

HOUSE BILL No. 2395

By Committee on Appropriations

3-21

Ballroom amendment

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1 AN ACT concerning school districts; relating to the use of moneys by
 2 school districts; amending K.S.A. 72-3607, 72-6420, 72-6423 and 72-
 3 8237 and K.S.A. 2010 Supp. 72-965, 72-3715, 72-6414a, 72-6414b,
 4 72-6421, 72-6426, 72-8250, 72-9509 and 72-9609 and repealing the
 5 existing sections.

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

7 New Section 1. (a) For school year 2011-2012, subject to any
 8 limitations as provided in this act, any school district may expend the
 9 unencumbered balance of the moneys held in the at-risk education fund,
 10 as provided in K.S.A. 76-6414a, and amendments thereto, bilingual
 11 education fund, as provided in K.S.A. 72-9509, and amendments thereto,
 12 contingency reserve fund, as provided in K.S.A. 72-6426, and
 13 amendments thereto, driver training fund, as provided in K.S.A. 72-6423,
 14 and amendments thereto, parent education program fund, as provided in
 15 K.S.A. 72-3607, and amendments thereto, preschool-aged at-risk
 16 education fund, as provided in K.S.A. 72-6414b, and amendments
 17 thereto, professional development fund, as provided in K.S.A. 72-9609,
 18 and amendments thereto, summer program fund, as provided in K.S.A.
 19 72-8237, and amendments thereto, textbook and student materials
 20 revolving fund, as provided in K.S.A. 72-8250, and amendments thereto,
 21 special education fund, as provided in K.S.A. 72-965 and 72-6420, and
 22 amendments thereto, virtual school fund, as provided in K.S.A. 72-3715,
 23 and amendments thereto, and vocational education fund, as provided in
 24 K.S.A. 72-6421, and amendments thereto, to pay for general operating
 25 expenses of the district out of the general fund as approved by the board
 26 of education of such district.

27 The board of education of a school district shall consider the use of
28 such funds in the following order of priority:

- 29 (1) At-risk education fund, bilingual education fund, contingency
- 30 reserve fund, driver training fund, parent education program fund,
- 31 preschool-aged at-risk education fund, professional development fund,
- 32 summer program fund, virtual school fund and vocational education fund;
- 33 (2) textbook and student materials revolving fund; and
- (3) special education fund.

The board of education of a school district shall not be limited to the

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1 order of priority as listed in this subsection if the board so chooses. The
2 board of education of a school district shall not be required to use the
3 total amount of the unencumbered balance of moneys in a fund before
4 using the unencumbered balance of moneys in another fund.

5 (b) The amount of money expended by a school district in school
6 year 2011-2012 from the unencumbered balance of moneys in the funds
7 under subsection (a) of this section shall not exceed, in the aggregate, an
8 amount determined by the state board of education. Such amount shall be
9 determined by the state board as follows:

10 (1) Determine the adjusted enrollment of the district;
11 (2) subtract the amount of base state aid per pupil appropriated to the
12 department of education for fiscal year 2012 from \$4,012; and

13 (3) multiply the difference obtained under paragraph (2) by the
14 number determined under paragraph (1). The product is the aggregate
15 amount of moneys that may be expended by a school district in school
16 year 2011-2012 from the unencumbered balance of moneys in the funds
17 under subsection (a) of this section.

18 Sec. 2. K.S.A. 2010 Supp. 72-965 is hereby amended to read as
19 follows: 72-965. (a) The state board shall be responsible for the
20 distribution and allocation of state and federal funds for special
21 education. Such moneys shall be expended only in accordance with and
22 for the purposes specified in federal or state law. Payments under this act
23 may be made in installments and in advance or by way of reimbursement,
24 with necessary adjustments for overpayments or underpayments. Federal
25 funds for special education shall be deposited in the state treasury.

26 (b) The state board is hereby authorized to accept from an individual
27 or individuals, the United States government or any of its agencies or any
28 other public or private body, grants or contributions of money, funds or
29 property which the state board may authorize to be used in accordance
30 with appropriation acts, for or in aid of special education or related
31 services or any of the purposes authorized by the federal law or this act.

32 (c) (1) Each board may use up to 15% of the amount it receives each
33 year under the federal law to develop and implement coordinated, early
34 intervening services for students in kindergarten through grade 12, with a
35 particular emphasis on students in kindergarten through grade *three*,
36 who have not been identified as needing special education or related
37 services but who appear to need additional academic and behavioral
38 support to succeed in a general education environment.

39 (2) In implementing coordinated, early intervening services under
40 this subsection, a board may carry out activities that include:

41 (A) Providing professional development for teachers and other
42 school staff to enable such personnel to deliver scientifically based
academic instruction and behavioral interventions, including scientifically

, excluding special education and related services weighting