



Where We Stand – A Legislative Update **March 10, 2022**

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Curriculum and Student Policies

Parent Rights and Transparency

Status: The House K-12 Education Budget Committee recommended [HB 2662](#), establishing the parents' bill of rights and academic transparency act, requiring the extensive posting of materials and information on the school district website. The bill was not considered by the House but was referred to the Appropriations Committee and is now exempt from deadlines, so it is still in play. *The provisions of this bill could be “bundled” into a bill containing the Department of Education budget when the K-12 Education Budget Committee meets March 14.* KASB testified in opposition based on extensive additional instructional materials that would have to be posted on a district website.

On Senate General orders: the Senate Education Committee voted March 8 to recommend on [SB 496](#), which would establish the parents' bill of rights for parents identical to the rights listed in [HB 2662](#), but without the other provisions of the House bill. KASB testified as neutral on SB 496 because the provisions basically reiterate current law.

Details:

The House bill would enumerate in state law a series of rights that are already generally provided in other laws. It would require school districts to establish parent transparency portals to provide information on materials that are used or made available in schools and require a review of library materials. It would prohibit schools from non-renewing a teacher's contract for refusing to teach against certain beliefs or practices.

The committee adopted an amendment to delay implementation of requirements to July 1, 2023, and clarify some provisions of the bill, including that it would not require teachers to post lesson plans. It also amended the bill to include provisions of [HB 2513](#), requiring school districts to provide copies of certain tests, questionnaires, surveys or examinations to parents prior to obtaining consent to administer such test, questionnaire, survey, or examination and prohibiting collection of personally identifiable student data. A hearing on that bill was held Jan. 25.

The committee also amended the bill to strike a provision that removed an affirmative defense for teacher for the crime of promotion to minors of material that is harmful to minors based on the assertion the material was used for an approved curriculum.

The Senate held hearings on Feb. 17 on [SB 363](#) and [SB 393](#). Both bills would require school districts to annually publish on the internet a list of learning materials and activities used for student instruction at each school of the school district. [SB 393](#) would provide a penalty for violations. KASB testified in opposition, USA and KSSA had written testimony in opposition.

Transgender athletes

Status: *The Senate Education Committee voted March 9 to recommend [SB 484](#) - Enacting the fairness in women's sports act to require that student athletic teams only include members who are of the same biological sex unless designated as coed. This bill will be on Senate general orders.* KASB testified in opposition because it would override the policies of the Kansas State High School Activities Association.

Details: The bill is similar to a bill vetoed last session. A U.S. Supreme Court decision on whether this issue is addressed by Title IX is expected, but the timing is unknown. Such

legislation would overrule current policies of the Kansas State High School Activities Association.

Computer science education

Status: The Senate Education Committee has scheduled a hearing March 15 on [HB 2466](#), establishing the promoting advancement in computing knowledge act to increase the availability of computer science education in Kansas schools. The bill passed the House 115-5 on March 9. KASB supports the bill as amended by the House Education Committee.

Details:

As amended by the House Education Committee, the bill would establish a system of funding for teacher professional development and teacher education in computer science education. In two years, school districts will be required to offer a course in computer science or provide a plan of how it will offer such a course. The committee removed the requirement that students complete such a course to graduate from high school.

USA, KSSA, and KASB testified as neutral on the bill, supporting the expanded aid for teacher training but opposing the original graduation requirements. KASB supports the bill as amended. Recently, the State Board of Education voted to allow school districts to count computer science as a math or science credit for high school graduation. Many school districts already offer computer science as an elective, but national research suggests Kansas is lagging behind most states in offering such courses.

Virtual Schools

Status: The Senate Ways and Means Committee voted March 9 to add a proviso to the main state budget bill that would increase funding for full-time virtual school students from \$5,000 to \$5,600, but not add any funding for this change, which would presumably slightly reduce base state per pupil for districts. The bill will be on Senate General Orders.

The Senate Education Committee held hearings but has not acted on [SB 499](#), a bill to increase virtual school funding for students under age 20, create a second count date and shift funding from nonvirtual school districts to virtual schools for certain districts.

The House K-12 Education Budget Committee voted to recommend a substitute bill [HB 2512](#) which would change virtual school funding for students under age 20 who have dropped out of high school; create an alternative virtual school graduation rate and prohibit financial incentives for virtual school enrollment. It was not considered by the House and was referred to the Appropriations Committee, making it an exempt bill for possible further action. *The provisions of this bill could be “bundled” into a bill containing the Department of Education budget when the House K-12 Education Budget Committee meets March 14.*

Details:

The House bill would allow students who are age 19 and under and who have dropped out of high school to attend virtual schools, with funding at \$709 per course credit hour completed. Currently, this per credit funding for virtual schools is only available to individuals over age 19 who have not completed high school. For those 19 and under attending school, current funding is either \$5,000 for full time students or \$1,700 for part-time students.

Second, the bill would provide an alternative calculation of graduation rates for virtual schools based on students' earned credits at the time of enrollment in the virtual school for accreditation purposes. Because virtual schools are part of a school district, their graduation rates are counted with the regular high school. However, because virtual schools enroll students who have had academic difficulties, they tend to have lower graduation rates. This provision was contained in [HB 2602](#), which had a hearing Feb. 14, 2022.

Third, the bill would prohibit virtual schools from offering or providing any financial incentive for a student to enroll in a virtual school, which was contained in [HB 2649](#) and had a hearing Feb. 14, in House K-12 Education Budget.

The Senate bill, [SB 499](#), would amend virtual school law in three ways. First, it would establish a fall and spring count date for funding students in virtual schools, rather than a fall count date only. Second, it would increase funding amounts per pupil for both full-time and part-time students under age 19 and under (but would not change funding for students over age 19). Third, for high school students who transfer from a nonvirtual to a virtual school in another district and either (1) Do not have sufficient credits to be expected to graduate in the same school year as such student's cohort at the time such student first enrolled in grade 9; (2) failed two or more courses; or (3) scored below grade level on any state assessment given to such student, the receiving virtual school would get an additional per pupil amount equal to 45.6% of base state aid and the same amount would be subtracted from state aid of the nonvirtual district.

Voucher-type Private School Aid and Other School Choice

Alternative Educational Opportunities; Private School Aid, Open Enrollment

Status: The House K-12 Education Budget Committee voted to recommend a substitute bill for [HB 2615](#), which would include authorization for alternative educational opportunities, an education savings account system for private school attendance and other costs and require districts to have open enrollment for nonresident students, subject to several conditions. It did not run on the House floor and was referred to House Appropriations, is exempt from deadlines, and available for further action. *The provisions of this bill could be “bundled” into a bill containing the Department of Education budget when the House K-12 Education Budget Committee meets March 14. KASB testified in opposition to expanding aid for private schools and requiring enrollment of nonresident students.*

The Senate Education Committee held a hearing for March 8 on [SB 455](#), allowing K-12 students to transfer to and attend school in any school district in the state. The committee asked several Senators to work with stakeholders on a compromise amendment, and the committee is scheduled to work the bill March 14-16. KASB testified in opposition to requiring enrollment of nonresident students.

Details:

The original HB 2615 would authorize school districts to provide alternative educational opportunities outside of the classroom for course credit. Such programs would have to be approved by the local board and could include a work-based, pre-apprenticeship, apprenticeship, internship, industry certification or community program. Such programs would have to be supervised by a licensed teacher. The committee amended the bill to allow the State

Board of Education to approve programs that could apply to multiple districts, but would not require approval of local programs.

KASB testified as neutral on the bill, indicating that programs are already possible and being implemented under current law; that placing the process in state law should expand these programs (which KASB supports), but recommended removing the requirement for State Board approval as an unnecessary step that would hinder development of such programs.

The committee also added provisions of [HB 2550](#), which would establish the student empowerment act to provide education savings accounts for certain students to use to attend participating private schools. It is similar to a bill that passed the Legislature as part of larger education measure last session that would allow parents to transfer an amount equal to base state aid per pupil to student accounts that could be used for costs of attending private schools or other educational costs. Students who are currently attending public schools and are either eligible for free or reduced-price meals or designated by a school district to receive at-risk services could participate. As amended, the program would be open to private schools accredited by the state or other national or regional accrediting bodies, but not non-accredited private schools or home schools, but home schools are not defined in state law. KASB testified in opposition.

A similar bill in the Senate Education Committee, [SB 475](#), establishing the Kansas hope scholarship program to provide educational savings accounts for students has not been scheduled for a hearing.

Finally, the House K-12 Education Budget Committee added provisions of [HB 2553](#), which would generally allow K-12 students to transfer to and attend school in any school district in the state, up to the capacity of the receiving district. Local boards would be required to adopt policies to establish capacity, post capacity levels on their website, and be subject to audit. Nonresident enrollment could be limited for other reasons, but districts could not discriminate on the basis of ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude or athletic ability.

The committee further amended the bill to require local boards to hold a public hearing prior to adopting policies on capacity and admission of nonresident students and require that persons attending such meeting be allowed to speak.

KASB opposes the bill, noting that most school districts already accept nonresidents students, that the bill would lead to conflict on over definition of capacity and reasons for non-admission; and different taxation levels between sending and receiving districts.

Student Activities and Part-time Enrollment

Status: The House struck from the calendar [HB 2511](#), as recommended by the House K-12 Education Budget Committee, which would require that virtual school, private and home school students be able to participate in activities regulated by Kansas State High School Activities Association and require districts to allow home school or private school students to enroll on a part-time basis. The action kills the bill, unless reintroduced by an exempt committee or offered an amendment to another bill. There is no similar Senate bill.

Details:

The bill also would make members of or persons employed by KSHSAA mandatory reporters of child abuse and neglect. KASB opposes the bill, primarily on the grounds that these decisions should be made by the KSHSAA.

The committee amended the bill add provisions of [HB 2514](#), which would require school districts to allow to enroll part-time enrollment options for home schooled and private school students who are residents of the district.

School Funding

K-12 Appropriations

Status: The Senate Ways and Means Committee voted March 10 recommend SB 444, which contains appropriations for state agencies. The committee adopted the Governor's proposals for K-12 funding with two major exceptions: it delays for one-year "full payment" of school finance during the fiscal year, which would end the delayed final aid payment to July; and it would increase funding for full time virtual students from \$5,000 to \$5,600 next year without adding any additional funding, which would likely slightly reduce base state aid.

The House K-12 Education Committee held its hearing on the Department of Education voted March 8 and recommended the following changes to the Governor's budget proposals. First, move KSDE funding from the main state budget bill and place in HB 2512, concerning virtual school funding. Second, \$5 million in state general funding support for school safety grants as have been funded in previous years, but allow grants to be used to increase school resource officers. Third, direct that \$100,000 for Communities in Schools be provided from within current KSDE operating funds. Third, add dyslexia coordinator position to KSDE but required to be paid by "fees" from school districts. Fourth, delete \$1.5 million recommended by the Governor for CTE transportation. Fifth, require that \$4 million be provided to establish a Math Nation program in Kansas, funded by assessing districts with 60 percent or more of students scoring in the first two levels on the state assessment on a per pupil basis and requiring those districts to participate, with optional participation by other districts.

The committee is expected to consider "bundling" other bills into an appropriations bill for the Department of Education.

Details:

Funding has been appropriated for the current year (2022) and next year (2023) to fund the final steps in the Gannon school finance plan for base state aid and supplemental general (LOB) state aid.

The Governor's budget recommendation includes the following:

For FY 2022 and 2023, full funding for the final two years of the Gannon school finance plan base state aid amounts, full funding of local option budget state aid, capital improvement state aid and capital outlay state aid, based on the latest school finance estimates (November 2021) for enrollment and other factors. (Base state aid amounts are reduced due to lower-than-expected enrollment).

For FY 2023, funding for base state aid and local option state aid, based on an adjustment in base state aid using an estimate of the three-year change in the consumer price index (Midwest) as provided in state law to follow the Gannon phase-in.

For FY 2023, a \$7.5 million in special education state aid.

For FY 2023, an increase of \$3 million to expand the school-based Mental Health Intervention Team program, \$1.8 million to restore funding for professional development aid; \$1.5 million for districts to provide transportation for high school students attending off-campus career technical education programs at postsecondary institutions, \$360,000 for national teacher board certification aid and \$100,000 for a statewide dyslexia coordinator position in the State Department of Education

For 2022, make the full final state aid payment in June this year, which would increase state aid by \$199 million (\$161 million in state financial aid and \$38 million in LOB state aid). However, state aid would drop by the same amount next year, FY 2023, so there is no actual change in school district “spending power.” (This would reverse a practice since 2003 of delaying the final aid payment into the following fiscal year but requiring school districts to “count” the funding as received in the current year.)

For 2022, add funding to pay off the entire \$253.8 million in remaining KPERS “layering” payments to make up for reduced payments in 2017 and 2019, which will reduce state general fund payments by \$25.8 million annually over the next 14 years and save \$172 million in interest costs. Those funds will allow KPERS to begin investing those funds, rather than waiting for state repayment.

KPERS Repayment

Status: The Senate has nonconcurred with House amendments and requested a conference committee on [SB 421](#). As passed 30-0 by the Senate, the bill would implement the Governor’s KPERS early repayment plan, transferring \$253,866,022 from the state general fund to the Kansas public employee’s retirement fund during the fiscal year 2022 to pay off missed KPERS school payments in 2017 and 2019. The House amended the bill to provide \$1 billion to KPERS, which would pay off the missed payments early and provide additional funding reduce the unfunded liabilities of the KPERS system.

Details

The House Insurance and Pensions Committee had previously recommended [HB 2561](#), which transferring \$1 billion from the state general fund to the Kansas public employees retirement fund during fiscal year 2022.

School Finance Changes: Impact Aid and Bond and Interest Aid

Status: The Senate Ways and Means Committee voted March 10 to recommend [SB 341](#), which would allow districts receiving federal impact aid to keep the entire amount and make changes in the school district bond and interest aid program. The committee made changes to the bill as approved earlier by the Senate Education Committee.

Details:

First, the bill would remove federal impact aid from the determination of local foundation aid. This would allow districts with large federal installations to keep all impact aid, rather having a portion returned to the state as “local effort” under the school finance system. The state would have to add \$16 million in general state aid to replace these revenues. KASB did not take a position on this bill.

The second issue was introduced last year, [SB 31](#), which was recommended by the Senate Education Committee but was never considered by the full Senate. As amended into SB 341, it would exclude U.S.D. No. 207, Fort Leavenworth from the capital improvements state aid determination for bond and interest aid. It would start state aid payments at 51 percent of bond and interest payments for the lowest district in assessed valuation per pupil, excluding Fort Leavenworth. The bill also removes virtual students from determining a district’s assessed valuation per pupil for determining capital improvement aid, based on the idea that virtual students do not entail facility costs. Finally, the bill extends the statewide cap on total bond issues until June 30, 2027, but removes districts that do not receive state aid or have opted out of receiving state aid.

The effect of the bill as amended would be to provide districts with approximately the levels of state aid they are currently receiving, except for districts with virtual students which would receive less aid. Fort Leavenworth is a military base it has virtually no assessed valuation and no growth in valuation. Over time, most other districts increase in valuation per pupil. Because the current formula is tied to per pupil in Fort Leavenworth, all other districts appear wealthier and gradually qualify for less aid. KASB supports the removal of USD 207 from the capital improvement aid formula.

Needs Assessment

Status: The House K-12 Education Budget Committee held a hearing March 7 on [SB 362](#), which would require local boards of education to document and consider the school needs assessment and state assessments in the budget process. The bill passed the Senate, 35-3. The committee may work the bill March 14 and could also add other provisions supported by the committee. KASB supports the bill as amended by the Senate Education Committee.

Details:

As introduced at the request of the Kansas Policy Institute, [SB 362](#) required each school to provide a needs assessment for consideration of a school district's budget. Currently, legislation is in place, but a specific tool was not identified in the legislation. KSDE offered a NCLB era needs assessment that was not widely used.

With the support of Committee Chair Molly Baumgardner, Sen. Brenda Dietrich proposed an amendment developed by the United School Administrators and agreed by KPI, KASB and KSSA that would allow KSDE to generate a document that would partially populate from the data of a building's reports, with a handful of open-ended questions the building could answer based on individual needs. The amendment also outlines school boards approve the budget but are not responsible for creating the budget.

At-Risk Funding and Teacher Bonuses

Status: The House K-12 Education Budget Committee held a hearing Feb. 15 on [HB 2690](#). *The provisions of this bill could be “bundled” into a bill containing the Department of Education budget. The House K-12 Education Budget Committee when it meets March 14.*

Details:

In addition to establishing the Every Child Can Read Act to direct school districts to focus on third-grade literacy proficiency through certain policies and programs, the bill would allow the current high density weighting factor to expire on June 30, 2024. That would eliminate nearly \$50 million for school districts and school buildings with more than 35 percent of students on free meals, with the largest loss for districts with the highest percentage.

In its place, the bill would redirect those funds to create a pool of money that could be used for teacher bonuses in schools that made specific gains in state reading assessments or other approved literacy screening assessments in grades K-3, or on state reading assessments and other measures such as ACT scores and postsecondary achievement for schools with grades 4-12. However, the maximum amount of the awards would be based on regular enrollment, so high poverty districts would likely lose more in at-risk funding than gained in teacher bonuses even if performance goals were met.

KASB testified in opposition.

Federal ESSER Aid

Federal COVID aid requires states to meet Maintenance of Effort requirements for both K-12 and higher education or receive a waiver. For 2022, the Legislature assumed it met 50% of the MOE requirement for higher education and is well above the requirement for K-12, waiting for federal response.

Tax Policy

Revenue Neutral Rate

Status: The House Taxation Committee held a hearing March 8 on [HB 2724](#), which would exclude the 20 mill statewide school property tax levy from the notice and public hearing requirements passed last year in SB 13. KASB joined USD-Kansas in testimony in support of the bill. The Senate Assessment and Taxation Committee held March 9 a hearing on [SB 542](#), which would make several changes in the revenue neutral rate law, including establishing a complaint process, and requiring roll call votes and publication of information.

Tax Reductions

Status: Senate voted 33-4 to pass SB 282, which would increase the residential property tax exemption from the 20 mill statewide school finance levy from \$20,000 of valuation to \$65,000 of valuation beginning in tax year 2022, create a new \$250 income tax credit for teacher classroom supplies, create new income tax credits for aerospace and aviation education programs and enact the Kansas Housing Investor Tax Credit Act (HITCA) and the Kansas Affordable Housing Tax Credit Act (AHTCA). The bill is in the House Taxation Committee.

Details:

The increased 20 mill state school levy residential property exemption would reduce state revenues by an estimated \$91 million, which would have to be replaced by other state revenues or reduce base state aid per pupil. The teacher supply credit is estimated to reduce state revenues \$10.6 million per year. Other provisions are expected to reduce revenues by about \$25 million per year.

Supermajority for Tax Increases

Status: The Senate Assessment and Taxation Committee on March 10 held a hearing and approved SCR 1620, a proposed constitutional amendment to require a supermajority for passage of certain bills containing new or increased state taxes. The bill will be on Senate General Orders. KASB testified in opposition.

COVID Actions

Status: The Senate Judiciary Committee voted March 9 to recommend [SB 541](#), which will be on Senate General Orders. Among other provisions, it would prohibit schools from discriminating against students based on COVID-19 status, prohibit any governmental entities, including school districts, from requiring face masks or covering; require schools to recognize exemptions from vaccination mandates, return a special process for hearings and judicial appeal for school board actions in response to infectious or contagious diseases, and prohibit schools from denying access to facilities unless there are reasonable ground to believe a person is actually infected with a disease.

Details:

In addition to other prohibitions on certain actions, the bill would generally reinstate the provisions of SB 40 from last session for school board actions in response to infectious or contagious diseases. Any student, parent or employee could request a hearing before the school board within 72 hours to challenge such actions, and appeal to the district court, which would be required to hold a hearing within 72 hours. Such board actions would have to be renewed or modified every 30 days.

A number of other bills responding to the COVID 19 pandemic are under consideration. None of been adopted by either chamber; one was recommended by committee but returned to committee without action.

Vaccinations

The Senate Public Health and Welfare amended [HB 2280](#) to authorize the prescribing and dispensing of medications for off-label use to prevent and treat COVID-19 infections and requiring child care facilities and schools to grant religious exemptions from vaccination requirements without inquiring into the sincerity of such religious beliefs, with no hearing on the school and child care portions. The bill was returned to committee.

A similar bill, [HB 2669](#) - Requiring child care facilities and schools to grant religious exemptions from vaccination requirements without inquiring into the sincerity of the religious beliefs, is in House Health and Human Services, with no hearing scheduled.

The Senate Public Health and Welfare Committee held a hearing on SB 489, which would remove certain regulatory authority concerning infectious or contagious diseases from the secretary of health and environment.

The House Health and Human Service Committee held a hearing Monday, Feb. 21, on [HB 2498](#), which would prohibit the secretary of health and environment from requiring a COVID-19 vaccine as a condition of attending schools or child care facilities. The committee did not advance the bill, which is not exempt.

Face Coverings

The Senate Judiciary Committee previously cancelled a hearing on [SB 466](#). The bill would prohibit certain acts by places of public accommodations based upon a person's vaccination status or possession of an immunity passport and prohibiting governing bodies of any city or county, public officials of any city or county and local health officers from requiring that a person wear a face mask based on an epidemic or other public health reason. The bill applied to cities and counties but did not appear to apply to school districts. SB 541, above, applies to all governmental entities and public officials. The bill is exempt from deadlines.

Remote Learning

The House K-12 Education Budget has not scheduled a hearing on [HB 2551](#), which would prohibit the state department of education from enforcing remote learning limitations and providing for the repeal of such limitations. Those limits were passed last year in [HB 2134](#), which prohibits schools from providing more than 40 hours of remote learning to any student. The local board may request an exemption due to illness, medical condition, injury or extraordinary circumstances. The local board must notify the State Board of Education, which may authorize up to 240 hours due to a disaster restricting operation of public schools for an inordinate period of time.

Postsecondary Preparation and Participation

Remedial Courses

Status: The Legislative Division of Post Audit released an report on developmental or remedial courses taken by students in Kansas colleges, in response to concerns that the state is “paying twice” for students to learn materials that should have been learned in high school.

Details:

Last session, the House Appropriations Committee considered a proposal that would have required school districts to pay for the cost of students placed in remedial or development courses in college. The proposal did not pass, but the Legislative Post Audit Committee authorized an audit on why Kansas high school graduates need developmental courses.

Postsecondary enrollment

Status: The Senate Ways and Means Committee on March 10 recommended [SB 340](#), which makes mostly technical amendments to the Kansas Promise Scholarship Program passed last session. The committee adopted an amendment to cap funding for the program at \$10 million for each of the fiscal years 2023-27 over concerns about the law’s cost. It will be on Senate General Orders and is exempt.

Details:

The bill was recommended originally recommended by the Senate Education Committee. The program provides financial aid to students in specific technical and two-year academic programs. The bill addresses the responsibilities of the State Board of Regents and postsecondary educational institutions and authorizes additional eligible programs and fields of study.

Status: The House Education Committee held hearing March 8 on [HB 2631](#), which would enact the career technical education credential and transition incentive for employment success act to provide additional state aid for school districts based on students obtaining a credential. It is scheduled to consider the bill March 15.

The House struck from the calendar [HB 2505](#), which was recommended by the House Education Committee and would provide exemptions for college and career readiness assessments, such as the ACT program, under the student data privacy act and the student online personal protection act. ACT has been moving its college assessment test to online and collects certain information about students to share with potential colleges.

Work-Based Learning Liability

Status: In conference committee from last session is [SB91](#) - High school work-based learning programs; relating to liability. As passed last session by the Kansas House, the bill would exempt businesses from certain liability claims arising from a secondary student engaged in a work-based learning program, provided the school district of the secondary student has purchased the applicable insurance coverage.

Details:

The bill would broaden the concept of school sponsored activity to include transportation to and from a work-based learning program, which would then grant discretion to the school district to purchase liability insurance. School leaders have expressed concerns that districts may not be able to find insurance for such programs.

Open Records Costs, Transportation Contacts, School Board Elections, Other

Status: The Senate Transparency and Ethics Committee has recommended [SB 386](#), which would limit fees for copying and staff time under the Kansas open records act and providing for waiver or reduction of such fees. The bill is on Senate General Orders and is exempt.

Status: The House Transportation Committee recommended [HB 2596](#), which would allow the board of education of a school district to contract with transportation network companies to provide certain transportation services. The bill is on House General Orders and is exempt.

Other

The Senate Transparency and Ethics Committee has not held a hearing on [SB 486](#), which would expand the scope of the campaign finance act to include candidates for board membership for school districts and community colleges in counties with more than 115,000 residents.

Several committees have been briefed about a Legislative Post Audit that found generally weak district IT security.

Student Health and Safety Issues; Special Education

School Vision Screening

Status: In conference committee is [SB62](#), which would amend state law for school-administered vision screenings. The Senate passed the bill 35-4 last session, and the House approved 115-6 this session. There do not appear to be significant differences between the House and Senate versions, but the bill could be used for a conference committee report on other education issues. KASB supports the bill.

Details: The bill would amend state standards for free school-administered vision screenings to add new definitions and amend others; modify the frequency of the vision screenings to specify the grade levels and specific circumstances under which the screenings would occur; provide for vision screenings for students in accredited nonpublic schools; require screenings be performed by a vision screener who would follow the most recent state vision screening guidelines; and require vision screening results and any necessary referral for an examination by an ophthalmologist or optometrist be reported to the parents or guardians of the student. The bill would also establish an eight-member Kansas Children's Vision Health and School Readiness Commission (Commission) to ensure implementation of the provisions of the bill; provide for the appointment of the members, who would serve without reimbursement for meeting expenses; and establish the duties of the Commission.

The bill passed the Senate 35-4 last session. It was referred to the House Education Committee, which amended the bill by adding provisions with the ability of a school nurse, or nurse's designee, to administer albuterol in certain emergency situations to a student or a member of a school staff. As amended, the bill was not considered by the House and eventually returned to the Education Committee, which moved the provisions on albuterol and recommended favorably.

Terms in state law

Status: On general orders in the house is [SB 343](#), which updates the term "hearing impaired" to "hard of hearing" in statutes related to persons with hearing loss, as recommended by the Senate Committee on Public Health and Welfare. The bill passed the Senate 39-0.

The Senate Education Committee has not scheduled a hearing on [SB 380](#), which would revise certain definitions relating to exceptional children by replacing emotional disturbance with emotional disability.

Traffic Safety

Status: On House General Orders is [HB2154](#), which would create law regarding use of stop signal arm video recording devices (recording devices) on school buses and civil penalties for violations of the statute prohibiting passing a school bus with its stop signals activated (illegally passing a school bus) that are detected by such recording devices. It is an exempt bill.

Details:

The bill would require, before allowing a private vendor to install recording devices on school buses, the board of education of a school district to adopt by a majority vote of its members a resolution specifying the board's intent to work with the private vendor designated by KSDE to capture motor vehicles illegally passing a school bus and to allow KSDE to assess civil penalties pursuant to the bill.

A similar bill was passed last year by the House Judiciary Committee, but it was not considered by the House and eventually sent back to the Judiciary Committee. That committee amended the bill and recommended it favorably. KASB supports the bill.

On Senate General Orders is [SB 332](#), which would prohibit the use of a mobile telephone while operating in school or construction zone or by individuals less than 18 years of age. The bill was recommended by Transportation Committee. The bill is not exempt.

Services for Students who Gain Hearing Ability

The House Education Committee held a hearing Feb. 16 on [HB 2621](#), which would prohibit the Kansas School for the Deaf from dismissing or transferring any student who gains access to hearing. The bill was promoted by a case where student who had been deaf from birth and was receiving services was at the school for the deaf gained hearing. The parents want the child, who has learned signing as primary language, to continue to attend the school. Opponents say the child no longer qualifies and this bill could lead to diverting space and services from deaf children to those who have gained hearing.

A similar bill, [SB 372](#) – Prohibiting the state school for the deaf from dismissing or transferring any student who gains access to hearing, in Senate Education, has not been scheduled for a hearing.

Cardiac Arrest and Head Injuries

The House Education Committee held a hearing Feb. 15 on [HB 2659](#), which would require school information and policies to address sudden cardiac arrest in school athletic activities.

No hearings have been scheduled in the House Health and Human Services Committee on [HB 2587](#), which would require schools to establish policies and concussion management teams to prevent and manage concussions within school.

Sharing information

Status: The Senate voted 40-0 to pass [SB 425](#), which directs the Kansas department for children and families to share certain information with investigating law enforcement agencies. A similar bill, [HB 2582](#), is on House General Orders with recommended by the House Committee on Children and Seniors.

Details:

Both bills would amend a law governing access, exchange, and disclosure of information in the Revised Kansas Code for Care of Children to require the Secretary for Children and Families to disclose confidential agency records of a child alleged or adjudicated to be a child in need of care to the law enforcement agency investigating the alleged or substantiated report or investigation of abuse or neglect, regardless of the disposition of such report or investigation.

Sports Officials

The House Judiciary Committee held a hearing Feb. 9 on [HB 2542](#), which would create the crime of abuse of a sports official and providing criminal penalties therefor.

School District Personnel

Working After Retirement

Status: The House Insurance and Pensions Committee held hearings Feb. 14 on several bill dealing with working after retirement from KPERS. No action has been taken.

Details:

[HB 2593](#) would reduce the required employer contribution rate for hiring retired employees to only the statutory rate when employing such retirants and would decrease the required waiting period to 60 days before individuals can return to work, both for a period ending June 30, 2024.

[HB 2639](#) would reduce the required waiting period to 30 days for a period ending June 30, 2023.

Both bills have been referred to the Appropriations Committee and may see action this session.

USA, and KSSA testified in favor of these bills, we offered a balloon amendment for compromise at 45 days with a June 30, 2024 sunset.

KASB supports both bills a temporary way to address staff shortages.

KPERS Benefits Adjustment

On Feb. 14, the House Insurance and Pensions committee held hearing on [HB 2612](#) which would provide for self-funded cost-of-living adjustment options for Kansas Public Employees Retirement System benefits.

The Senate Financial Institutions and Insurance Committee has not scheduled a hearing on [SB 401](#) - Providing an annual KPERS cost-of-living adjustment (COLA) on the occurrence of certain investment returns and increases to the consumer price index as certified by the KPERS board or executive director as designated by the board, or [SB 401](#) - Providing a post-retirement cost-of-living adjustment for certain KPERS retirants.

Teacher Scholarships

No hearing has been scheduled in the Senate Ways and Means Committee on [SB 456](#) - Regarding the teacher service scholarship program; making and concerning appropriations for the program for fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027, for the state board of regents to fund such scholarships.

No hearing has been scheduled in the House K-12 Education Budget Committee on [HB 2627](#) - Establishing the aspiring future teacher of the year scholarship and grant program; such scholarships and grants based on the recipients of the Kansas teacher of the year award backgrounds and attributes; making and concerning appropriations for the program for fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027, for the department of education for such scholarships and grants.

The Senate Assessment and Taxation Committee approved [SB 520](#), which would give teachers a \$250 state income tax credit for the purchase of school supplies.

Teacher Due Process

No hearing has been scheduled in the House K-12 Education Budget Committee on [HB 2671](#) - Requiring statutory due process procedures for a school district's non-renewal or termination of a teacher contract.

Teacher Compensation

No hearing has been scheduled in the House K-12 Education Budget Committee on [HB 2457](#) - Requiring boards of education of school districts to increase the compensation of classroom teachers based upon annual school district budget increases.

State Supreme Court Judicial Selection

Status: The Senate Judiciary Committee voted March 9 to recommend two proposed constitutional amendments on the August primary ballot that would change how Kansas Supreme Court justices are selected. [SCR 1621](#) would have the Governor make appointments, subject to Senate confirmation. [SCR 1622](#) would provide for partisan election of justices. Under the current constitution, a Supreme Court nominating committee recommends three names the Governor, who must select one of the three without Senate confirmation. KASB opposes changes in the current selection process.