

SENATE BILL No. 251

By Committee on Ways and Means

5-18

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 of:

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

6 (B) the adjusted enrollment in the second preceding school year of
7 any students participating in the tax credit for low income students
8 scholarship program pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and
9 amendments thereto, in the preceding school year, if any, plus the adjusted
10 enrollment in the preceding school year of preschool-aged at-risk students
11 who are participating in the tax credit for low income students scholarship
12 program pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and amendments
13 thereto, in the current school year, if any.

14 (3) For any school district that received federal impact aid for the
15 preceding school year, if the enrollment in such school district in the
16 preceding school year has decreased from enrollment in the second
17 preceding school year, the enrollment of the school district in the current
18 school year means whichever is the greater of:

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

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

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

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

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

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

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

43 (p) "General fund" means the fund of a school district from which

(4) For any school district that only offered half-day kindergarten in the preceding year and, commencing in the current school year, offers kindergarten on a full-time basis, the enrollment determined under paragraphs (1), (2) or (3) shall exclude those students enrolled in kindergarten in the school district in any preceding year, and the enrollment of students enrolled in kindergarten shall be based on enrollment in the current school year.