



KSDE
Budget Workshop

Land Policy

June 2024



Kansas leads the world in the success of each student.

Legislative Update



Overall, it was a pretty good year.

- \$300 million in State General Fund added to preK-12 public education:
 - 5.7% increase in the BASE \$5,088 to \$5,378, LOB base \$5,452
 - \$75,500,302 in increased special education funding
- House Sub. for SB 387 passed both the House and the Senate with a total of 4 no votes.
- With a couple of exceptions, policy changes were cleanup, and some are actually helpful!
- Your efforts with legislators made a big difference.
- As always, next year could be very different, so your continued engagement will be critical!

SB 19 - Cardiac Plans



- Creates a Master's Degree scholarship for National Guard Members and requires school districts to adopt Cardiac Emergency Response Plans.
 - Requires KDHE to develop model emergency cardiac plans for schools and for local school board to adopt an emergency cardiac plan including:
 - Establishing a Cardiac Emergency Response Team
 - AED Placement
 - Roles and responsibilities for school personnel as well as first responders
 - Procedures for implementation of the plan.
 - The bill did **not** establish a timeline. Although you could start the process, you will need the KDHE guidelines before you can be expected to approve the new plan.

SB 73 - Counting Students for Funding



Changes the enrollment years used for the calculation of district budgets

- Starting in 2024-25, enrollment for funding will be based on the **highest of current or prior year enrollment.**
- **For 2024-25 only,** the **highest of current, prior or average of prior and second preceding year** can be used.
- We will discuss this more with **Form 150.**

SB 287 - Parental Consent for Healthcare



- Requires parental consent for health care services for a minor child in a school facility when:
 - Administering any prescription or nonprescription drug
 - **HB 2547 provides an exception**
 - Administering a diagnostic test with the minor's bodily fluids; or
 - Conducting ongoing behavioral health treatment.
- Exceptions:
 - Conducting a behavioral health assessment or intervention for a minor experiencing a behavioral health crisis;
 - Conducting a school-based screening required by law; or
 - Providing education to a minor.
- Does not change other parental consent laws including KSA 65-2891 or 72-2872b involving emergency care.

SB 339 – Districts with NO Students



- Prohibits KSDE from distributing state foundation aid to districts that do not have students.
 - For fiscal year 2025, KSDE will not distribute state foundation aid funds to a district that has no students enrolled and attending.
 - For this to impact a district, the district would have a headcount of **zero** on September 20, 2024, or have contracted out the education of **all** grade levels with students enrolled.
 - If a school district has no students enrolled and attending a grade level that is attending school in the district, students attending other districts will be counted as if they were enrolled in the district of attendance.

House Sub. for SB 387 – KSDE Budget



- Implements the BASE funding statute, adds special education state aid and maintains most programs.
 - BASE - \$5,378
 - LOB Base - \$5,452
 - Adds \$65.5 million SGF and \$2.5 million ARPA to SPED state aide
 - Funds \$5 million in Safe and Secure Schools grants
 - Grants will be administered as they were in 2023-2024 with the inclusion of AEDs as allowable expenses.
 - Districts are discouraged from using the funds for the purchase of Narcan as it is available without cost from a variety of agencies.

House Sub. for SB 387- Education Funding Taskforce



- **11 Voting Members**

- Includes 6 Legislators, a State Board Member, a Parent, a Teacher, and two **Superintendents (1 Rural, 1 Urban appointed by State Board)**

- **4 Ex Officio Members**

- Two KSDE staff members – Deputy Commissioner and Director of Special Education and Title Services
- Director of the Budget
- Director of the Children’s Cabinet

- Appointments must be made by Nov. 30, 2024
- Report must be submitted to the Legislature on or before Jan. 11, 2027
- Abolishes the current Special Education Task Force.
- The proposed formula must consider:
 - The Rose Capacities;
 - Adequacy, Consistency, and Reliability;
 - Equity; and
 - Accountability

House Sub. for SB 387 - Special Education



- Changes SPED Excess Costs Determination
 - **Requires** the calculation of school district level excess costs
 - This calculation must be done before special education state aid is distributed.
 - Information must be provided to districts, posted on KSDE website and presented to the legislature.
 - This information will not be used for funding distribution.
 - **Revises** the special education statewide excess costs calculation used to calculate special education state aid
 - New calculation starts with FTE instead of funding amount – changes when the BASE is used.
 - LOB funding for regular education is still part of the calculation – the change reduces the amount of LOB counted for regular education.

House Sub. for SB 387 - Special Education State Aid



- Directs the State Board of Education to “establish a special education services aid equalization distribution schedule”.
 - Prioritize equalizing special education services aid distributions to districts.
 - Consider the discrepancies between districts’ excess costs (as defined in the bill). – State board agreed that the district excess cost model is disequalizing.
 - 2024-2025 amount to be distributed with established schedule is \$601,018,818 (75% of estimated excess costs) - \$528,018,516 = \$73,000,302
 - An additional \$2.5 million in ARPA funds will be distributed as categorical aid (one-time funding)
 - Total **new special education funds** for 2024-2025 is **\$75,500,302.**

Local Contribution Model



Adopted distribution model for additional appropriation

Start with **Total SPED Expenditures**

Subtract **revenue received** by the district

- SPED **State** Aid
- **Federal** SPED Aid
- **Medicaid Reimbursement**

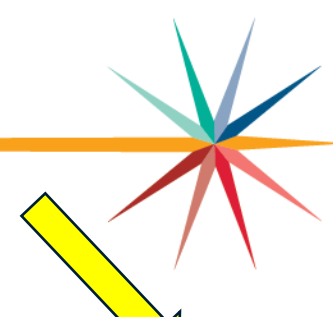
By using each district's local contribution, funding will be distributed to equalize the proportion of local funding each district contributes to the funding of special education services.

- The remainder is "**Local Contribution**"
- Districts receive a portion of the new appropriation based on its proportion of Local Effort

Only revenues and expenditures recorded in a district's special education fund will be considered.

Local Contribution Model (LCM)

\$530.5 million distributed with current formula



	F	G	H	I	J	K	L	M	N	O	P	
	Col 1	Col 2	Col 3	Col 4	Col 5	Col 6	Col 7	Col 8	Col 9	Col 10	Col 11	
	2022-2023	2022-2023	2022-2023	2022-2023	2022-2023	2022-2023	2022-2023	2022-2023	2022-2023	2022-2023	2023-2024 Est.	
								Additional Appropriation above FY 2024 Appropriation:				73,000,302
	SPED		State Aid	Federal	Federal	Medicaid	Medicaid	Local Effort		District	Additional State Aid	
	Expenditures	Aid	% of Total	Entitlement	% of Total	Reimbursemen	% of Total	Expenditures	% of Total	Proportion of	Based on District	
USD Name	Expenditures	SPED Aid	Expenditures	Entitlement	Expenditures	Reimbursemen	Expenditures	Local Effor	Expenditures	Effort	Local Effort	
State Totals	1,118,061,228	522,845,150	47%	111,282,253	10%	48,607,809	4%	435,326,016	39%			
Interlocal Totals	Coop and Interlocal funds not recorded in school district special education fund.							22,049,258	33%			
Cooperative Totals								17,631,653	29%			
District Totals	990,177,453	510,300,286	52%	56,667,289	6%	27,564,773	3%	395,645,105	40%		73,000,302	
Erie-Galesburg	853,482	517,771	61%	0	0%	0	0%	335,711	39%	0.085%	61,942	
Turner-Kansas City	7,225,049	3,193,353	44%	938,779	13%	603,143	8%	2,489,774	34%	0.629%	459,387	
Piper-Kansas City	5,225,337	2,947,228	56%	0	0%	181,992	3%	2,096,117	40%	0.530%	386,754	

Expenditures and revenues recorded where they are reported

Coop and Interlocal funds not recorded in school district special education fund.

Taken from Code 30 & 78

Not distributed to coop/interlocal districts

New funding is intended to reduce the transfer

Multiplied by new appropriation to determine new SPED funding

LCM allocations finalized in November 2024 and distributed in February 2025.

So how will that work?

An example with easy math!



Coop/Interlocal Revenues

Cost Increases

2023-24		2024-25 - 5% increase	
Total Budget	\$10 million	Total Budget	\$10.5 million
Categorical Aid	\$5 million	Categorical Aid	\$5 million
Federal Aid	\$1.5 million	Federal Aid	\$1.5 million
Assessments	\$3.5 million	Assessments	\$4 million

Member District

2023-24		2023-24 - 5% increase	
SPED Expenditure	\$1 million	SPED Expenditure	\$1.05 million
State Aid	\$650,000	State Aid	\$650,000
Federal Aid	\$0	Federal Aid	\$0
GF or LOB	\$350,000	LCM	\$60,000
		GF or LOB	\$340,000

\$235,000 required from LOB on Form 155

35% LC

Recorded separately on Form 118

House Sub. for SB 387 - Mandatory Transfer



- LOB Transfer to SPED
 - **Requires** the transfer of LOB funds attributable to special education state aid being deposited in the general fund.
 - If SPED State Aid is **\$1,000,000**,
 - and the LOB% is 33%,
 - the **mandatory transfer** from LOB to SPED will be about \$330,000.
 - Works the same as bilingual and at-risk
 - *This does not count as a state contribution for special education.*

House Sub. for SB 387 - At-Risk



- Requires districts to submit an At-Risk Accountability plan.
 - Beginning in **2026-2027**, all districts are required to submit an At-Risk Accountability plan that shall:
 - Demonstrate that the school district is using evidence-based instruction (as defined in KSA 72-5153 and amendments thereto), for the education of students who are identified as eligible to receive at-risk programs and services;
 - Measure longitudinal academic improvement in a quantitative manner;
 - Establish quantitative student academic improvement goals for certain identified student cohort groups and strive to meet such goals through the provision of evidence-based instruction that is provided to such student cohort groups above and beyond regular educational services;
 - Ensure that at-risk education fund moneys are expended in accordance with the law by providing services above and beyond regular educational services;
 - Show academic improvement in certain student cohorts and students identified as eligible for at-risk programs. (Consequences for not meeting academic goals could begin in the 2030-2031 school year.)
 - A pilot program with 10 districts will begin in 2024-2025.

House Sub. for SB 387 - At-Risk



- **Pilot Program**

- Pilot districts will help develop the required At-Risk Accountability plan in 2024-2025 and practice its implantation in 2025-2026.
- The State Board of Education will select a diverse group of 10 school districts considering school district:
 - size;
 - location;
 - student demographics;
 - and the level of staff implementation and training in the science of reading.
- Pilot districts will begin to use new reporting documents in June of 2025.
- Pilot districts will submit an At-Risk Accountability Plan including required student cohorts and goals in the fall of 2025.
- Pilot districts may change their At-Risk Accountability reports and student cohorts for full implementation in 2026-2027.

House Sub. for SB 387 - At-Risk



- Makes changes to the approval of allowable at-risk expenditures.
 - The State Board must:
 - Approve and provide a list of at-risk education programs and evidence-based instruction;
 - Provide a process for provisional programs; and
 - Develop a process for districts to apply to continue to use at-risk funds for programs and services removed from the previous list.
 - Must show evidence of **direct** improvement for at-risk students.
 - The definition of “Above and Beyond” now includes collateral benefit for students not identified as at-risk if there no additional cost.
 - The State Board cannot substantially change math and ELA standards.
 - The updated state assessments for ELA, Math and Science will be implemented as planned in the spring of 2025. This change to the state assessment is not in conflict with SB 387.

House Sub. for SB 387 - At-Risk



- **At-Risk Guidance: What's Changing?**
 - Updated Guidelines: At-Risk Pupil Assistance Program are included in the packet.
 - Although there are more examples and some clarification, there are few changes in actual practice.
- **The change has to come in how we think about at-risk expenditures.**
 - The question can't be "How do we spend at-risk funds?"
 - It must be "How do we support students identified as at-risk?"
 - The At-Risk Accountability Plan will help with this as it becomes part of a district's overall school improvement process.

House Sub. for SB 387 - Open Enrollment



- Makes several changes to the existing Open Enrollment statute:
 - Kansas residents are prioritized over out-of-state students.
 - Provides for **continued enrollment** of non-resident students who attended non-resident school district in school year 2023-2024.
 - This includes current non-resident students and resident students who become non-residents.
 - Permits accepted non-resident students to **continue enrollment until graduation** or until deemed to be “not in good standing”.
 - Authorizes school districts to deem students as “not in good standing” **prior to** enrollment.
 - Parent may **appeal** “not in good standing” decision to the local BOE.
 - Requires publication of **open enrollment amendments** on the school district website.
 - Transportation is not provided **unless required** by other law or regulation
 - Changes the **open enrollment application window** to **January 1st to June 15th**
 - Virtual schools **are exempt** from Open Enrollment

House Sub. for SB 387 - Open Enrollment



- Starting in 2024-2025, KSDE is required to collect, audit and report certain aspects of Open Enrollment. We will need to collect the following information by grade level and building:
 - Capacity
 - Projected Enrollment
 - Actual Enrollment
 - Number of Open Enrollment students accepted
 - Number of Open Enrollment students denied
 - Reason for denial, capacity or other
- More information about how this information will be collected will be provided at a later date. This will most likely be a combination of Principal's Building Report, KIDS, SO66 and/or surveys.

House Sub. for SB 387 - Disposal of District Property



- Makes changes to the statute allowing first right of refusal when a district disposes of real property.
 - Limits the legislative option to purchase school district buildings to buildings that were formerly used as attendance centers.
 - Allows LCC to waive legislative first right of refusal to purchase school district buildings.
 - Clarifies timelines – districts may proceed if the legislature does not respond within the 45-day window or if the state does not take title within 180 days of resolution or extension.
 - Prohibits a district from refusing to sell or lease a building solely based on the buyer's or lease's intention to use the building as non-public school.

House Sub. for SB 387 - Virtual Schools, Adult (Over 19 Years of Age)



- Makes the following changes to how KSDE audits adult virtual programs:
 - Determine the number of course credits reported for funding in KCAN.
 - Maximum allowed funded credits determined by Local Effort for State Foundation Aid
 - Verify courses submitted in KCAN with transcripts.
 - Multiply total number of verified course credits by \$709, not to exceed 6 credit courses per school year
- **Related Change:** To count adult learners as regularly enrolled in an alternative program or school, the district must provide:
 - regular (daily/weekly) course schedule with course and instructor,
 - record of regular daily attendance through October 4th.

House Sub. for SB 387 - Virtual Schools for 19 & Under



- Makes changes in how virtual school students 19 & under are funded and allows participation in KSHSAA activities.
 - Part-time virtual students will be funded based on their FTE multiplied by \$5,600.
 - Funding for 19 & under virtual students that qualify as dropouts are still funded at \$709 per credit earned.
 - Virtual school students may participate in KSHSAA activities in their district of residence without enrolling in the districts.
 - Students may be required to enroll in a class if such enrollment is required of all students.
 - Students are subject to KSHSAA eligibility requirements.
 - Student may be charged fees if the fees are charged to all students.

HB 2144 - Crime for Encouraging Suicide



- Creates the crime of encouraging suicide and establishes penalties under the Kansas Criminal Code
 - It is unlawful to knowingly encourage a person to commit or attempt to commit suicide when:
 - Such person knows the other person has communicated a desire to commit suicide.
 - Encouragement of suicide is made proximate to the person committing or attempting to commit suicide.
 - Such encouragement substantially influences the other person's decision or methods used to commit or attempt to commit suicide.

SB 438 - Blueprint for Literacy



- Establishes the Blueprint for Literacy
 - A Literacy Advisory Committee will make recommendations concerning teacher preparation in the science of reading, establishment of centers for excellence in reading and student performance on the state ELA assessment.
- Amends KSDE reporting requirements
 - KSDE will provide the number of students along with the percentage when reporting statewide performance on state assessments.
 - KSDE will report on the post-secondary success of students who took the 10th grade state assessments.
- Kansas Education Opportunity Scholarship replaces the Ethnic Minority Scholarship
 - Open to first generation college students or students whose parent is employed as a teacher or paraeducator in any grades preK-12

HB 2547 - Emergency Medication Kits



- Authorizes schools to maintain emergency stock supplies of epinephrine and albuterol
 - Schools that maintain a stock supply of emergency medications shall establish policies and procedures on the following:
 - Storage of the medication including monitoring of inventory
 - Administration of emergency medication by designated personnel
 - Training of personnel designated to administer emergency medications, to occur annually at minimum
- Administration of emergency medications are exempt from the prior parental consent requirements in SB 287.

HB 2551 - Omnibus Budget Bill



- Omnibus Budget bill and acts as a clean up for fiscal years 2024 – 2028.
 - MHIT moves to KDADS with increased funding.
 - \$3.0 million increase for public schools
 - \$1.5 million for qualified non-public schools
 - 65% of the MHIT grant award goes to the school district for school liaison salaries and benefits and 35% is paid to the partner mental health partner.

HB 2703 - Students in Foster Care



- Amends provisions related to at-risk programs and services to add students in the custody of the Secretary for Children and Families to the list of students identified as eligible to receive at-risk programs and services.

Special Legislative Session – June 18, 2024



- Governor Kelly called a special session of the legislature for the purpose of “sustainable tax cuts”.
- **SB 1** – Tax cut plan (passed both House and Senate)
 - Income tax: 2 tiers 5.2% and 5.58% (\$23,000 and \$46,000 limits).
 - Increased deductions and personal exemptions.
 - Elimination of income tax on Social Security.
 - 50% dependent care tax credit (with limits).
 - No change to sales tax on food (expires 12/31/24).
 - Increase residential property exemption to \$75,000 (automatic increase removed).
 - School mill rate remains at 20.
- County Clerk to provide RNR information by July 1, 2024.



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