

SESSION OF 2013

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2319

As Amended by House Committee on Education

Brief*

HB 2319 would establish the Coalition of Innovative Districts Act. The bill would allow any school district board of education (local board of education) to apply to the State Board of Education (State Board) for authority to operate such district as a public innovative district.

A public innovative district would be exempt from all laws, rules, and regulations applicable to school districts, except for those outlined in the Act or required by the local board of education of the public innovative district.

However, a public innovative district would be subject to the Special Education and Exceptional Children Act; the Virtual School Act; and the School District Finance and Quality Performance Act; KSA 72-880 *et seq.* (related to capital outlay); all laws governing the issuance of general obligation bonds by school districts; KSA 74-4901 *et seq.* (related to Kansas Public Employees Retirement System); and laws governing the election of local board of education members.

Establishment of a Public Innovative Districts

The first two local boards of education desiring to operate under this Act, would submit a request for approval to the Governor and chairpersons of the Senate and House Education Committees, and would require approval of a majority of these three persons before an application would be submitted to the State Board.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

At the time when two public innovative school districts are established, the law would require the establishment of a coalition of innovative districts with the responsibility of approving no more than a total of ten public innovative districts in the state.

Coalition of Innovative Districts Board (Coalition Board)

The Coalition Board would consist of one representative of each public innovative district with a chairperson appointed to a five-year term by the Governor and chairpersons of the Senate and House Education Committees, whose decision must be unanimous.

Superintendents from the public innovative districts would meet at least once a month to discuss the educational programs of their districts.

Application Process for a Public Innovative District

Under the bill, a public innovative district would not be allowed to charge tuition for any resident pupil.

A public innovative district would be authorized to:

- Participate in all applicable Kansas math and reading assessments or alternative assessments determined by the local board of education;
- Abide by all financial and auditing requirements applicable to school districts, except the district would be permitted to use generally accepted accounting principals;
- Comply with all applicable health, safety, and access laws; and
- Comply with all statements in the application submitted to the State Board.

The State Board would provide the application form to be submitted no later than December 1 of the school year preceding the school year in which the district intends to operate as a public innovative district. The application would include the following items related to the public innovative district:

- Description of the education programs;
- Description of interest and support for partnerships between the district, parents, and the community; and
- Description of specific goals and measurable pupil outcomes, and how those outcomes will be measured, evaluated and reported.

The State Board would be required to determine compliance of the application with this act and approve or deny the application within 90 days of the submission date. A denial, including specific reasons for the denial, would be required to be sent to the local board of education within ten days of the decision. The local board of education would be authorized to request reconsideration of the application within 30 days and the State Board would be required to act on the reconsideration within 60 days.

The bill would authorize a public innovative district to operate for five school years. At least 90 days prior to the five-year expiration, a renewal application could be submitted to the State Board.

Finally, the State Board would be required to technical advice related to application preparation, as requested, as well as adopt rules and regulations related to the Act.

Background

The bill was introduced by the House Committee on Taxation. At the House Education Committee hearing on the

bill proponents included representatives of the Kansas Association of Counties; Kansas City, Kansas, School District; Kansas Policy Institute; and the McPherson School District. There was one opponent, a representative of the Kansas National Education Association. Neutral testimony was provided by representatives of the Kansas PTA and United School Administrators. Dr. Diane DeBacker, Commissioner of Education for Kansas, provided information for the Committee's consideration.

The House Committee made technical amendments to the bill.

The Division of the Budget fiscal note on the original bill indicated the Kansas Department of Education estimated \$46,908 would be needed from the State General Fund to fund one 0.50 full-time equivalent Education Program Consultant to fulfill the State Board's obligations in the bill. Any fiscal effect associated with the bill is not reflected in *The FY 2014 Governor's Budget Report*.