

HOUSE BILL No. 2319

By Committee on Taxation

2-13

Proposed Amendments for HB 2319
As Amended by House Committee
March 13, 2013
Prepared by Jason Long
Office of the Revisor of Statutes

Senate Education Committee
Date 3-14-13
Attachment 3

1 ANACT creating the coalition of innovative districts act.
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3 *Be it enacted by the Legislature of the State of Kansas:*
4 Section 1. The provisions of sections 1 through 19 and amendments
5 thereto, shall be known and may be cited as the coalition of innovative
6 districts act.
7 Sec. 2. As used in sections 1 through 19 and amendments thereto:
8 (a) "Board of education" means the locally elected board of education
9 of a school district.
10 (b) "Public innovative district" means a school district that has been
11 approved to operate as a public innovative district pursuant to section 3,
12 and amendments thereto.
13 (c) "Coalition" means the coalition of innovative districts established
14 pursuant to section 4, and amendments thereto.
15 (d) "Completion percentage" means the percentage of high school
16 graduates of a public innovative district that have enlisted in military
17 service or completed a postsecondary educational certificate program or
18 degree program as determined by the national student clearinghouse, or
19 other postsecondary educational program completion database utilized by
20 such public innovative district.
21 (e) "School district" means a unified school district organized and
22 operated under the laws of this state.
23 (f) "School year" means the 12-month period ending June 30.
24 (g) "State board" means the state board of education.
25 Sec. 3. (a) Except as provided in section 5, and amendments thereto,
26 the board of education of any school district may apply to the state board
27 of education for a grant of authority to operate such school district as a
28 public innovative district. The application shall be submitted in the form
29 and manner prescribed by the state board, and shall be submitted not later
30 than December 1 of the school year preceding the school year in which the
31 school district intends to operate as a public innovative district.
32 (b) The application shall include the following:
33 (1) A description of the educational programs of the public innovative
34 district;
35 (2) a description of the interest and support for partnerships between
36 the public innovative district, parents and the community;

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

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

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

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

23 (d) A public innovative district shall:

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

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

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

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

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

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

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

on or before the conclusion of such 90-day period

1 **obligation bonds by school districts**, the provisions of K.S.A. 74-4901 et
2 seq, and amendments thereto, and all laws governing the election of
3 members of the board of education.

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

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

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

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

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

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

41 (c) The request for approval required by subsection (b) shall include
42 such information as is required to be included on an application for
43 authority to operate as a public innovative district under section 3, and

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(e) The coalition board may organize itself into subcommittees.

(f) The coalition board shall report annually to the governor and the legislature regarding pupil performance in public innovative districts, recommendations for amendments to laws and rules and regulations pertaining to school districts and any other information regarding the operation of public innovative districts during the immediately preceding school year.

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

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

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

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

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

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

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

35 (4) a description of compliance with the provisions of sections 1
 36 through 10 and amendments thereto.

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

No more than 10% of the school districts in the state shall
 operate as public innovative districts at any one time

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(2) If the state board determines the renewal application is not in compliance with this section, the state board shall hold a hearing on the issues in controversy. Representatives of the public innovative district shall be provided the opportunity to present information refuting the basis upon which the noncompliance is premised. At least 30 days' notice shall be provided to the board of education of the public innovative district prior to the hearing. Within 60 days after the hearing, the state board shall determine whether to not renew the grant of authority, renew the grant of authority contingent upon compliance with specified conditions or renew the grant of authority without conditions. Notification of such decision shall be sent to the board of education of the public innovative district and shall specify the reasons therefor.

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

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

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

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

This act shall take effect and be in force from and after its publication in the statute book.

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Sec. 7. (a) If at any time a public innovative district fails to meet any of the renewal criteria set forth in subsection (b) of section 6, and amendments thereto, for two or more consecutive school years, then:

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

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

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

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

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