

Week Ending March 22nd

The four years of funding increases remaining in the state's five-year school finance plan would be reduced by two years under a bill passed Thursday by the **House K-12 Education Budget Committee**. Contact your House Member and encourage them not to support HB 2395 and push for a USA-Kansas supported bill SB 142.

HB 2395 was approved on an 8-4 vote and now goes to the full House. A move by Democrats to adopt **SB 142**, which adds the inflation adjustment sought by the Kansas Supreme Court on top of the increases in the five-year plan approved by the Legislature last year, failed on a voice vote. Gov. Laura Kelly, the State Board of Education, KASB and the Senate have endorsed SB 142.

In recommending approval of HB 2395, the committee also removed many of the policy changes that had earlier been proposed.

Removed from HB 2395 were provisions to allow bullying targets to receive a private school voucher; limiting school districts cash balances and new roofing bid requirements. USA-Kansas opposed those proposals. The committee also removed the formation of a bullying task force after Kansas Education Commissioner Randy Watson had earlier announced a bullying task force.

Less controversial provisions, such as extending the dyslexia task force, exempting HVAC, Americans with Disabilities Act and safety projects from the bond cap, and requiring schools to post their bullying policies more prominently, were added to SB 16, which deals with evidence-based at-risk funding, and was also approved by the committee and sent to the full House.

On cutting off the funding increases over the last two years of the K-12 plan, Committee Chair Kristey Williams, R-Augusta, said it should be up to future legislatures to make those funding decisions. During a hearing on the bill, House budget and tax leaders said the school finance increases could lead to future budget problems, although many supporters of schools say it is proposed tax cuts sought by GOP leaders that will break the budget. Supporters of the Senate-approved SB 142 say it provides the best chance of ending the Gannon school finance litigation.

HB 2395 also targets half the funding increase to go into mental health and at-risk weightings instead of all in the base aid per pupil.

Here are summaries of the two bills sent to the House by the K-12 committee based on notes and amendments distributed at the March 21 meeting. Actual language of the amended bills has not yet been posted.

Substitute for HB 2395 (Funding)

- Response to Gannon. Provides approximately the same increase in foundation aid in 2020 and 2021 as the Senate-passed SB 142, but \$20 million for new Behavioral Mental Health Weighting and increase in at-risk weighting from 0.484 to 0.51 results in lower base increase (more weighted students). These weighting changes use about 50 percent of additional funding. No additional increases in FY 2022 and FY 2023.
- Future base adjustments. Repeals scheduled base increase in 2022 and 2023 passed as part of last session's Gannon response; repeals future CPI adjustments in base and artificial Local Option Budget base.
- Overall funding changes. A result, the bill provides approximately \$90 million more than current law in both FY 2020 and 2021 in foundation aid. As proposed by the State Board of Education and Governor and approved by the Senate, SB 142 would provide a further additional \$90 million more than current law in FY 2022 and 2023. As passed by

committee, HB 2395 would provide approximately \$100 million less than current law FY 2022 and \$200 million less than current law in FY 2023.

- Behavioral Health Weighting. Creates new weighting 0.015 for each student in a school with Behavioral Mental Health liaison and agreements with community mental health centers, based on a pilot program started this year in selected districts. The program is capped at \$20 million in FY 2020 and 2021 by proviso but is not capped in future years. It is estimated that the applying this program to every school would require approximately \$37 million, but would take several years to phase in. (Original bill weighting was 0.5.)
- At-risk weighting. Adds some additional requirements for use of at-risk weighting.
- Dyslexia teacher training. Provide \$800,000 additional funding for professional development for training in the identification of dyslexia and effective reading interventions, to be distributed by the State Board of Education.
- Safety grants. Continues \$5 million in school safety grants in FY 2020, for the acquisition and installation of security cameras and any other equipment and services necessary for security monitoring and for securing doors and windows of facilities.
- Teach for America. Provides \$260,000 for second year funding of Teach for America Program.

House Substitute for SB 16 (Policy)

- Accountability Report Cards. Sec. 1 – Directs KSDE to prepare a new accountability report based on federal requirements and State Board college and career measures.
- Funding to meet adequacy standards. Sec. 2 – Directs local boards to certify they have allocated sufficient money to have students who are not meeting the “Rose standards” achieve that goal.
- Free ACT. Sec. 3 – Puts in law state payment of ACT and Workkeys tests for all students (once).

- Graduation requirements study. Sec. 4 – Directs State Board to study graduation requirements, including possible inclusion of financial literacy and computer science.
- IT education. Sec. 5 – Creates IT education standards advisory commission.
- Website reports. Sec. 6 and 8 – Directs certain reports be posted on both Department of Education and local district websites, with links titled “Accountability Reports.”
- Bullying Prevention. Sec. 7 and 22 – Directs State Department of Education to establish and maintain a statewide bullying prevention hotline and make reports to school districts where bullying has been reported, if possible. Amends the current state bullying law to add requirements to school district bullying prevention plans, including consequences and remedial action, reporting and investigation procedures, appropriate responses, and posting the plan and statewide bullying hotline on the district website.
- Special education aid. Sec. 9 – Repeals 92 percent of excess cost target for special education aid. Does not change amount of aid but removes the expressed goal of 92 percent funding.
- Tax credits for private schools. Sec. 10-11 – Amends the tax credits for private school scholarship program to make eligibility based on students attending the lowest performing (on state tests) elementary schools, rather than all schools under current law.
- Out-of-state students funding. Sec. 12-13 – Repeals provision in last year’s school finance that would reduce state funding for out-of-state students enrolling in Kansas. As a result, non-Kansans would continue to be counted the same as state residents.
- Bilingual weighting time limit. Sec. 15 – Limits bilingual participation for weighting to five years (up from four in original HB 2395).
- Kansans Can. Sec. 16 – Repeals reference in statute to Kansans Can outcomes (social emotional learning, kindergarten readiness, individual plans of study, graduation rates and postsecondary success).

- Financial reports. Sec. 17 – Adds several items to financial data schools must report on the KSDE and district website, including funds spent on school finance lawsuits since 2010.
- Cash balances audit. Sec. 18 – Directs the Division of Legislative Post Audit to study unencumbered cash balances, to be completed no later than 2021. The bill does NOT limit district cash balances to 15% of operating expenditures, based on average of monthly reporting, excluding capital outlay and bond funds only, as proposed the original HB 2395.
- Counting JAG-K. Sec. 19 – Includes Jobs for America’s Graduates funding as that should be counted toward suitable education funding. (Original SB 16 as passed by Senate)
- State bond cap modified. Sec. 20 – Amends the state bond cap to exclude maintenance or repair of facilities.
- Transportation under 2.5 miles. Sec. 22 – Sec. 23 – Requires districts to provide transportation of students living within 2.5 miles of schools if there is no safe pedestrian route, as defined in the bill, if it does not increase transportation costs.
- Dyslexia Task Force. Sec. 24 – Extends Dyslexia Task Force to 2022.

The bill does NOT include the following items contained in the original HB 2395.

- Bullying task force. Legislative Task Force on bullying prevention and adds requirements to school district bullying plans. (Commissioner of Education has also announced creation of bullying task force.)
- Private school scholarships, public school transfers for bullying. Hope Scholarship program to transfer base state aid amounts to private school scholarships for student determined to be victims of bullying after investigation (appeal to school board); private schools not required to accept such students, but another public school district must accept such students as transfers; home school must provide student with report on how district is addressing the issue if they do not transfer to a private school or another school district.

- Roofing contracts. Prohibiting school districts from specifying any proprietary product, material or installation method for roofing bids; requires districts in metropolitan areas of at least 50,000 people to receive at least three bids if specifying particular roofing product, material or installation method; allow school district to award contract to higher bidder if the board determines that quality, suitability and usability of the product, material or installation method is superior.