

SENATE BILL No. 251

By Committee on Ways and Means

5-18

Proposed Amendments to SB 251
May 19, 2017
Senate Select Committee on Education Finance
Prepared by: Office of Revisor of Statutes
#7
Tax Credit Scholarship Grandfathered Schools Must
Be Accredited by 2020

1 AN ACT concerning education; relating to the instruction and financing
2 thereof; making and concerning appropriations for the fiscal years
3 ending June 30, 2018, and June 30, 2019, for the department of
4 education; creating the Kansas school equity and enhancement act;
5 amending K.S.A. 12-17,115 and 72-8803 and K.S.A. 2016 Supp. 10-
6 1116a, 12-1677, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-
7 1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-
8 64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-
9 7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-
10 8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-
11 8804, 72-8908, 72-9509, 72-9609, 72-99a02, 72-99a02, as amended by
12 section 92 of this act, 72-99a04, 74-4939a, 74-8925, 74-99b43, 75-
13 2319, 79-201x, 79-213, 79-2001 and 79-2925b and repealing the
14 existing sections; also repealing K.S.A. 2016 Supp. 46-1133, 72-6482
15 and 75-2319, as amended by section 46 of Senate Substitute for
16 Substitute for House Bill No. 2052.

17
18 *Be it enacted by the Legislature of the State of Kansas:*

19 Section 1.

20 DEPARTMENT OF EDUCATION

21 (a) There is appropriated for the above agency from the state general
22 fund for the fiscal year ending June 30, 2018, the following:

23 Operating expenditures (including official
24 hospitality) (652-00-1000-0053).....\$12,515,606

25 *Provided*, That any unencumbered balance in the operating expenditures
26 (including official hospitality) account in excess of \$100 as of June 30,
27 2017, is hereby reappropriated for fiscal year 2018.

28 Special education services
29 aid (652-00-1000-0700).....\$435,980,455

30 *Provided*, That any unencumbered balance in the special education
31 services aid account in excess of \$100 as of June 30, 2017, is hereby
32 reappropriated for fiscal year 2018: *Provided further*, That expenditures
33 shall not be made from the special education services aid account for the
34 provision of instruction for any homebound or hospitalized child unless
35 the categorization of such child as exceptional is conjoined with the
36 categorization of the child within one or more of the other categories of

1 (e) "Parent" includes a guardian, custodian or other person with
2 authority to act on behalf of the child.

3 (f) "Program" means the tax credit for low income students
4 scholarship program established in K.S.A. 2016 Supp. 72-99a01 through
5 72-99a07, and amendments thereto.

6 (g) "Public school" means a school that would qualify as either a title
7 I-focus school or a title I priority school as described by the state board
8 under the elementary and secondary education act flexibility waiver as
9 amended in January 2013 and is operated by a school district, and
10 identified by the state board as one of the lowest 100 performing schools
11 with respect to student achievement among all schools operated by school
12 districts for the current school year.

13 (h) "Qualified school" means any nonpublic school that provides
14 education to elementary or secondary students, has notified the state board
15 of its intention to participate in the program and complies with the
16 requirements of the program:

17 (1) A nonpublic school that does not offer any of the grades nine
18 through 12, and is accredited by the state board;

19 (2) a nonpublic school that offers any of the grades nine through 12,
20 and:

21 (A) Whose postsecondary effective rate exceeds the trend line for
22 such rate among all school districts and accredited nonpublic schools as
23 determined by the state board; or

24 (B) whose composite ACT score exceeds the statewide average
25 composite ACT score for all school districts and accredited nonpublic
26 schools; or

27 (3) a nonpublic school that was a participating qualified school at
28 any time prior to July 1, 2017, or that has been a qualified school
29 participating in the program in any preceding school year. Each qualified
30 school shall provide education to elementary or secondary students, notify
31 the state board of its intention to participate in the program and comply
32 with the requirements of the program.

33 (i) "Scholarship granting organization" means an organization that
34 complies with the requirements of this program and provides educational
35 scholarships to eligible students or to qualified schools in which parents
36 have enrolled eligible students.

37 (j) "School district" or "district" means any unified school district
38 organized and operating under the laws of this state.

39 (k) "School year" shall have the meaning ascribed thereto in section
40 4, and amendments thereto.

41 (l) "Secretary" means the secretary of revenue.

42 (m) "State board" means the state board of education.

43 Sec. 95. On and after July 1, 2018, K.S.A. 2016 Supp. 72-99a04 is

prior to July 1, 2020,

; and

(4) on and after July 1, 2020, a nonpublic school that was a participating qualified school at any time prior to July 1, 2017, and is accredited by the state board.