of the school district, is filed with the county election  
35 officer of the home county of the school district within ~~30~~ 40 days after  
36 publication of this resolution. If a petition is filed, the county election  
37 officer shall submit the question of whether adoption of the local option  
38 budget shall be authorized to the electors of the school district at an  
39 election called for the purpose or at the next general election, as is  
40 specified by the board of education of the school district.

41 CERTIFICATE

42 This is to certify that the above resolution was duly adopted by the  
43 board of education of unified school district No. \_\_\_\_\_, \_\_\_\_\_ County,

1 Kansas, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

2  
3

\_\_\_\_\_  
Clerk of the board of education.

4 All of the blanks in the resolution shall be filled appropriately. If a  
5 sufficient petition is not filed, the board may adopt a local option budget.  
6 If a sufficient petition is filed, the board may notify the county election  
7 officer of the date of an election to be held to submit the question of  
8 whether adoption of a local option budget shall be authorized. Any such  
9 election shall be noticed, called and held in the manner provided by K.S.A.  
10 10-120, and amendments thereto. If the board fails to notify the county  
11 election officer within 30 days after a sufficient petition is filed, the  
12 resolution shall be deemed abandoned and no like resolution shall be  
13 adopted by the board within the nine months following publication of the  
14 resolution.

15 (d) Unless specifically stated otherwise in the resolution, the authority  
16 to adopt a local option budget shall be continuous and permanent. The  
17 board of any school district that is authorized to adopt a local option  
18 budget may choose not to adopt such a budget or may adopt a budget in an  
19 amount less than the amount authorized. If the board of any school district  
20 whose authority to adopt a local option budget is not continuous and  
21 permanent refrains from adopting a local option budget, the authority of  
22 such school district to adopt a local option budget shall not be extended by  
23 such refrainment beyond the period specified in the resolution authorizing  
24 adoption of such budget.

25 (e) The board of any school district may initiate procedures to renew  
26 or increase the authority to adopt a local option budget at any time during  
27 a school year after the tax levied pursuant to K.S.A. 2017 Supp. 72-5147,  
28 and amendments thereto, is certified to the county clerk under any existing  
29 authorization.

30 (f) (1) *Except as provided in paragraph (2),* the board of any school  
31 district authorized to adopt a local option budget prior to July 1, 2017,  
32 under a resolution that authorized the adoption of such budget in  
33 accordance with the provisions of K.S.A. 2017 Supp. 72-6471, prior to ~~its~~  
34 ~~expiration~~ *July 1, 2017,* may continue to operate under such resolution for  
35 the period of time specified in the resolution or may abandon the  
36 resolution and operate under the provisions of this section. Any such  
37 school district shall operate under the provisions of this section after the  
38 period of time specified in any previously adopted resolution has expired.

39 (2) *Any resolution adopted prior to July 1, 2017, pursuant to K.S.A.*  
40 *72-6433(e)(2), prior to its repeal, that authorized the adoption of a local*  
41 *option budget and that was not subsequently submitted to and approved by*  
42 *a majority of the qualified electors of the school district voting at an*  
43 *election called and held thereon shall expire on June 30, 2018, and shall*

1 *have no force and effect during school year 2018-2019 or any subsequent*  
2 *school year.*

3 (g) Any resolution adopted pursuant to this section may revoke or  
4 repeal any resolution previously adopted by the board. If the resolution  
5 does not revoke or repeal previously adopted resolutions, all resolutions  
6 that are in effect shall expire on the same date. The maximum amount of  
7 the local option budget of a school district under all resolutions in effect  
8 shall not exceed the state prescribed percentage in any school year.

9 (h) **For school year 2019-2020 and each school year thereafter, the**  
10 *board of any school district that desires to increase its local option budget*  
11 *authority for the immediately succeeding school year shall submit written*  
12 *notice of such intent to the state board by April 1 of the current school*  
13 *year. Such notice shall include the local option budget authority,*  
14 **expressed as a percentage of the school district's total foundation aid,**  
15 **to be adopted for the immediately succeeding school year. The board**  
16 **of a school district shall not adopt a local option budget in excess of**  
17 **the authority stated in a notice submitted pursuant to this subsection.**

18 (h) (i) (1) There is hereby established in each school district that  
19 adopts a local option budget a supplemental general fund, which shall  
20 consist of all amounts deposited therein or credited thereto according to  
21 law.

22 (2) (A) **Of the moneys deposited in or otherwise credited to the**  
23 **supplemental general fund of a school district pursuant to K.S.A. 2017**  
24 **Supp. 72-5147, and amendments thereto, an amount that is**  
25 **proportional to that amount of such school district's total foundation**  
26 **aid attributable to the at-risk student weighting as compared to such**  
27 **district's total foundation aid shall be transferred to the at-risk**  
28 **education fund of such school district and shall be expended in**  
29 **accordance with K.S.A. 2017 Supp. 72-5153, and amendments thereto.**

30 (B) **Of the moneys deposited in or otherwise credited to the**  
31 **supplemental general fund of a school district pursuant to K.S.A. 2017**  
32 **Supp. 72-5147, and amendments thereto, an amount that is**  
33 **proportional to that amount of such school district's total foundation**  
34 **aid attributable to the bilingual weighting as compared to such**  
35 **district's total foundation aid shall be transferred to the bilingual**  
36 **education fund of such school district and shall be expended in**  
37 **accordance with K.S.A. 2017 Supp. 72-3613, and amendments thereto.**

38 (3) Subject to the limitations imposed under ~~subsection (h)(3) (i)(3)~~  
39 **paragraph (4),** amounts in the supplemental general fund may be  
40 expended for any purpose for which expenditures from the general fund  
41 are authorized or may be transferred to any categorical fund of the school  
42 district. Amounts in the supplemental general fund attributable to any  
43 percentage over 25% of total foundation aid determined for the current

1 school year may be transferred to the capital improvements fund of the  
2 school district and the capital outlay fund of the school district if such  
3 transfers are specified in the resolution authorizing the adoption of a local  
4 option budget in excess of 25%.

5 ~~(3)~~(4) Amounts in the supplemental general fund may not be  
6 expended for the purpose of making payments under any lease-purchase  
7 agreement involving the acquisition of land or buildings that is entered  
8 into pursuant to the provisions of K.S.A. 2017 Supp. 72-1149, and  
9 amendments thereto.

10 ~~(4)~~(5) (A) Except as provided in ~~subsection (h)(4)(B) (i)(4)(B)~~  
11 **subparagraph (B)**, any unexpended moneys remaining in the  
12 supplemental general fund of a school district at the conclusion of any  
13 school year in which a local option budget is adopted shall be maintained  
14 in such fund.

15 (B) If the school district received supplemental state aid in the school  
16 year, the state board shall determine the ratio of the amount of  
17 supplemental general state aid received to the amount of the local option  
18 budget of the school district for the school year and multiply the total  
19 amount of the unexpended moneys remaining by such ratio. An amount  
20 equal to the amount of the product shall be transferred to the general fund  
21 of the school district or remitted to the state treasurer in accordance with  
22 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt  
23 of any such remittance, the state treasurer shall deposit the same in the  
24 state treasury to the credit of the state school district finance fund.

25 ~~(i)~~ (j) Each year, the state board shall determine the statewide average  
26 percentage of local option budgets legally adopted by school districts for  
27 the preceding school year.

28 ~~(j)~~ (k) The provisions of this section shall be subject to the provisions  
29 of K.S.A. 2017 Supp. 72-5144, and amendments thereto.

30 ~~(k)~~ (l) As used in this section:

31 (1) "Authorized to adopt a local option budget" means that a school  
32 district has adopted a resolution pursuant to subsection (c).

33 (2) "State prescribed percentage" means 33% of the total foundation  
34 aid of the school district in the current school year.

35 (3) "Total foundation aid" means the same as such term is defined in  
36 K.S.A. 2017 Supp. 72-5132, and amendments thereto.

37 ~~Sec. 4.~~ **5. On and after July 1, 2018**, K.S.A. 2017 Supp. 72-5145 is  
38 hereby amended to read as follows: 72-5145. (a) In each school year, each  
39 school district that has adopted a local option budget is eligible to receive  
40 supplemental state aid. Except as provided by K.S.A. 2017 Supp. 72-5146,  
41 and amendments thereto, supplemental state aid shall be determined by the  
42 state board as provided in subsection (b).

43 (b) The state board shall:

1 (1) ~~(A) For school year 2017-2018, determine the amount of the~~  
2 ~~assessed valuation per student in the preceding school year of each school~~  
3 ~~district; and~~

4 ~~(B) for school year 2018-2019 and each school year thereafter,~~  
5 Determine the average assessed valuation per student of each school  
6 district by adding the assessed valuation per student for each of the three  
7 immediately preceding school years and dividing the resulting sum by  
8 three;

9 (2) rank the school districts from low to high on the basis of the  
10 amounts of assessed valuation per student determined under subsection (b)  
11 (1);

12 (3) identify the amount of the assessed valuation per student located  
13 at the 81.2 percentile of the amounts ranked under subsection (b)(2);

14 (4) divide the assessed valuation per student of the school district as  
15 determined under subsection (b)(1) by the amount identified under  
16 subsection (b)(3); and

17 (5) (A) if the quotient obtained under subsection (b)(4) equals or  
18 exceeds one, the school district shall not receive supplemental state aid; or

19 (B) if the quotient obtained under subsection (b)(4) is less than one,  
20 subtract the quotient obtained under subsection (b)(4) from one, and  
21 multiply the difference by the amount of the local option budget of the  
22 school district ~~for the immediately preceding school year~~. The resulting  
23 product is the amount of supplemental state aid the school district is to  
24 receive for the school year.

25 (c) Payments of supplemental state aid shall be distributed to school  
26 districts on the dates prescribed by the state board. The state board shall  
27 certify to the director of accounts and reports the amount due each school  
28 district, and the director of accounts and reports shall draw a warrant on  
29 the state treasurer payable to the treasurer of the school district. Upon  
30 receipt of the warrant, the treasurer of the school district shall credit the  
31 amount thereof to the supplemental general fund of the school district to  
32 be used for the purposes of such fund.

33 (d) For the purposes of determining the total amount of state moneys  
34 paid to school districts, all moneys appropriated as supplemental state aid  
35 shall be deemed to be state moneys for educational and support services  
36 for school districts.

37 **Sec. 5-6. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5148 is**  
38 **hereby amended to read as follows: 72-5148. (a) (1) The transportation**  
39 **weighting of each school district shall be determined by the state board as**  
40 **follows:**

41 ~~(1) Determine the total expenditures of the school district during the~~  
42 ~~preceding school year from all funds for transporting students of public~~  
43 ~~and nonpublic schools on regular school routes;~~



1 (2) ~~determine the sum of: (A) The number of students who were~~  
 2 ~~included in the enrollment of the school district in the preceding school~~  
 3 ~~year who resided less than  $2\frac{1}{2}$  miles by the usually traveled road from the~~  
 4 ~~school building such students attended and for whom transportation was~~  
 5 ~~made available by the school district; and (B) the number of nonresident~~  
 6 ~~students who were included in the enrollment of the school district for the~~  
 7 ~~preceding school year and for whom transportation was made available by~~  
 8 ~~the school district;~~

9 (3) ~~determine the number of students who were included in the~~  
 10 ~~enrollment of the district in the preceding school year who resided  $2\frac{1}{2}$~~   
 11 ~~miles or more by the usually traveled road from the school building such~~  
 12 ~~students attended and for whom transportation was made available by the~~  
 13 ~~school district;~~

14 (4) ~~multiply the number of students determined under subsection (a)~~  
 15 ~~(3) by 2.8;~~

16 (5) ~~divide the amount determined under subsection (a)(2) by the~~  
 17 ~~product obtained under subsection (a)(4);~~

18 (6) ~~add one to the quotient obtained under subsection (a)(5);~~

19 (7) ~~multiply the sum obtained under subsection (a)(6) by the amount~~  
 20 ~~determined under subsection (a)(3);~~

21 (8) ~~divide the amount determined under subsection (a)(1) by the~~  
 22 ~~product obtained under subsection (a)(7). The resulting quotient is the per-~~  
 23 ~~student cost of transportation;~~

24 (9) ~~on a density-cost graph, plot the per-student cost of transportation~~  
 25 ~~for each school district;~~

26 (10) ~~construct a curve of best fit for the points so plotted;~~

27 (11) ~~adjust the curve of best fit as follows:~~

28 (A) ~~Identify the 10 school districts on the density-cost graph with the~~  
 29 ~~highest indices of density;~~

30 (B) ~~determine the median per-student cost of transportation for those~~  
 31 ~~10 school districts, excluding the highest per-student cost of~~  
 32 ~~transportation and the lowest per-student cost of transportation for the~~  
 33 ~~school districts identified under subsection (a)(11)(A); and~~

34 (C) ~~beginning at the point on the curve of best fit that corresponds to~~  
 35 ~~the median per-student cost of transportation determined under subsection~~  
 36 ~~(a)(11)(B), the curve of best fit shall be adjusted such that it presents a~~  
 37 ~~horizontal line with a value on the vertical axis equal to such median per-~~  
 38 ~~student cost of transportation;~~

39 (11) (12) ~~locate the index of density for the school district on the base~~  
 40 ~~line of the density-cost graph and from the point on the adjusted curve of~~  
 41 ~~best fit directly above this point of index of density follow a line parallel to~~  
 42 ~~the base line to the point of intersection with the vertical line, which point~~  
 43 ~~is the formula per-student cost of transportation of the school district;~~

1 (12) ~~(13)~~—divide the formula per-student cost of transportation of the  
 2 school district by the BASE aid; and

3 ~~(13) (14)~~—multiply the quotient obtained under subsection (a)(12) ~~(a)~~  
 4 ~~(13)~~ by the number of students who are included in the enrollment of the  
 5 school district, are residing  $2\frac{1}{2}$  miles or more by the usually traveled road  
 6 to the school building they attend, and for whom transportation is being  
 7 made available by, and at the expense of, the district.

8 (A) Divide the BASE aid amount for the current school year by  
 9 the BASE aid amount for school year 2018-2019;

10 (B) multiply the number of transported students by the per capita  
 11 allowance that corresponds to the density figure for the school district  
 12 as determined in subsection (a)(2);

13 (C) multiply the product obtained under subsection (a)(1)(B) by  
 14 1.00;

15 (D) multiply the product obtained under subsection (a)(1)(C) by  
 16 the quotient obtained under subsection (a)(1)(A);

17 (E) divide the product obtained under subsection (a)(1)(D) by the  
 18 current year BASE amount. The result is the transportation weighting  
 19 of the school district.

20 (2) The per capita allowance shall be determined using the  
 21 following chart:

22 Density Figure Range	Per Capita Allowance
23 0.000 - 0.059 .....	\$1,620
24 0.060 - 0.069 .....	\$1,580
25 0.070 - 0.079 .....	\$1,540
26 0.080 - 0.089 .....	\$1,500
27 0.090 - 0.099 .....	\$1,480
28 0.100 - 0.109 .....	\$1,450
29 0.110 - 0.119 .....	\$1,430
30 0.120 - 0.129 .....	\$1,410
31 0.130 - 0.139 .....	\$1,390
32 0.140 - 0.149 .....	\$1,370
33 0.150 - 0.159 .....	\$1,350
34 0.160 - 0.169 .....	\$1,340
35 0.170 - 0.179 .....	\$1,320
36 0.180 - 0.199 .....	\$1,300
37 0.200 - 0.209 .....	\$1,290
38 0.210 - 0.219 .....	\$1,270
39 0.220 - 0.239 .....	\$1,250
40 0.240 - 0.269 .....	\$1,230
41 0.270 - 0.289 .....	\$1,210
42 0.290 - 0.319 .....	\$1,190
43 0.320 - 0.349 .....	\$1,170

1	<b>0.350 - 0.389</b> .....	<b>\$1,150</b>
2	<b>0.390 - 0.429</b> .....	<b>\$1,130</b>
3	<b>0.430 - 0.469</b> .....	<b>\$1,110</b>
4	<b>0.470 - 0.519</b> .....	<b>\$1,090</b>
5	<b>0.520 - 0.579</b> .....	<b>\$1,070</b>
6	<b>0.580 - 0.639</b> .....	<b>\$1,050</b>
7	<b>0.640 - 0.709</b> .....	<b>\$1,030</b>
8	<b>0.710 - 0.789</b> .....	<b>\$1,010</b>
9	<b>0.790 - 0.879</b> .....	<b>\$990</b>
10	<b>0.880 - 0.989</b> .....	<b>\$970</b>
11	<b>0.990 - 1.109</b> .....	<b>\$950</b>
12	<b>1.110 - 1.249</b> .....	<b>\$930</b>
13	<b>1.250 - 1.399</b> .....	<b>\$910</b>
14	<b>1.400 - 1.589</b> .....	<b>\$890</b>
15	<b>1.590 - 1.799</b> .....	<b>\$870</b>
16	<b>1.800 - 2.039</b> .....	<b>\$850</b>
17	<b>2.040 - 2.319</b> .....	<b>\$830</b>
18	<b>2.320 - 2.659</b> .....	<b>\$810</b>
19	<b>2.660 - 3.049</b> .....	<b>\$790</b>
20	<b>3.050 - 3.509</b> .....	<b>\$770</b>
21	<b>3.510 - 4.049</b> .....	<b>\$750</b>
22	<b>4.050 - 4.699</b> .....	<b>\$730</b>
23	<b>4.700 - 5.469</b> .....	<b>\$710</b>
24	<b>5.470 - 6.399</b> .....	<b>\$690</b>
25	<b>6.400 - 7.519</b> .....	<b>\$670</b>
26	<b>7.520 - 8.879</b> .....	<b>\$650</b>
27	<b>8.880 - 10.549</b> .....	<b>\$630</b>
28	<b>10.550 - 12.589</b> .....	<b>\$610</b>
29	<b>12.590 - 15.129</b> .....	<b>\$590</b>
30	<b>15.130 - 18.289</b> .....	<b>\$570</b>
31	<b>18.290 +</b> .....	<b>\$550</b>

32 (b) (1) For school years 2017-2018 through 2020-2021, the  
 33 transportation weighting of the school district shall be either the product  
 34 determined under subsection ~~(a)(13)~~ ~~(a)(14)~~ **(a)(1)(E)**, or that portion of  
 35 such school district's general state aid for school year 2016-2017 that was  
 36 attributable to the school district's transportation weighting, whichever is  
 37 greater.

38 (2) For school year 2021-2022, and each school year thereafter, the  
 39 transportation weighting of the school district shall be the product  
 40 determined under subsection ~~(a)(13)~~ ~~(a)(14)~~ **(a)(1)(E)**.

41 **(3) In no event shall the transportation weighting of the school**  
 42 **district result in the portion of such school district's general state aid**  
 43 **attributable to the transportation weighting being in excess of 110% of**

1 **such school district's total expenditures from all funds for**  
2 **transporting students for the immediately preceding school year.**

3 (c) For the purpose of providing accurate and reliable data on student  
4 transportation, the state board is authorized to adopt rules and regulations  
5 prescribing procedures that school districts shall follow in reporting  
6 pertinent information, including uniform reporting of expenditures for  
7 transportation.

8 (d) As used in this section:

9 (1) ~~"Curve of best fit" means the curve on a density-cost graph drawn~~  
10 ~~so the sum of the distances squared from such line to each of the points~~  
11 ~~plotted on the graph is the least possible.~~

12 (2) ~~"Density-cost graph" means a drawing having: (A) A horizontal or~~  
13 ~~base line divided into equal intervals of density, beginning with zero on the~~  
14 ~~left; and (B) a scale for per-student cost of transportation to be shown on a~~  
15 ~~line perpendicular to the base line at the left end thereof, such scale to~~  
16 ~~begin with zero dollars at the base line ascending by equal per-student cost~~  
17 ~~intervals.~~

18 (3) ~~"Index of density" means the number of students who are~~  
19 ~~included in the enrollment of a school district in the current school year,~~  
20 ~~are residing the designated distance or more by the usually traveled road~~  
21 ~~from the school building they attend, and for whom transportation is being~~  
22 ~~made available on regular school routes by the school district, divided by~~  
23 ~~the number of square miles of territory in the school district~~ **"Density**  
24 **figure" means the area of the school district in square miles divided by**  
25 **the number of transported students.**

26 (2) **"Transported students" means the number of students who**  
27 **were included in the enrollment of the school district in the preceding**  
28 **year who resided 2½ miles or more by the usually traveled road from**  
29 **the school building such students attended and for whom**  
30 **transportation was made available.**

31 ~~Sec. 6-7. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5149 is~~  
32 ~~hereby amended to read as follows: 72-5149. (a) The low enrollment~~  
33 ~~weighting of each school district shall be determined by the state board as~~  
34 ~~follows:~~

35 (1) For school districts with an enrollment of fewer than 100 students,  
36 multiply the enrollment of the school district by 1.014331. The resulting  
37 product is the low enrollment weighting of the school district;

38 (2) for school districts with an enrollment of at least 100 students, but  
39 fewer than 300 students:

40 (A) Subtract 100 from the enrollment of the school district;

41 (B) multiply the difference obtained under subsection (a)(2)(A) by  
42 9.655;

43 (C) subtract the product obtained under subsection (a)(2)(B) from

1 7,337;

2 (D) divide the difference obtained under subsection (a)(2)(C) by  
3 3,642.4;

4 (E) subtract one from the quotient obtained under subsection (a)(2)  
5 (D); and

6 (F) multiply the difference obtained under subsection (a)(2)(E) by the  
7 enrollment of the school district. The resulting product is the low  
8 enrollment weighting of the school district;

9 (3) for school districts with an enrollment of at least 300 students, but  
10 fewer than 1,622 students:

11 (A) Subtract 300 from the enrollment of the school district;

12 (B) multiply the difference obtained under subsection (a)(3)(A) by  
13 1.2375;

14 (C) subtract the product obtained under subsection (a)(3)(B) from  
15 5,406;

16 (D) divide the difference obtained under subsection (a)(3)(C) by  
17 3,642.4;

18 (E) subtract one from the quotient obtained under subsection ~~(e)(D)~~  
19 ~~(a)(3)(D)~~; and

20 (F) multiply the difference obtained under subsection (a)(3)(E) by the  
21 enrollment of the school district. The resulting product is the low  
22 enrollment weighting of the school district.

23 (b) For school districts with an enrollment of at least 1,622 students,  
24 multiply the enrollment of the school district by 0.03504. The resulting  
25 product is the high enrollment weighting of the school district.

26 ~~Sec. 7.~~ **8.** K.S.A. 2017 Supp. 72-5150 is hereby amended to read as  
27 follows: 72-5150. The bilingual weighting of each school district shall be  
28 determined by the state board as follows:

29 (a) Determine the full-time equivalent enrollment in approved  
30 programs of bilingual education ~~during the preceding school year~~ and  
31 multiply such enrollment by 0.395;

32 (b) determine the number of students enrolled in approved programs  
33 of bilingual education ~~during the preceding school year~~ and multiply such  
34 enrollment by 0.185; and

35 (c) the bilingual weighting shall be either the amount determined  
36 under subsection (a) or (b), whichever is greater.

37 ~~Sec. 8.~~ **9. On and after July 1, 2018,** K.S.A. 2017 Supp. 72-5151 is  
38 hereby amended to read as follows: 72-5151. (a) The at-risk student  
39 weighting of each school district shall be determined by the state board as  
40 follows:

41 (1) Determine the number of at-risk students included in the  
42 enrollment of the school district; and

43 (2) ~~for a school district with an enrollment that consists of 10% or~~

1 ~~more at-risk students, multiply the number determined under subsection~~  
2 ~~(a)(1) by 0.484. The resulting sum is the at-risk student weighting of the~~  
3 ~~school district; or~~

4 ~~(3) for a school district with an enrollment that consists of less than~~  
5 ~~10% at-risk students, multiply the number of students equal to 10% of~~  
6 ~~such school district's enrollment by 0.484. The resulting sum is the at-risk~~  
7 ~~student weighting of the school district. A school district whose at-risk~~  
8 ~~student weighting is determined pursuant to this paragraph shall submit a~~  
9 ~~report to the state board in such form and manner as required by the state~~  
10 ~~board that identifies those students enrolled in such school district who are~~  
11 ~~receiving at-risk program services and the criteria each such student~~  
12 ~~satisfies in order to receive at-risk program services. The state board shall~~  
13 ~~adopt rules and regulations that establish the criteria for eligibility for at-~~  
14 ~~risk program services. The provisions of this paragraph shall only apply to~~  
15 ~~those school districts that offer instruction in kindergarten and grades one~~  
16 ~~through 12.~~

17 (b) Except as provided in subsection (b)(4), the high-density at-risk  
18 student weighting of each school district shall be determined by the state  
19 board as follows:

20 (1) (A) If the enrollment of the school district is at least 35% at-risk  
21 students, but less than 50% at-risk students:

22 (i) Subtract 35% from the percentage of at-risk students included in  
23 the enrollment of the school district;

24 (ii) multiply the difference determined under subsection (b)(1)(A)(i)  
25 by 0.7; and

26 (iii) multiply the product determined under subsection (b)(1)(A)(ii)  
27 by the number of at-risk students included in the enrollment of the school  
28 district; or

29 (B) if the enrollment of the school district is 50% or more at-risk  
30 students, multiply the number of at-risk students included in the  
31 enrollment of the school district by 0.105; or

32 (2) (A) if the enrollment of a school in the school district is at least  
33 35% at-risk students, but less than 50% at-risk students:

34 (i) Subtract 35% from the percentage of at-risk students included in  
35 the enrollment of such school;

36 (ii) multiply the difference determined under subsection (b)(2)(A)(i)  
37 by 0.7; and

38 (iii) multiply the product determined under subsection (b)(2)(A)(ii)  
39 by the number of at-risk students included in the enrollment of such  
40 school; or

41 (B) if the enrollment of a school in the school district is 50% or more  
42 at-risk students, multiply the number of at-risk students included in the  
43 enrollment of such school by 0.105; and

1 (C) add the products determined under subsections (b)(2)(A)(iii) and  
2 (b)(2)(B) for each such school in the school district, respectively.

3 (3) The high-density at-risk weighting of the school district shall be  
4 the greater of the product determined under subsection (b)(1) or the sum  
5 determined under subsection (b)(2)(C).

6 (4) Commencing in school year 2018-2019, school districts that  
7 qualify to receive the high-density at-risk weighting pursuant to this  
8 section shall spend any money attributable to the school district's high-  
9 density at-risk weighting on the at-risk best practices developed by the  
10 state board pursuant to K.S.A. 2017 Supp. 72-5153(d), and amendments  
11 thereto. If a school district that qualifies for the high-density at-risk  
12 weighting does not spend such money on such best practices, the state  
13 board shall notify the school district that it shall either spend such money  
14 on such best practices or shall show improvement within five years of  
15 notification. Improvement shall include, but not be limited to, the  
16 following: (A) The percentage of students at grade level on state math and  
17 English language arts assessments; (B) the percentage of students that are  
18 college and career ready on state math and English language arts  
19 assessments; (C) the average composite ACT score; or (D) the four-year  
20 graduation rate. If a school district does not spend such money on such  
21 best practices and does not show improvement within five years, the  
22 school district shall not qualify to receive the high-density at-risk  
23 weighting in the succeeding school year.

24 (5) The provisions of this subsection shall expire on July 1, ~~2019~~  
25 **2020**.

26 ~~Sec. 9-10.~~ K.S.A. 2017 Supp. 72-5155 is hereby amended to read as  
27 follows: 72-5155. ~~(a)~~ The career technical education weighting of each  
28 school district shall be determined by the state board by multiplying the  
29 full-time equivalent enrollment in approved career technical education  
30 programs ~~during the preceding school year~~ by 0.5. The resulting product is  
31 the career technical education weighting of the school district.

32 ~~(b) The provisions of this section shall expire on July 1, 2019.~~

33 **Sec. 11. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5170 is**  
34 **hereby amended to read as follows: 72-5170. (a) (1) In order to**  
35 **accomplish the mission for Kansas education, the state board shall**  
36 **design and adopt a school district accreditation system based upon**  
37 **improvement in performance that equals or exceeds the educational**  
38 **goal set forth in K.S.A. 2017 Supp. 72-3218(c), and amendments**  
39 **thereto, and is measurable. *The state board shall hold all school districts***  
40 ***accountable to the Kansans can outcomes, or any successor outcomes***  
41 ***established by the state board, through the Kansas education systems***  
42 ***accreditation rules and regulations, or any successor accreditation system***  
43 ***adopted by the state board. The state board shall establish rigorous***

1 *accountability measures in the areas of social emotional learning,*  
 2 *kindergarten readiness, individual plans of study, graduation and*  
 3 *postsecondary success. The state board also shall ensure that all school*  
 4 *districts and the public schools operated by such districts have programs*  
 5 *and initiatives in place for providing those educational capacities set forth*  
 6 *in K.S.A. 2017 Supp. 72-3218(c), and amendments thereto. **On or before***  
 7 **January 15, 2018, and each January 15 thereafter, the state board**  
 8 **shall prepare and submit a report on the school district accreditation**  
 9 **system to the governor and the legislature.**

10 (2) *The accountability measures established pursuant to paragraph*  
 11 *(1) shall be applied both at the district level and at the school level. Such*  
 12 *accountability measures shall be reported by the state board for each*  
 13 *school district and each school by publication on the internet website of*  
 14 *the state department of education. Each school district also shall report*  
 15 *such accountability measures for such school district and each school*  
 16 *operated by such district by publication on such school district's internet*  
 17 *website.*

18 (3) *If a school district is not fully accredited and a corrective action*  
 19 *plan is required by the state board, such corrective action plan, and any*  
 20 *subsequent reports prepared by the state board regarding the progress of*  
 21 *such school district in implementing and executing such corrective action*  
 22 *plan, shall be published on the state department of education's internet*  
 23 *website and such school district's internet website.*

24 (4) *If a school district is not ~~fully~~ accredited, the superintendent, or*  
 25 *the superintendent's designee, shall appear before the committee on*  
 26 *education of the house of representatives and the committee on education*  
 27 *of the senate during the regular legislative session that occurs during the*  
 28 *same school year in which such school district is not ~~fully~~ accredited. Such*  
 29 *school district shall provide a report to such committees on the challenges*  
 30 *and obstacles that are preventing such school district from becoming ~~fully~~*  
 31 *accredited.*

32 (b) **The state board shall establish curriculum standards that**  
 33 **reflect high academic standards for the core academic areas of**  
 34 **mathematics, science, reading, writing and social studies. The**  
 35 **curriculum standards shall be reviewed at least every seven years.**  
 36 **Nothing in this subsection shall be construed in any manner so as to**  
 37 **impinge upon any school district's authority to determine its own**  
 38 **curriculum.**

39 (c) **The state board shall provide for statewide assessments in the**  
 40 **core academic areas of mathematics, science, reading, writing and**  
 41 **social studies. The board shall ensure compatibility between the**  
 42 **statewide assessments and the curriculum standards established**  
 43 **pursuant to subsection (b). Such assessments shall be administered at**



1 three grade levels, as determined by the state board. The state board  
2 shall determine performance levels on the statewide assessments, the  
3 achievement of which represents high academic standards in the  
4 academic area at the grade level to which the assessment applies. The  
5 state board should specify high academic standards both for  
6 individual performance and school performance on the assessments.

7 (d) Each school year, on such date as specified by the state board,  
8 each school district shall submit the Kansas education system  
9 accreditation report to the state board in such form and manner as  
10 prescribed by the state board.

11 (e) Whenever the state board determines that a school district has  
12 failed either to meet the accreditation requirements established by  
13 rules and regulations or standards adopted by the state board or  
14 provide curriculum based on state standards and courses required by  
15 state law, the state board shall so notify the school district. Such notice  
16 shall specify the accreditation requirements that the school district has  
17 failed to meet and the curriculum that it has failed to provide. Upon  
18 receipt of such notice, the board of education of such school district is  
19 encouraged to reallocate the resources of the school district to remedy  
20 all deficiencies identified by the state board.

21 (f) Each school in every school district shall establish a school site  
22 council composed of the principal and representatives of teachers and  
23 other school personnel, parents of students attending the school, the  
24 business community and other community groups. School site councils  
25 shall be responsible for providing advice and counsel in evaluating  
26 state, school district, and school site performance goals and objectives  
27 and in determining the methods that should be employed at the school  
28 site to meet these goals and objectives. Site councils may make  
29 recommendations and proposals to the school board regarding  
30 budgetary items and school district matters, including, but not limited  
31 to, identifying and implementing the best practices for developing  
32 efficient and effective administrative and management functions. Site  
33 councils also may help school boards analyze the unique environment  
34 of schools, enhance the efficiency and maximize limited resources,  
35 including outsourcing arrangements and cooperative opportunities as  
36 a means to address limited budgets.

37 Sec. 12. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5171 is  
38 hereby amended to read as follows: 72-5171. (a) On or before January  
39 15 of each year, the state department of education shall prepare and  
40 submit reports on school district funding for each school district to the  
41 governor and the legislature.

42 (b) Each report shall contain the information described in  
43 subsection (c) for the school district in terms of actual dollar amounts

1 for the second and immediately preceding school years and budgeted  
2 dollar amounts for the current school year.

3 (c) Each report shall contain the following information for the  
4 school district:

5 (1) Full-time equivalent enrollment;

6 (2) demographic information, including, but not limited to,  
7 gender, race, ethnicity, students who are economically disadvantaged,  
8 migrants, English language learners and students with disabilities;

9 (3) total general and supplemental general funds, including a  
10 showing of funding provided by federal sources, state sources and  
11 local sources, and total funds per student;

12 (4) total capital outlay funds, including a showing of such funding  
13 provided by federal sources, state sources and local sources, and  
14 capital outlay funds per student;

15 (5) total bond and interest funds, including a showing of such  
16 funding provided by federal sources, state sources and local sources,  
17 and bond and interest funds per student;

18 (6) total of all other funds not described in paragraphs (3), (4)  
19 and (5), excluding fund transfers, including a showing of such funding  
20 provided by federal sources, state sources and local sources, and total  
21 funds per student;

22 (7) total funds per student of all funds described in paragraphs  
23 (3) through (6);

24 (8) general fund moneys attributable to the following:

25 (A) BASE aid;

26 (B) high enrollment weighting;

27 (C) low enrollment weighting;

28 (D) school facilities weighting;

29 (E) transportation weighting;

30 (F) at-risk student weighting;

31 (G) preschool-aged at-risk student weighting;

32 (H) high-density at-risk student weighting;

33 (I) career technical education weighting;

34 (J) special education and related services weighting;

35 (K) bilingual weighting;

36 (L) ancillary school facilities weighting;

37 (M) cost-of-living weighting;

38 (N) declining enrollment weighting; and

39 (O) virtual school state aid;

40 (9) total expenditures on the following:

41 (A) At-risk education programs and services;

42 (B) preschool-aged at-risk education programs and services;

43 (C) bilingual education programs and services;

- 1 (D) career and technical education programs and services;
- 2 (E) special education and related services; and
- 3 (F) virtual school programs and services; ~~and~~
- 4 (10) total expenditures from the special retirement contributions
- 5 fund;

6 (11) expenditures and fund transfers from the supplemental general  
7 fund for those programs and services set forth in paragraph (9) and any  
8 other accounting category for which there is an expenditure or transfer  
9 from such fund; and

10 (12) general obligation bond indebtedness.

11 (d) The state board shall provide uniform guidelines for what  
12 constitutes total expenditures for the programs and services listed  
13 under subsection (c)(9).

14 Sec. 13. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5173 is  
15 hereby amended to read as follows: 72-5173. The legislative post audit  
16 committee shall direct the legislative division of post audit to conduct  
17 the following performance audits in the fiscal year specified:

18 (a) A performance audit of transportation services funding. The  
19 audit should include a comparison of the amount of transportation  
20 services funding school districts receive to the cost of providing  
21 transportation services. This performance audit shall be conducted  
22 during fiscal year 2018, and the final audit report shall be submitted  
23 to the legislature on or before January 15, 2018.

24 (b) A performance audit of at-risk education funding. The audit  
25 should evaluate the method of counting students for at-risk education  
26 funding, the level of the at-risk student weighting and high-density at-  
27 risk student weighting under the act and how school districts are  
28 expending moneys provided for at-risk education. This performance  
29 audit shall be conducted during fiscal year 2020, and the final audit  
30 report shall be submitted to the legislature on or before January 15,  
31 2020.

32 (c) A performance audit of bilingual education funding. The audit  
33 should evaluate the method of counting students for bilingual  
34 education funding, the level of the bilingual weighting under the act  
35 and how school districts are expending moneys provided for bilingual  
36 education. This performance audit shall be conducted during fiscal  
37 year ~~2023~~ 2022, and the final audit report shall be submitted to the  
38 legislature on or before January 15, ~~2023~~ 2022.

39 (d) A study of statewide virtual school programs administered in  
40 other states. The study shall include, but not be limited to, the  
41 following:

42 (1) The aggregate cost incurred by each state administering a  
43 virtual school program, and the cost incurred by individual school

1 districts or schools within each state;

2 (2) the resources necessary for the implementation of each virtual  
3 school program, including, but not limited to, personnel, equipment,  
4 software and facility usage;

5 (3) the scope of each virtual school program; and

6 (4) the effectiveness of each virtual school program with respect  
7 to student performance and outcomes.

8 The audit shall be conducted during fiscal year ~~2024~~ 2023, and the  
9 final audit report shall be submitted to the legislature on or before  
10 January 15, ~~2024~~ 2023.

11 (e) (1) A performance audit to provide a reasonable estimate of  
12 the cost of providing educational opportunities for every public school  
13 student in Kansas to achieve the performance outcome standards  
14 adopted by the state board of education. This performance audit shall  
15 be conducted ~~three~~ two times as follows:

16 (A) During ~~fiscal year 2019~~, and the final report submitted to the  
17 legislature on or before January 15, ~~2019~~;

18 (B) ~~during fiscal year 2022~~ 2021, and the final report submitted to  
19 the legislature on or before January 15, ~~2022~~ 2021; and

20 ~~(C)~~(B) during fiscal year ~~2025~~ 2024, and the final report  
21 submitted to the legislature on or before January 15, ~~2025~~ 2024.

22 (2) Each performance audit required under this subsection shall:

23 (A) Include reasonable estimates of the costs of providing  
24 specialized education services as required by law, including, but not  
25 limited to, ~~special education and related services~~, bilingual education  
26 and at-risk programs; and

27 (B) account for other factors which may contribute to variations  
28 in costs incurred by school districts, including, but not limited to, total  
29 district enrollment and geographic location within the state.

30 (3) In conducting each performance audit required under this  
31 subsection:

32 (A) Any examination of historical data and expenditures shall  
33 correct any recognized inadequacy of such data or expenditure  
34 through a statistically valid method of extrapolation; and

35 (B) subject to the limitations of the division of legislative post  
36 audit budget and appropriations therefor, the legislative post auditor  
37 may enter into contracts with consultants as the post auditor deems  
38 necessary.

39 (f) A performance audit to ~~identify best practices in successful~~  
40 schools. The audit should include a comparison of the educational methods  
41 and other practices of demographically similar school districts that achieve  
42 significantly different student outcomes based on performance outcome  
43 standards adopted by the state board of education. This performance audit

1 ~~shall be conducted during fiscal year 2021, and the final audit report shall~~  
2 ~~be submitted to the legislature on or before January 15, 2021. The audit~~  
3 ~~shall be conducted a second time during fiscal year 2026, and the final~~  
4 ~~audit report shall be submitted to the legislature on or before January 15,~~  
5 ~~2026 provide a reasonable estimate of the costs of providing special~~  
6 ~~education and related services, including, but not limited to, other factors~~  
7 ~~which may contribute to variations in costs incurred by school districts.~~  
8 ~~This performance audit shall be conducted during fiscal year 2019, and~~  
9 ~~the final audit report shall be submitted to the legislature on or before~~  
10 ~~January 15, 2019.~~

11 ~~Sec. 40.~~ **14. On and after July 1, 2018,** K.S.A. 2017 Supp. 72-  
12 53,113 is hereby amended to read as follows: 72-53,113. (a) The board of  
13 education of any school district may make an annual tax levy at a mill rate  
14 not to exceed the statutorily prescribed mill rate upon the taxable tangible  
15 property in the school district for the purposes specified in this act and,  
16 with respect to any redevelopment district established prior to July 1,  
17 2017, pursuant to K.S.A. 12-1771, and amendments thereto, for the  
18 purpose of paying a portion of the principal and interest on bonds issued  
19 by cities under the authority of K.S.A. 12-1774, and amendments thereto,  
20 for the financing of redevelopment projects upon property located within  
21 the school district. No levy shall be made under this act until a resolution  
22 is adopted by the board of education in the following form:

23 Unified School District No. \_\_\_\_\_,  
24 \_\_\_\_\_ County, Kansas.

25 **RESOLUTION**

26 **Be It Resolved that:**

27 The above-named school board shall be authorized to make an annual  
28 tax levy in an amount not to exceed \_\_\_\_\_ mills upon the taxable tangible  
29 property in the school district for the purpose of acquisition, construction,  
30 reconstruction, repair, remodeling, additions to, furnishing, maintaining  
31 and equipping of school district property and equipment necessary for  
32 school district purposes, including: (1) Computer software; (2)  
33 performance uniforms; (3) housing and boarding pupils enrolled in an area  
34 vocational school operated under the board; (4) architectural expenses; (5)  
35 building sites; (6) undertaking and maintenance of asbestos control  
36 projects; (7) school buses; ~~and (8) utility expenses; (9) property and~~  
37 ~~casualty insurance; and (10) other fixed assets, and with respect to any~~  
38 redevelopment district established prior to July 1, 2017, pursuant to K.S.A.  
39 12-1771, and amendments thereto, for the purpose of paying a portion of  
40 the principal and interest on bonds issued by cities under the authority of  
41 K.S.A. 12-1774, and amendments thereto, for the financing of  
42 redevelopment projects upon property located within the school district.  
43 The tax levy authorized by this resolution may be made, unless a petition

1 in opposition to the same, signed by not less than 10% of the qualified  
2 electors of the school district, is filed with the county election officer of  
3 the home county of the school district within 40 calendar days after the last  
4 publication of this resolution. In the event a petition is filed, the county  
5 election officer shall submit the question of whether the tax levy shall be  
6 authorized to the electors in the school district at an election called for that  
7 purpose or at the next general election, as is specified by the board of  
8 education of the above school district.

9 CERTIFICATE

10 This is to certify that the above resolution was duly adopted by the  
11 board of education of Unified School District No. \_\_\_\_\_,  
12 County, Kansas, on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

13 \_\_\_\_\_  
14 Clerk of the board of education.

15 All of the blanks in the above resolution shall be appropriately filled.  
16 The blank preceding the word "mills" shall be filled with a specific  
17 number. The resolution shall be published once a week for two consecutive  
18 weeks in a newspaper having general circulation in the school district. If  
19 no petition as specified above is filed in accordance with the provisions of  
20 the resolution, the board of education may make the tax levy specified in  
21 the resolution. If a petition is filed as provided in the resolution, the board  
22 of education may notify the county election officer of the date of an  
23 election to be held to submit the question of whether the tax levy shall be  
24 authorized. If the board of education fails to notify the county election  
25 officer within 60 calendar days after a petition is filed, the resolution shall  
26 be deemed abandoned and no like resolution shall be adopted by the board  
27 of education within the nine months following the first publication of the  
28 resolution.

29 (b) As used in this act:

30 (1) "Unconditionally authorized to make a capital outlay tax levy"  
31 means that the school district has adopted a resolution under this section,  
32 has published the same, and either that the resolution was not protested or  
33 that it was protested and an election has been held by which the tax levy  
34 specified in the resolution was approved;

35 (2) "statutorily prescribed mill rate" means: (A) Eight mills; (B) the  
36 mill levy rate in excess of eight mills if the resolution fixing such rate was  
37 approved at an election prior to the effective date of this act; or (C) the  
38 mill levy rate in excess of eight mills if no petition or no sufficient petition  
39 was filed in protest to a resolution fixing such rate in excess of eight mills  
40 and the protest period for filing such petition has expired;

41 (3) "asbestos control project" means any activity which is necessary  
42 or incidental to the control of asbestos-containing material in buildings of  
43 school districts and includes, but not by way of limitation, any activity

1 undertaken for the removal or encapsulation of asbestos-containing  
2 material, for any remodeling, renovation, replacement, rehabilitation or  
3 other restoration necessitated by such removal or encapsulation, for  
4 conducting inspections, reinspections and periodic surveillance of  
5 buildings, performing response actions, and developing, implementing and  
6 updating operations and maintenance programs and management plans;

7 (4) "asbestos" means the asbestiform varieties of chrysotile  
8 (serpentine), crocidolite (riebeckite), amosite (cummingtonitegrunerite),  
9 anthophyllite, tremolite, and actinolite; and

10 (5) "asbestos-containing material" means any material or product  
11 which contains more than 1% asbestos.

12 ~~Sec. 15.~~ **On and after July 1, 2018, K.S.A. 2017 Supp. 72-**  
13 **53,116 is hereby amended to read as follows: 72-53,116. (a) Any moneys**  
14 **in the capital outlay fund of any school district and any moneys received**  
15 **from issuance of bonds under K.S.A. 2017 Supp. 72-53,117 or 72-53,122,**  
16 **and amendments thereto, may be used for the purpose of the acquisition,**  
17 **construction, reconstruction, repair, remodeling, additions to, furnishing,**  
18 **maintaining and equipping of school district property and equipment**  
19 **necessary for school district purposes, including: (1) Computer software;**  
20 **(2) performance uniforms; (3) housing and boarding pupils enrolled in an**  
21 **area vocational school operated under the board of education; (4)**  
22 **architectural expenses; (5) building sites; (6) undertaking and maintenance**  
23 **of asbestos control projects; (7) school buses; and (8) utility expenses; (9)**  
24 **property and casualty insurance; and (10) other fixed assets.**

25 (b) The board of education of any school district is hereby authorized  
26 to invest any portion of the capital outlay fund of the school district which  
27 is not currently needed in investments authorized by K.S.A. 12-1675, and  
28 amendments thereto, in the manner prescribed therein, or may invest the  
29 same in direct obligations of the United States government maturing or  
30 redeemable at par and accrued interest within three years from date of  
31 purchase, the principal and interest whereof is guaranteed by the  
32 government of the United States. All interest received on any such  
33 investment shall upon receipt thereof be credited to the capital outlay fund.

34 **Sec. 16. On and after July 1, 2018, K.S.A. 2017 Supp. 72-5461 is**  
35 **hereby amended to read as follows: 72-5461. (a) Upon receiving an**  
36 **application under K.S.A. 2017 Supp. 72-5460, and amendments**  
37 **thereto, the state board of education shall review the application and**  
38 **examine the evidence furnished in support of the application.**

39 ~~(b) (1) Commencing in school year 2017-2018, the state board of~~  
40 ~~education shall not approve any application submitted during the current~~  
41 ~~school year if such approval would result in the aggregate amount of all~~  
42 ~~general obligation bonds approved by the state board for such school year~~  
43 ~~exceeding the aggregate principal amount of all general obligation bonds~~

1 retired in the immediately preceding school year. In determining whether  
2 to approve an application, the state board shall prioritize applications in  
3 accordance with the priorities set forth as follows in order of highest  
4 priority to lowest priority:

5 (A) ~~Safety of the current facility and disability access to such facility~~  
6 ~~as demonstrated by a state fire marshal report, an inspection under the~~  
7 ~~Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar~~  
8 ~~evaluation;~~

9 (B) ~~enrollment growth and imminent overcrowding as demonstrated~~  
10 ~~by successive increases in enrollment of the school district in the~~  
11 ~~immediately preceding three school years;~~

12 (C) ~~impact on the delivery of educational services as demonstrated by~~  
13 ~~restrictive inflexible design or limitations on installation of technology;~~  
14 ~~and~~

15 (D) ~~energy usage and other operational inefficiencies as demonstrated~~  
16 ~~by a district-wide energy usage analysis, district-wide architectural~~  
17 ~~analysis or other similar evaluation.~~

18 (2) ~~The state board shall not consider a school district's eligibility for~~  
19 ~~capital improvement state aid, or the amount of capital improvement state~~  
20 ~~aid a school district would be eligible to receive, in determining whether to~~  
21 ~~approve such district's application.~~

22 (3) ~~The provisions of subsection (b)(1) shall not apply to school~~  
23 ~~districts that have not issued any general obligation bonds in the 25 years~~  
24 ~~prior to the current school year.~~

25 (e) **After reviewing the application and examining the supportive**  
26 **evidence, the state board of education shall issue an order either**  
27 **granting or denying the application. If the application is approved, the**  
28 **applicant board of education shall request the county election officer**  
29 **to hold an election to vote upon the question of issuing the increased**  
30 **amount of bonds in the manner provided by law.**

31 (d) ~~Any application that is denied pursuant to subsection (b) may be~~  
32 ~~tentatively approved by the state board of education for the immediately~~  
33 ~~succeeding school year. The amount of general obligation bonds approved~~  
34 ~~in any such application shall be counted first towards the aggregate~~  
35 ~~amount of all general obligation bonds approved by the state board for~~  
36 ~~such school year.~~

37 (e) ~~Commencing in school year 2017-2018, the state board of~~  
38 ~~education shall determine the aggregate principal amount of general~~  
39 ~~obligation bonds retired in the immediately preceding school year.~~

40 (f) ~~The provisions of subsections (b), (d) and (e) shall expire on June~~  
41 ~~30, 2022.~~

42 **Sec. 17. K.S.A. 2017 Supp. 72-5150 and 72-5155 are hereby**  
43 **repealed.**



1        ~~Sec. 12.~~ **18.** **On and after July 1, 2018,** K.S.A. 2017 Supp. 72-1171,  
2 72-5132, 72-5133, 72-5143, 72-5145, 72-5148, 72-5149, ~~72-5150,~~ 72-  
3 5151, ~~72-5155,~~ **72-5170, 72-5171, 72-5173,** 72-53,113, 72-53,116, **72-**  
4 **5461,** 72-6463, 72-6464, 72-6465, 72-6466, 72-6467, 72-6468, 72-6469,  
5 72-6470, 72-6471, 72-6472, 72-6473, 72-6474, 72-6475, 72-6477, 72-  
6 6478, 72-6479, 72-6480 and 72-6481 are hereby repealed.

7        ~~Sec. 13.~~ **19.** This act shall take effect and be in force from and after  
8 its publication in the ~~statute book~~ **Kansas register.**