

Selected House & Senate

Education Summaries



2022 LEGISLATIVE SESSION
ENROLLED BILLS PASSED INTO LAW



Kansas leads the world in the success of each student.



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Mission

To prepare Kansas students for lifelong success through rigorous, quality academic instruction, career training and character development according to each student's gifts and talents.

Vision

Kansas leads the world in the success of each student.

Motto

Kansans Can

Success defined

A successful Kansas high school graduate has the **academic preparation, cognitive preparation, technical skills, employability skills and civic engagement** to be successful in postsecondary education, in the attainment of an industry recognized certification or in the workforce, without the need for remediation.

Outcomes

- Social-emotional growth
- Kindergarten readiness
- Individual Plan of Study
- Civic engagement
- Academically prepared for postsecondary
- High school graduation
- Postsecondary success

The Kansas State Board of Education does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs and activities and provides equal access to any group officially affiliated with the Boy Scouts of America and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies: KSDE General Counsel, Office of General Counsel, KSDE, Lancon State Office Building, 900 S.W. Jackson, Suite 102, Topeka, KS 66612, (785) 296-3201.

March 17, 2022

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2022 House and Senate Education Summaries



INTRODUCTION

This booklet, **Selected Senate & House Education Summaries – 2022 Legislative Session**, is published annually to provide enrolled copies and summaries of selected education bills passed by the Kansas Legislature relating generally to Unified School Districts, Interlocal operatives, and private schools.

The summaries of the bills were prepared by the Kansas Legislative Research Department in cooperation with the Kansas Department of Education. Bills are summarized using the conference committee report briefs which are prepared by the Legislative Research Department. Conference committee report briefs may be accessed on the Kansas Legislature website:

<http://www.kslegislature.org/li/>

The bills chosen include important legislative information related to education. The bill in its entirety may be found and printed from the links below:

Senate: http://www.kslegislature.org/li/b2021_22/measures/bills/senate/

House: http://www.kslegislature.org/li/b2021_22/measures/bills/house/

To select a specific bill, type the bill number in the “Filter” search box on the right of the page, or scroll through the list of bills and resolutions in the center of the web page.

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Senate Bill 62

Vision Screenings and Interpreter Licensure

SB 62 amends state standards for free school-administered vision screenings, establishes the Kansas Children's Vision Health and School Readiness Commission, authorizes the Kansas Commission for the Deaf and Hard of Hearing to adopt rules and regulations, establishes a sign language interpreter registration process, and provides guidelines for communication access services.

Interpreter Registration

The bill requires any person seeking to interpret in the state to be registered with the Kansas Commission for the Deaf and Hard of Hearing (CDHH).

Continuing Education

The bill requires all registered interpreters to attend a minimum of 30 hours of continuing education programming within a 2-year period as a condition for registration renewal.

Definitions

The bill defines the following terms:

- "Accredited nonpublic school" means all nonpublic elementary and secondary schools accredited by the State Board of Education;
- "Board of education" means the board of education of any school district;
- "IDEA part B" means all statewide programs providing special education and related services to children with disabilities aged three through five in accordance with 20 U.S.C. § 1411, and amendments thereto;
- School district means any school district organized under the laws of this state;
- "Vision Screener" means any school nurse, or the nurse's designee, or other person who is trained to administer a vision screening test to students in the State of Kansas.

The bill also amends the definition of "basic vision screening" to mean an age-appropriate eye testing program for each child that is implemented according to the most recent edition of the Kansas vision screening requirements and guidelines and includes referrals for eye examinations and necessary follow-ups.

Frequency of Vision Screenings

The bill provides children with free basic vision screenings as follows:

- Annually for children with disabilities aged three through five years who are participating in IDEA part B programs;
- At least once each school year for students enrolled in kindergarten and each of the grades one through three, five, seven, and ten in a school district or an accredited nonpublic school; and
- Within the first year of admission for any student enrolled in a school district or an accredited nonpublic school.

SB 62 (continued)*Vision Screenings and Interpreter Licensure****Entity Responsible for Providing Vision Screenings***

The bill requires the board of education of the school district in which a student is enrolled to provide basic vision screening to every student enrolled in such school district. The bill requires basic vision screening to be provided to every student enrolled in an accredited nonpublic school by either the accredited nonpublic school in which the student is enrolled or, upon request by the student's parent or guardian, by the board of education of the school district in which the student resides.

Kansas Children's Vision Health and School Readiness Commission***Commission Membership and Reimbursement***

The bill establishes an eight-member Kansas Children's Vision Health and School Readiness Commission (Commission) to ensure the implementation of the provisions of the bill, with membership appointed by the State Board of Education and composed of one member representing each of the following: optometrists, ophthalmologists, a health organization dedicated to preventing blindness, the State Department of Education, the Kansas Department of Health and Environment, school nurses, public health nurses, and school administrators. The bill requires the Commission members to serve without reimbursement for meeting expenses.

Duties of the Commission

The bill establishes the following duties of the Commission:

- Oversee the revision of state vision screening requirements and guidelines at least once every seven years;
- Provide standardized vision screening referral letters and eye professional examination reports as referenced in the Kansas vision screening requirements and guidelines;
- Identify state resources that assist in providing opportunities to offer free or low-cost eye exams for students who fail vision screenings and are unable to afford an examination on their own; and
- Establish a system to collect data from school health personnel concerning the results of the original screenings and referral outcomes, and issuing an annual report to the Secretary of Health and Environment and the Commissioner of Education.

Commission for the Deaf and Hard of Hearing

The bill amends the responsibilities of the CDHH by including a charge to provide public education on best practices for language acquisition development among deaf and hard of hearing children as well as promote the eradication of ignorance and discrimination toward deaf and hard of hearing individuals in schools and employment.

The bill also authorizes the CDHH to carry out the programs established in the bill, become a member or affiliate with professional organizations related to the Commission's scope, and undertake acts necessary to carry out the CDHH's powers, duties, and functions.

The bill allows the CDHH to fix, charge, and collect reasonable fees for interpreter registration, communication access services, and sign language instruction.

###



Senate Bill 215

Driver's Education and Transportation Network Companies

SB 215 authorizes school district boards of education to contract with transportation network companies for the purpose of transporting eight or fewer people to and from school or school-related activities and transfer authority for certain postsecondary driver's education and driver training schools to the Kansas Department of Revenue (KDOR).

Transportation Network Companies

The bill authorizes a school district board of education to establish requirements in the contract that are in addition to requirements in the Kansas Transportation Network Company (TNC) Services Act (Act). It also authorizes the State Department of Education to issue guidance to school districts on this topic.

The bill requires TNC drivers providing services under these contracts to undergo a criminal history record check like those required of employees or volunteers at a business or organization that provides care to children, people who are elderly, or individuals with disabilities and review a driving history research report for each TNC driver.

The bill requires a TNC providing these services to provide an annual safety report to the State Board of Education for any safety incidents occurring within the previous calendar year and to name the school district as an additional insured party on the TNC's automobile insurance policy.

The bill specifies the Act and the contract between a TNC and a school district board of education would govern the services provided, and rules and regulations of the State Board of Education concerning the transportation of students would not apply.

The bill requires a board of education that contracts with a TNC to provide school transportation services to:

- Provide notice to a student's parent or guardian that the student will be riding with a TNC;
- Provide an annual disclaimer to the parent or guardian of a student who may be transported by a TNC, that the school district uses TNC services, and that the relationship between the school district and the TNC is governed by a contract and not the rules and regulations of the State Board of Education;
- Permit the parent or guardian to not allow such student to ride with a TNC; and
- Maintain insurance coverage or endorsement for students transported by a TNC that covers students as though the students were in the care, custody, and control of the school district even when being transported by a TNC.

Driver's Education Courses and Authority

The bill transfers responsibility for motorcycle education and truck driver training programs operated by postsecondary institutions from the State Board of Regents to KDOR and for driver training schools from the State Board of Education to Kansas Department of Revenue.

###



Sub. for Senate Bill 563

Redistricting: State Senate, House of Representatives, and Board of Education Districts

Sub. for SB 563 redraws the State's 40 Senate districts (map name: Liberty 3), 125 House of Representatives districts (map name: Free State 3F), and 10 State Board of Education (BOE) Districts (map name: Apple 7) using data obtained from the 2020 Census.

[Note: BOE map Apple 7 is based on the districts contained in Senate map Liberty 3.]

The ideal population for each Senate district is 73,447, and the ideal population for each House district is 23,503. The guidelines adopted by the Senate and House committees on Redistricting state the range of deviation for legislative districts should not exceed plus or minus 5.00 percent, equivalent to a deviation of 3,672 persons for Senate districts and 1,175 persons for House districts. As required by law, each BOE district is constructed using four whole, contiguous Senate districts. The ideal population for each BOE district is 293,788.

The deviation range of the map Liberty 3 is minus 3.00 percent (2,498 persons) to plus 3.95 percent (2,898 persons). The deviation of Free State 3F is minus 3.94 percent (926 persons) to plus 3.59 percent (843 persons). The deviation range of the map Apple 7 is minus 1.33 percent (3,916 persons) to plus 0.59 percent (1,724 persons).

Districts were built using counties, precincts, and census blocks.

The bill requires the Attorney General to certify to the Secretary of State that the Supreme Court has entered a judgment that 2022 Sub. for SB 563 is a valid reapportionment of state Senate districts. The Secretary of State, upon receipt of the notice of certification, is required to have such notice of certification published in the Kansas Register.

The bill takes effect upon publication in the Kansas Register.

The Liberty 3, Free State 3F, and Apple 7 maps are included on the following pages. Visit www.kslegresearch.org/KLRD-web/Redistricting.html to view all proposed district plans with more detailed information and maps.

###



House Bill 2106

Lowers State Food Sales Tax Rate

Food Sales Tax Rate

Food Sales Tax Rate Beginning January 1, 2023, the bill would reduce the state sales and compensating use tax rate on food and food ingredients from 6.5 percent to 4.0 percent. The rate would be further reduced to 2.0 percent on January 1, 2024, and to 0.0 percent on January 1, 2025.

"Food and food ingredients" would be defined to include bottled water, candy, dietary supplements, soft drinks, and food sold through vending machines and to exclude alcoholic beverages, tobacco, and most prepared foods.

Local Sales Tax on Food

The bill would provide that sales of food and food ingredients would be subject to sales taxes imposed by cities and counties and that all sales subject to sales taxes imposed by cities and counties would be subject to sales taxes imposed by Washburn University.

Distribution of Sales Tax Revenue

The bill would change the percentage of sales tax revenue distribution to provide the State Highway Fund with 17.0 percent of sales and use tax receipts beginning January 1, 2023, and 18.0 percent of sales and use tax receipts beginning January 1, 2024.

Food Sales Tax Credit

The bill would sunset the food sales tax credit at the end of tax year 2024.

Fiscal Effects

The Department of Revenue estimates the bill will reduce state revenues by \$77.4 million in FY 2023, \$252.4 million in FY 2024, \$411.5 million in FY 2025, and \$500.8 million in FY 2026.

Of those amounts, State General Fund receipts are expected to be reduced by \$82.0 million in FY 2023, \$246.2 million in FY 2024, \$414.5 million in FY 2025, and \$494.4 million in FY 2026. State Highway Fund receipts are expected to increase by \$4.6 million in FY 2023, decrease by \$6.2 million in FY 2024, increase by \$3.0 million in FY 2025, and decrease by \$6.4 million in FY 2026.

###



Senate Sub. for House Bill 2239

Taxation Omnibus - Summary excerpts: Property tax 20 mill levy; Revenue neutral rate changes; increases residential exemption to \$40k on 20 mill property tax levy; \$250 income tax credit for teacher classroom supplies

Property Tax

The bill modifies revenue neutral rate notice and hearing procedures and provides for taxpayer complaint procedures; increases the residential property tax exemption from the uniform statewide school finance levy.

Revenue Neutral Rate Changes

The bill requires budgets of taxing subdivisions (USDs) filed with the Director of Accounts and Reports to be filed on or before December 31 of each year. The Department of Administration is required to make such budget documents and revenue neutral rate documents available to the public on the Department of Administration's website via a conspicuous link on the front page of the Department's website.

The Department of Administration is also required to annually provide a list of taxing subdivisions (USDs) by county with information concerning the revenue neutral rate of each taxing subdivision, whether the taxing subdivision held a hearing to exceed its revenue neutral rate, the tax rate resulting from the adopted budget, and the percent change between the revenue neutral rate and the tax rate for each taxing subdivision.

If it is determined a school district will exceed the revenue neutral rate, at a hearing held before September 20 the school board shall adopt a Resolution to Exceed the Revenue Neutral Rate by a "roll call vote" and each member's vote must be recorded. The Resolution with the votes will be posted on the Department of Administration's website.

The bill provides that **school districts are deemed to have not exceeded their revenue neutral rate** in the event the revenue in excess of the prior year amount was solely attributable to increased revenue from the 20 mill statewide school finance levy.

Residential Property Tax Exemption

The bill increases the amount of the residential exemption from the 20 mill uniform statewide school finance property tax levy **from \$20,000 of valuation to \$40,000 of valuation** beginning in tax year 2022 and provides for the amount to be increased in future tax years according to the average percentage change in statewide residential real property for the preceding 10 tax years.

Teacher Classroom Supplies Tax Credit

The bill creates an **individual income tax credit** for public or private school teachers residing in Kansas equal to the taxpayer's expenditures for school and classroom supplies during the tax year.

The credit is effective beginning in tax year 2022 and will be **limited to \$250 per year**.

###



Sub. for House Bill 2466

Computer science courses, CTE Survey and Pilot Program

Sub. for HB 2466 enacts the Promoting Advancement in Computing Knowledge (PACK) Act relating to computer science courses in secondary schools, requires the survey and establishment of a career technical education pilot program, and exempts national assessment providers from the Student Online Personal Privacy Act.

PACK Act

The PACK Act requires, **beginning in the 2023-2024 school year**, each secondary school operated by a school district to offer at least one computer science course, or submit to the State Board of Education (State Board) a plan describing how the district intends to offer a computer science course and in which school year such course will be offered. Such courses are required to:

- Be high quality;
- Meet or exceed the Kansas Model Standards for Computer Science as established by the State Board; and
- Be made available in a traditional classroom setting, a blended learning environment, or an online-based or other technology-based format that is tailored to meet the needs of each high school and participating student.

The bill requires the State Board, on or before January 15, 2023, and each January 15 thereafter, to prepare and submit a report to the Governor and Legislature on the progress made pursuant to the PACK Act. Such report shall include, but not be limited to, the following information for the immediately preceding school year:

- Number of secondary schools that offered one or more computer science courses;
- Number of high-quality, professional learning providers that received grants from the State Board under the bill;
- Number of teachers prepared by high-quality professional learning providers;
- Number of teachers teaching computer science courses compared to number of teachers prepared by learning providers; and
- Number of students reached by high-quality learning providers.

The bill would **sunset the reporting requirements** on July 1, 2025.

Computer Science Pre-service Educator Program

The Computer Science Pre-service Educator Program (Program) authorizes the Kansas Board of Regents (KBOR) to provide scholarships, not to exceed \$1,000, to pre-service teachers working towards a degree in elementary or secondary education and to licensed teachers who complete one course in computer science while enrolled in a state educational institution, community college, or certain not-for-profit institution of postsecondary education. The bill requires the KBOR to prioritize for receipt of scholarships those candidates from underrepresented groups and those candidates who agree to teach computer science in rural schools and in schools with higher percentages of students from underrepresented groups.

Sub. for HB 2466 (continued)*Computer Science, CTE Survey and Pilot*

The bill authorizes the KBOR to coordinate with postsecondary educational institutions to develop pathways in computer science education for pre-service teachers to obtain a certification to teach computer science. The bill requires the KBOR to adopt rules and regulations necessary to implement the Program, including requirements for scholarship eligibility and applications.

State Board of Education Grants

The bill also authorizes the State Board, subject to appropriations, to award grants to high-quality professional learning providers to develop and implement professional development programs for teachers to teach computer science courses. The bill would require such a learning provider to submit an application to the State Board for receipt of a grant. If a grant is received, the learning provider must use it for one of the following purposes:

- Providing high-quality professional learning;
- Credentialing for computer science teachers;
- Supporting computer science professional learning;
- Creating resources to support implementation of the bill;
- Student recruitment; or
- Development of teacher preparation programs.

The bill requires any such learning provider that receives a grant to provide an annual report to the State Board that includes certain information. The bill requires the State Board to prioritize for the receipt of grants:

- School districts that work in partnership with providers of high-quality professional learning;
- Proposals that describe strategies to enroll female students, students from marginalized racial and ethnic groups underrepresented in computer science, students eligible for free and reduced-price meals, students with disabilities, and students who are English language learners; and
- Proposals from rural or urban areas that experience difficulties providing computer science offerings.

Career Technical Education Survey and Pilot Program

The bill requires the Kansas State Department of Education to conduct a survey of high-value credential and standard career and technical education courses offered to students enrolled in public high schools for the purpose of determining the needs for secondary career technical education credentialing. The survey will determine the following:

- Career and technical education pathway courses offered for high school credit;
- Concurrent enrollment partnership and dual enrollment courses offered for high school and college credit;
- What concurrent enrollment partnership and dual enrollment courses are offered by high schools, community colleges, or technical colleges;
- What career and technical education courses are offered by high schools that will not lead to credentialing;

Sub. for HB 2466 (continued)*Computer Science, CTE Survey and Pilot*

- Number of students with documented accommodations who are not enrolled in a gifted program;
- First-time pass rate of students who have earned approved standard career and technical education credentials in the prior three years;
- First-time pass rate of students who have earned approved high-value credentials in the prior three years;
- Credentials earned in the prior three years and number of students who earned such credentials; and
- Amounts paid by school districts for students to take credential exams.

The Kansas State Department of Education is required to compile the results of said survey and present the results to the House Committee on Education and the Senate Committee on Education on or before January 15, 2023.

The bill requires the State Board, on or before July 31, 2023, and on each July 31 thereafter, to review and approve a list of high-value industry-recognized credentials and a list of standard industry-recognized credentials. The bill requires the list be prepared by a committee established by the State Board that includes representatives from the following organizations:

- Association of Community College Trustees;
- Kansas Technical Education Authority;
- Kansas Technical College Association; and
- Kansas Association of School Boards.

The bill would require a preliminary report from participating school districts and the Washburn Institute of Technology to be presented to the House Committee on Education and the Senate Committee on Education on or before February 1, 2023. The bill details elements that would be required to be contained within the report.

Washburn Institute of Technology Pilot Program

For the 2022-2023 school year, each participating high school within the Washburn Institute of Technology service area shall receive a \$500 stipend for additional student counseling services and coordination with the Washburn Institute of Technology; and shall be reimbursed for the total cost of the assessment for any participating student that takes a credential assessment.

Student Online Privacy Protection Act

The bill amends the Student Online Personal Protection Act to exclude national assessment providers that administer college and career readiness assessments from the definition of “operator.” The bill permits a national assessment provider to administer a college and career readiness assessment questionnaire or survey to any student enrolled in grades K-12 without prior written permission from such student’s parent or guardian.

###



Senate Sub. for House Bill 2567

Makes appropriations for the Kansas Department of Education (KSDE) for FY2022, FY2023 and FY2024, makes adjustments to KSEEA and amends various provisions of law related to K-12 Education.

New Sections 1-4 and Sections 28-33 of the bill will be in effect upon publication in the Kansas Register; sections 6, 8, 9, 13, 15-18, and 35-38 will be in effect beginning July 1, 2023; and sections 5, 7, 10-12, 14, 19-27, and 34 will be in effect beginning July 1, 2022.

The bill:

- Makes appropriations for the KSDE for FY 2022, FY 2023, and FY 2024 (Sections 1-4);
- Establishes the Every Child Can Read Act (New Sections 5 and 6);
- Authorizes boards of education of school districts to allow students enrolled in grades 6 through 12 to earn course credits through alternative educational opportunities (New Section 7);
- Establishes a transfer system for nonresident students between unified school districts based upon the student capacity of each unified school district (Sections 8, 9, 13, and 15-18);
- Amends the Johnson County Research Triangle Authority Act (Section 10);
- Amends reporting requirements for the Kansas State High School Activities Association (KSHSAA) (Section 11);
- Requires local school boards to annually review state academic assessments and utilize such assessments and the school district's building needs assessment when reviewing and approving the school district's budget (Section 12);
- Amends the compulsory school attendance statute to consider students enrolled in a combination of public and private school during the required periods of time as compliant with compulsory attendance requirements (Section 14);
- Amends the Virtual School Act to prohibit any virtual school from offering or providing any financial incentive for a student to enroll in a virtual school (Section 19);
- Amends the Virtual School Act to require that a virtual school's graduation rate shall include only those students who enrolled in a virtual school with sufficient credits to be expected to graduate in the same school year as such student's cohort group (Section 19);
- Amends the virtual school finance system to provide funding on a per-course basis for a student who is 19 years of age and younger and has dropped out (Section 20);
- Amends the Tax Credit for Low Income Students Scholarship Program (Section 21);
- Amends the calculation of local foundation aid within the KSEEA by removing federal impact aid from the formula and amends the calculation of capital improvement state aid (Section 22 and 23);

Sub. for HB 2567 (continued)*Education Mega Bill*

- Amends the school and school district accountability reports law and requires KSDE to prepare and submit to the Governor and the Legislature a summary report regarding student achievement (Section 24);
- Establishes the Capital Improvement State Aid Fund and identifies transfers as revenue transfers from the State General Fund (SGF) (Sections 25 and 26);
- Amends the Kansas Promise Scholarship Act (Sections 28-33);
- Amends parental notification and consent requirements regarding nonacademic tests, questionnaires, surveys, or examinations regarding a student's personal and private attitudes, values, beliefs, or practices (Section 27); and
- Establishes educational benefits for dependents or spouses of certain first responders and military personnel (Section 34).

Appropriations for FY 2022, FY 2023, and FY 2024 (New Sections 1-3)*FY 2022 (New Section 1)*

The bill appropriates the following from the SGF in FY 2022 for KSDE:

- \$178,986 for the Education Superhighway; and
- \$10.3 million for Supplemental State Aid.

The bill modifies the SGF appropriation, in FY 2022, for KSDE. The bill lapses the following moneys appropriated from the SGF in FY 2022:

- \$25,749 for operating expenditures;
- \$7.8 million for the Kansas Public Employees Retirement System (KPERs) non-Unified School Districts (USDs);
- \$24.0 million for the KPERs-USDs; and
- \$58.6 million for State Foundation Aid in FY 2022.

FY 2023 (New Sections 2 and 3)

The bill appropriates \$6.4 billion, including \$4.2 billion SGF, for FY 2023 for KSDE. This includes \$5.3 billion, including \$4.2 billion SGF, for the major categories of school finance, KPERs-USDs, and KPERs-non-USDs. Appropriations from the SGF include the following:

- \$14.2 million for operating expenditures;
- \$157.3 million for State Foundation Aid;
- \$54.0 million for Supplemental State Aid;
- \$80,000 for Center for READING;
- \$37.7 million for KPERs-non-USDs;
- \$520.8 million for KPERs-USDs;
- \$2.8 million for the ACT and WorkKeys Assessments Program;
- \$10.5 million for the Mental Health Intervention Team Pilot Program;
- \$300,000 for the Juvenile Transitional Crisis Center Pilot;
- \$67,700 for Education Commission of the States dues;

Sub. for HB 2567 (continued)*Education Mega Bill*

FY 2023 (New Sections 2 and 3) continued:

- \$10,000 for the School Safety Hotline;
- \$5.1 million for School District Juvenile Detention Facilities and Flint Hills Job Corps Center Grants;
- \$2.5 million for School Food Assistance;
- \$1.3 million for the Mentor Teacher Program;
- \$110,000 for Educable Deaf-blind and Severely Handicapped Children's Programs Aid;
- \$520.4 million for Special Education Services Aid;
- \$360,693 for Governor's Teaching Excellence Scholarships and Awards;
- \$1.8 million for Professional Development State Aid;
- \$4.0 million for a virtual math program (SGF moneys would lapse if American Rescue Plan Act [ARPA] funds are available);
- \$1.0 million for Computer Science Education Advancement Grants;
- \$40,000 for the Computer Technical Education Pilot;
- \$1.5 million for Career and Technical Education Transportation; and
- \$4.0 million for School Safety and Security Grants.

The bill also appropriates \$1.0 million from federal ARPA funds through the Office of the Governor for School Safety and Security Grants for FY 2023. The bill allows school districts to expend school safety and security grants for salaries and wages related to newly created school resource officer positions in addition to existing allowable purposes.

The bill also appropriates funding from several no-limit special revenue funds, including federal funds, and fee funds. The bill appropriates the following from the **Children's Initiatives Fund (CIF)**:

- \$375,000 for the Children's Cabinet Accountability Fund;
- \$20.7 million for CIF grants;
- \$8.4 million for the Parent Education Program, also known as Parents as Teachers;
- \$4.2 million for the Pre-K Pilot Program;
- \$1.4 million for Early Childhood Infrastructure; and
- \$500,000 for the Dolly Parton Imagination Library.

The bill provides for the following transfers:

- \$50,000 on July 1, 2022, or as soon as moneys are available, from the Family and Children Trust Account of the Family and Children Investment Fund of the KSDE to the Communities in Schools Program Fund of the KSDE;
- \$550,000 on March 30, 2023, and \$550,000 on June 30, 2023, from the State Safety Fund to the SGF to reimburse costs associated with services provided by other state agencies on behalf of KSDE;
- \$73,750, quarterly, from the State Highway Fund of the Department of Transportation to the School Bus Safety Fund of KSDE;
- An amount certified by the Commissioner of Education from the Motorcycle Safety Fund of the KSDE to the Motorcycle Safety Fund of the State Board of Regents, to cover costs of driver's license programs conducted by community colleges; and

Sub. for HB 2567 (continued)*Education Mega Bill*

The bill provides for the following transfers: (continued)

- \$70,000 from the Universal Service Administrative Company E-rate program federal fund of the State Board of Regents to the Education Technology Coordinator Fund of KSDE.

The bill appropriates \$260,535 from the Kansas Endowment for Youth Fund for the Children's Cabinet administration.

The bill also authorizes the Commissioner of Education to transfer any part of an SGF appropriation for KSDE to another SGF appropriation in KSDE for FY 2023.

The bill appropriates \$41.4 million from the Expanded Lottery Act Revenues Fund for KPERS-non-USDs.

The bill appropriates \$4.0 million from federal ARPA funds in FY 2023 through the Office of the Governor for KSDE to **implement a virtual math program** to be made available to all school districts. The bill specifies that KSDE is required to recommend use of the virtual math program to all school districts. The bill also states that if ARPA funds are not available, the virtual math program will be funded with SGF moneys.

The bill requires the virtual math program to be customized to Kansas curriculum standards, be evidence-based, not impose any fee upon students, provide tutoring in multiple languages, provide professional development for the implementation of the program, and have been implemented in other states over the previous eight fiscal years.

All districts implementing a virtual math program are required to track and report to KSDE twice during school year 2022-2023, as determined by KSDE, the number of attendance centers and students using a virtual math program, the number of students not using a virtual math program, the number of teachers participating in professional development provided by a virtual math program, and the effect of the program on student academic proficiency. KSDE is required to submit a summary report to the House Committee on K-12 Education Budget and the Senate Committee on Education including a list of school districts and attendance centers that are using a virtual math program, a list of school districts and attendance centers not using a virtual math program, and a comparison between low-usage and high-usage school districts and attendance centers.

The bill also **increases virtual state aid** from \$5,000 per full-time pupil to **\$5,600** per full-time pupil and increases virtual state aid from \$1,700 per part-time pupil to **\$2,800** per part-time pupil, beginning in FY 2023.

FY 2024 (New Section 4)

For FY 2024, the bill appropriates from the SGF \$2.6 billion for State Foundation Aid and \$568.2 million for Supplemental State Aid. The bill also authorizes expenditures from the State School District Finance Fund and the Mineral Production Education Fund. The bill appropriates \$2.0 million SGF for FY 2024 for the **virtual math program**.

Every Child Can Read Act (New Sections 5 and 6)*Purpose (New Section 5)*

The bill provides a legislative statement of intent regarding the promotion of academic achievement in schools.

Sub. for HB 2567 (continued)*Education Mega Bill**Every Child Can Read Act (New Section 6)*

The bill enacts the Every Child Can Read Act **to promote third-grade literacy initiatives**. This section requires the board of education of each school district to provide opportunities for students to participate in targeted educational interventions. The bill requires literacy to be attained through the Science of Reading, evidence-based reading instruction, and necessary competencies to attain proficiency. Schools are required to follow and use the framework of KSDE's Dyslexia Handbook.

Each school district must ensure that the competencies are achieved through literacy instruction in:

- Phonics;
- Vocabulary development;
- Reading fluency; and
- Reading comprehension.

The bill requires each school district to measure student achievement through state assessments and through other universal screening and assessment tools that are approved by the local board of education, or by KSDE. School districts must provide targeted and tiered interventions designed to match a student's individual needs through additional contact hours with the student, which may include additional one-on-one instruction, small group instruction, tutoring, or summer school.

Additionally, school districts must ensure that each third-grade teacher communicates with the parents of each third-grade student at least once each semester regarding the student's individual deficiencies and any recommended interventions for such student. Such teacher- to-parent communication must provide the parent with:

- A summary of the Every Child Can Read Act and the goals of the Act;
- The student's assessment data that pertains to literacy;
- Recommended interventions for the student; and
- How the school district tracks outcomes of those interventions.

The bill also requires each school district to annually report on or before June 30 information regarding the school district's implementation of the Every Child Can Read Act to KSDE including:

- The school district's interventions and outcomes of such interventions;
- The number of third-grade students in the district;
- The screening and assessment data that the district is using to evaluate student progress in literacy; and
- The percentage of all students and student subgroups who are proficient, moving towards proficiency, or deficient.

The bill requires KSDE to annually submit a summary of such reports to the Governor and Legislature.

Alternative Educational Opportunities (New Section 7)

The bill authorizes school district boards of education to adopt policies to allow students enrolled in grades 6 through 12 to earn course credits through alternative educational opportunities with sponsoring entities. The bill defines the following terms:

- "Alternative educational opportunity" means the instruction that primarily occurs outside the classroom with a sponsoring entity; and

Sub. for HB 2567 (continued)*Education Mega Bill**Alternative Educational Opportunities (New Section 7) (continued)*

- “Sponsoring entity” means a business, not-for-profit organization, nonprofit organization, trade association, parent of a student, teacher, or administrator that partners with a school district to provide an alternative educational opportunity to students.

Alternative Education Policy

The bill requires a school district’s policy to establish the following:

- Eligibility requirements for sponsoring entities;
- Requirements for the provision of alternative educational opportunities by sponsoring entities;
- Procedures for a sponsoring entity to submit a proposal to the school district to provide an additional educational opportunity to students;
- Criteria the school district will use to evaluate proposals; and
- Course credit that may be earned through the alternative educational opportunity.

Alternative Education Proposals

- The bill authorizes a school district to accept a proposal from a sponsoring entity if the alternative education opportunity:
- Provides an additional learning opportunity through a work-based, pre-apprenticeship, apprenticeship, internship, industry certification, or community program; and
- Is approved by the State Board of Education (State Board) as an alternative educational opportunity; or
- Complies with the school district policies adopted pursuant to the program; and
- Is managed and directed by a licensed teacher employed by the school district.

State Board of Education

The bill allows a sponsoring entity to petition the State Board to approve an alternative education opportunity that is provided through such sponsoring entity if such alternative education opportunity provided through such sponsoring entity is generally applicable on a statewide or regional basis across multiple school districts. The State Board is required to approve or deny each petition proposing an alternative educational opportunity within 90 days of receipt of such proposal.

If the State Board denies the proposal, it must provide the sponsoring entity with the reasons for such denial. If the State Board approves such proposal, any school district is permitted to implement the alternative education opportunity. The State Board may revoke any such approved proposal if it determines that the sponsoring entity fails to comply with the requirements of the program.

Reporting Requirement

The bill requires school districts to report information to KSDE on the alternative educational opportunities that are authorized in the school district, the names of the sponsoring entities, the number of students participating, and the number of credits earned.

Sub. for HB 2567 (continued)*Education Mega Bill****Open Enrollment (New Sections 8-9, Section 13, and Sections 15-18)****Definitions*

The bill defines various terms including, but not limited to, “homeless child,” “nonresident student,” “receiving school district,” and “sending school district.”

Transfer Policy

The bill requires each board of education (board) of a school district (district) to adopt a policy to determine the capacity of the district to accept nonresident students in each grade level on or before January 1, 2024.

The bill requires the policies to be consistent with the provisions of the bill and clearly specify reasons for the denial of continued enrollment by a nonresident student. Such reasons for denial could include, but are not limited to, elements such as a nonresident student's history of school absenteeism, suspensions, or expulsions.

Prior to adopting such policy, the board must hold a hearing. The board must provide notice of the hearing, to include the time, date, and place of the public hearing to be held on the proposed policy. The bill requires the notice to be published at least once each week for two consecutive weeks in a newspaper of general circulation in the school district and posted on the school district's website. A representative of the board must present the board's proposal for the policy at the hearing, and the board must hear testimony regarding the proposed policy. After consideration of the testimony and evidence presented or submitted at such public hearing, the board will determine whether to adopt the policy or revise the proposed policy at a subsequent public meeting of the board.

The bill requires policies adopted by the board pursuant to this bill to be published on the district's website.

Public School Eligibility

The bill amends law regarding where students may attend public school by no longer requiring a student's resident school district to have an agreement with the nonresident school district where the student wishes to attend.

Open Enrollment Procedure

The bill authorizes, beginning in the 2024–2025 school year, any student eligible to attend a public school within the state to attend a school within a district regardless of whether the student is a resident of the district, if the nonresident district has open capacity.

Capacity

The bill requires capacity to be determined as the classroom student-teacher ratio in each grade for grades kindergarten through 8 and the student-teacher ratio for each school building or program in each school building for grades 9 through 12.

On or before May 1 of each year, each local board must determine the following for each grade level in each school building within the district:

- Capacity of the district;
- Number of students expected to attend school in the district; and
- Number of open seats available for nonresident students.

Sub. for HB 2567 (continued)*Education Mega Bill**Open Enrollment (continued)*

The bill requires the number of **open seats available for nonresident students to published** on the district's website by June 1 of each year for each grade level at each school building.

Transfer Application Process

The bill allows students to submit applications to nonresident school districts **between June 1 and June 30** each year for the fall semester.

If the number of applications to a district is equal to or less than the available capacity for a grade level in a district, all applicants must be accepted for enrollment within the district. If the number of applications exceeds the capacity for a grade level within the district, the district will randomly select nonresident students via a lottery process on or before July 15 of each year.

Student Denial

The bill requires any district denying the continued enrollment of a nonresident student or denying the acceptance of a new nonresident student to notify the student's parent or guardian of the reason for denial. **Reasons for such denial** can include, but are not limited to, elements such as a nonresident student's history of school absenteeism, suspensions, or expulsions.

[Note: Students can be denied acceptance to a nonresident district only if there is no capacity or they were not selected during the lottery process.] K.S.A. 72-6120 allows school districts to honor current student suspensions and expulsions.

Nonresident Enrollment Priority and Exceptions

The bill provides priority enrollment to the siblings of an accepted, nonresident student during the initial acceptance or at any other time the district considers applications. Siblings are not subject to the open seat lottery.

The bill allows any student in the custody of the Department for Children and Families (DCF) living in the home of a nonresident student to attend school in the receiving district.

Prohibitions

The bill prohibits districts from charging tuition or fees to nonresident students except for fees otherwise charged to every student enrolled and attending in the district. Districts are also prohibited from admitting or denying students based upon the following criteria:

- Ethnicity;
- National origin;
- Gender;
- Income level;
- Disabling condition;
- Proficiency in the English language;
- Measure of achievement;
- Aptitude; or
- Athletic ability.

Sub. for HB 2567 (continued)*Education Mega Bill**Open Enrollment (continued)**Continued Enrollment*

The bill states that any nonresident student who has been accepted for enrollment and attendance at a receiving district could continue at the district until the student graduates from high school or is no longer in good standing based upon the nonresident transfer policy of the district.

The bill reaffirms that students may enroll at any time in the district in which the student resides.

Transportation

The bill does not require a district to provide transportation to nonresident students; however, if space is available on district transportation vehicles, a district can provide nonresident students with a bus stop within the district where transportation can be provided to and from school for nonresident students. Any district may choose to transport any nonresident student, **beginning July 1, 2023**.

Kansas State High School Activities Association

The bill states that nonresident students who transfer would be subject to policies and requirements of the KSHSAA.

Reporting

The bill requires boards to submit the number of nonresident student transfers approved and denied, and the reason for the denials, to KSDE. Such numbers will be compiled by KSDE and will be reported on the KSDE website and provided to the Legislative Division of Post Audit (LPA).

The bill requires KSDE to audit a district's nonresident student capacity and enrollment during a district's annual enrollment audit.

In calendar year 2027, the bill requires the Legislative Post Audit Committee to direct LPA to conduct an audit of nonresident student transfers. The bill requires the audit to be presented to the Legislative Post Audit Committee on or before January 15, 2028, and then presented to the House Committee on K-12 Education Budget and the Senate Committee on Education.

The bill also clarifies **open enrollment will not apply to** school districts on military bases.

[Note: This provision currently applies only to **USD 207**, Fort Leavenworth.]

The bill also makes corresponding changes to other sections of law.

Johnson County Research Triangle (Section 10)

The bill authorizes use of funds remitted to the Johnson County Research Triangle to be used for other undergraduate and graduate programs at the Johnson County location of Kansas State University that have been both approved by the Johnson County Research Triangle Authority Board of Directors and do not include either pre-baccalaureate programs or lower-division courses for high school students.

Kansas State High School Activities Association Reporting (Section 11)

The bill makes KSHSAA board members, officers, and employees mandatory reporters of child abuse or neglect.

Sub. for HB 2567 (continued)*Education Mega Bill****Using Needs Assessment in Budget Process (Section 12)***

The bill requires local school boards to annually **review state academic assessments** and utilize such assessments and the school district's building needs assessment when reviewing and approving the school district's budget.

The bill requires a local school board to **utilize the district's building needs assessment** during approval of the school district budget. The bill requires school boards to include in their minutes during approval of the budget that the board received the district's needs assessment, how the board evaluated said assessment, and how said assessment was utilized in the district's budget.

The bill requires a school board to **conduct an annual review** of state assessment results for its district and that the review document the following findings:

- **Barriers** that must be **overcome** for all students to **achieve above level 2** proficiency on state assessments;
- **Budget actions** that should be taken to address and **remove barriers**; and
- The **amount of time** the board estimates it will take for **all students** to **achieve above level 2** on state assessments if budget actions are implemented.

Each school district must ensure all building needs assessment and state assessment documentation is **available on the district's website and in the administrative office of the school district**.

Part-time Enrollment (Section 14)

The bill **amends the compulsory school attendance statute** to consider students enrolled in a combination of public and private school during the required periods of time as compliant with compulsory attendance requirements. The bill also makes changes regarding when a student 16 to 17 years of age may be exempt from compulsory attendance:

- Clarifying that, following a final counseling session with the school, the student's parent or person acting as parent can provide written consent to allow exemption; and
- Including an exemption for a child subject to a court order that allows or requires the child be exempt from compulsory attendance.

The bill also requires school districts to allow for the part-time enrollment of students who are also enrolled in a private school or home school. Each **board of education** of a school district **must adopt a policy** to allow such students to enroll and attend any courses, programs, or services offered by the school district.

If school districts receive specific scheduling requests from part-time enrolled students, the bill requires the school district to make a good faith attempt to accommodate such requests, but the bill would not require such school district to accommodate all requests.

Sub. for HB 2567 (continued)*Education Mega Bill****Virtual School Graduation Rates and Virtual School Financial Incentives (Section 19)****Virtual School Graduation Rates*

The bill amends the Virtual School Act to require a virtual school's graduation rate to include only those students who enrolled in a virtual school with sufficient credits to be expected to graduate in the same school year as such student's cohort group. The bill requires that this graduation rate calculation be done only at the state level for accreditation purposes.

Virtual School Financial Incentives

The bill amends the Virtual School Act to **prohibit any virtual school from offering or providing any financial incentive** for a student to enroll in a virtual school. A financial incentive is defined as any monetary payment or award that is intended to encourage, entice, or motivate a student to enroll in a virtual school.

Virtual Diploma Completion (Section 20)*Virtual Diploma Completion*

- The bill amends the virtual school finance system to provide funding on a per-course basis for a student who is 19 years of age or younger and:
- Has a ratio of earned credits to expected credits for their cohort year of less than 75.0 percent when enrolling in a virtual school;
- Has done one of the following:
 - Dropped out of high school such that the student has not attended any school of a school district for 60 consecutive days or more during the current school year and the student is not reasonably anticipated to recommence enrollment or attendance at any school or school district during the current school year;
 - Dropped out of high school such that the student has not attended any school of a school district for 60 consecutive days or more during the preceding school year, and the student did not finish such preceding school year, and the student is not reasonably anticipated to recommence enrollment or attendance at any school of a school district during the current school year; or
 - Been exempted from compulsory student attendance by written consent of the parent pursuant to K.S.A. 72-3120; and
- Has not been counted in the enrollment of a virtual school as a full-time or part-time virtual student during the school year in which such student enrolls as a dropout diploma completion virtual student.

The bill authorizes **virtual schools to receive \$709 per passed course** with a maximum for six courses per year, per eligible student.

Tax Credit for Low Income Students Scholarship Program (Section 21)

The bill amends the Tax Credit for Low Income Students Scholarship Program Act to **include children seven years of age or under** in the definition of "eligible student."

Sub. for HB 2567 (continued)*Education Mega Bill****Federal Impact Aid and Capital Improvement State Aid (Sections 22 and 23)***

The bill amends the calculation of a unified school district's local foundation aid by removing the requirement that 70.0 percent of a school district's federal impact aid be included in the calculation.

[Note: Federal impact aid is provided to school districts that have lost property tax revenue due to the presence of tax-exempt federal property or serve large numbers of federally connected students.]

The bill extends the statutory cap on the aggregate amount of school district general obligation bonds the State Board may approve to June 30, 2027.

School districts that are not eligible to receive capital improvement state aid or that have opted out of receiving such aid are exempt from the general obligation bond cap.

For all general obligation bonds approved at elections held on or after July 1, 2022, the bill **removes Unified School District 207, Fort Leavenworth**, from the determination of the school district with the lowest assessed value per pupil (AVPP), and the **capital state aid computation** would begin at 51.0 percent.

The bill also **excludes all students enrolled in a virtual school** within a school district from the determination of that district's assessed valuation per pupil (AVPP).

Student Achievement Summary Report (Section 24)

The bill amends school and school district accountability reports law to require KSDE to prepare and submit to the Governor and the Legislature a summary report regarding student achievement. Such report must provide:

- A statewide summary of the performance accountability reports and longitudinal achievement reports that are prepared by KSDE, which include:
 - Achievement results from English language arts (ELA) and math assessments over the preceding five years for all students and student subgroups to show whether there are statewide trends in academic achievement or learning loss;
 - A comparison to any other evaluation metric used by the State Board, such as college and career readiness or graduation rates;
 - A comparison to other educational assessments such as the National Assessment of Educational Progress (NAEP);
 - An analysis of trends in student achievement outcomes and a review of conditions that are impacting educational outcomes;
 - A review of the academic interventions that school districts are using to improve student performance, whether the State Board has any recommendations regarding interventions, and the estimated achievement gains of such interventions; and
 - A summary of performance levels and the scale and cut scores for the statewide assessments; and

Sub. for HB 2567 (continued)*Education Mega Bill**Student Achievement Summary Report (continued)*

- **A student-focused longitudinal achievement report** that provides information on achievement gains or losses for certain student cohort groups. Such report must begin with all students entering the third grade and the students entering eighth grade in school year 2022-2023 and summarize the longitudinal achievement of such students over a three-year period. KSDE must repeat such report every three years for such grade levels. Each longitudinal report must include:
 - A summary of the improvement or learning loss occurring within such cohorts;
 - An analysis of evaluations and metrics used to measure the year-over-year achievement of such student cohorts;
 - A review of the academic interventions that school districts use to improve student performance, whether the State Board has any recommendations regarding interventions, and the estimated achievement gains of such interventions; and
 - The achievement results from the ELA and math assessments and any other assessment data, such as the NAEP, ACT, and pre-ACT for such student cohort groups.

Administration of Nonacademic Surveys (Section 27)

The bill adds requirements for the **administration of nonacademic surveys**, including tests, questionnaires, and examinations in schools. The bill applies such requirements to any survey administered during the school day that contains questions about the personal and private attitudes, values, beliefs, or practices of the student or any of the student's family, friends, or peers. The bill requires the school to provide written notification prior to the administration of any such survey to the parent or guardian no more than four months in advance of the administration of the survey. The bill requires the **written parental notification** to include the following information:

- A copy of the survey;
- Information on how the parent can provide written consent for the student to participate;
- The name of the company or entity that produces or provides the survey; and
- Whether the school will receive or maintain the resulting data and how the school will use such data.

The bill provides that a parent's written consent can only be accepted by a school after the parent receives the required notification and has had an opportunity to review the information in such notification. A **separate notification is required for each survey**, and the parent's written consent is required upon each notification for a student to participate. If a parent provides written consent, the bill requires a student to be informed the **student has the right to refuse** to take such survey and not suffer any adverse consequences for the decision.

The bill requires each school **to post and maintain copies of each survey** that is administered in the school district. The bill requires copies to be posted on the school district website and updated as necessary. The bill also provides that no such survey shall be incorporated or embedded in any academic program, course, or curriculum offered or provided by a school district.

The bill **prohibits** the collection of any personally identifiable student data on any such survey.

Sub. for HB 2567 (continued)*Education Mega Bill****Suicide Risk Assessments and Screening Tools***

The bill allows designated school personnel (school personnel), if they become aware of a credible report of a student suicide risk, to **administer a suicide risk assessment** or screening tool to determine whether the student could be at risk for suicide. Such school personnel include, but are not limited to, any administrator, teacher, counselor, social worker, psychologist, or nurse.

Prior to the administration of the risk assessment or screening tool, the school personnel must verbally notify the parent or guardian. If the school personnel are not able to reach the parent or guardian and obtain consent after reasonable attempts to do so, the risk assessment or screening tool can be administered. If the risk assessment or screening tool was administered without the parent or guardian's consent, school personnel must notify the parent as soon as contact can be made that the risk assessment or screening tool was administered and provide the parent or guardian with all information obtained from the risk assessment or screening tool.

The last sections of HB 2567 pertain to **postsecondary education**:

- ***Promise Scholarships*** (Sections 28-33)
- ***Kansas Hero's Scholarship Act*** (Section 34)

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