

# School Counselor Legislative Report

*Prepared for the Kansas Counseling Association and its members*

April 28, 2016

By Bernie Koch, Lobbyist

*Kansas legislators returned to Topeka for the veto session this week facing an estimated \$290 million budget hole over the next few years. As of this writing, there seems to be little movement on the options laid out by Governor Brownback that need legislative action.*

*There is some talk that lawmakers could work Saturday, but it's very likely they will be in session for at least some portion of next week.*

## ***Budget option includes K-12 education cut***

The official revenue estimates for the State of Kansas were reduced dramatically April 20, forcing the Brownback Administration to announce major cuts to transportation. **The Governor also proposed options that include cuts to K-12 and higher education.**

Revenues have been problematic for Kansas since the 2012 income tax cuts and have not met expectations. The economic boost promised by the income tax cuts has not materialized.

The Consensus Revenue Estimating Committee lowered the current year (FY 2016) estimate by \$93.9 million. The FY 2017 estimate (beginning July 1) was lowered by \$134 million.

Governor Brownback's Budget Director, Shawn Sullivan, announced three options that the Governor was presenting to legislators to solve the problem. The all included taking money from highways and \$17.7 million from higher education. Option Three, the one Sullivan said the Governor likes the least, includes 3 to 5% cuts in state agency budgets, including education.

**A 3% cut would be a \$57 million cut to K-12 education.** It may also be a problem for the Kansas Supreme Court in the current school finance lawsuit.

## ***Update on school finance lawsuit***

Following the Kansas Supreme Court decision that last year's block grant legislation was unconstitutional in the way it treated distribution of some funds, the Legislature passed Senate Substitute for HB 2655. Under the bill, no school district would lose funds from this year to next. The Kansas Supreme Court is scheduled to hold a hearing on whether the bill fixes the problem on May 10.

Recall that the Court said it was giving lawmakers until June 30 to pass something constitutional or schools would not be permitted to continue operation.

## ***A new formula proposed***

A controversial new school finance formula was introduced before the First Adjournment of the legislature in March. House Education Committee Chairman Ron Highland (R-Wamego) and Senate Education Committee Chairman Steve Abrams (R-Arkansas City) came up with the spending plan.

It's House Bill 2741. The authors know it will not pass this year, but they want to begin the discussion.

Some of what's in the bill:

- Requires school districts to levy 35 mills of property tax, up from the current 20 mills. That provides more public education funding from local property taxes instead of coming from the state.
- Allows 70% of state aid for a student to be moved into an account that could be used for education at a private school
- Creates success grants that would give money to teachers and principals based on the success of students moving on to college, staying in college, and those who need remediation.
- There would be a unified health care plan for school districts with a high deductible.
- State funding for food service and extracurricular activities is prohibited.
- Limits school district cash balances.

## ***Suicide prevention, emergency safety intervention part of package***

A conference committee of Representatives and Senators is working on an education bill that has several elements of interest, but we don't know the details as of this writing.

There's a suicide prevention piece, the Jason Flatt Act. It requires suicide prevention training for school district personnel.

Also part of the bill is the Unsafe Restraint and Seclusion Act. That bill came out of a group called the Emergency Safety Intervention Task Force. It's supposed to add clarity and definition to rules for educators, especially those who work with certain populations of students.

## ***Student online personal protection act sent to Governor***

A bill to prevent those who provide online education products from engaging in targeted advertising or misusing student information has passed the legislature and been sent to the Governor.

It is House Bill 2008. Here's a link to the Legislative Research Department description of the bill:  
[http://www.kslegislature.org/li/b2015\\_16/measures/documents/ccrb\\_hb2008\\_01\\_0000.pdf](http://www.kslegislature.org/li/b2015_16/measures/documents/ccrb_hb2008_01_0000.pdf)

## ***Governor gets bill requiring universities to disclose costs and success of grads***

Also passing the legislature Thursday was House Bill 2622, which requires the State Board of Regents to publish a degree prospectus for each undergraduate degree program. The information would be required to include lots of information, including cost, the wage earned by those who graduate with the degree, and the percentage of graduates who become employed.

There's a lot of other information required. Here's a link to a description of the bill:

[http://www.kslegislature.org/li/b2015\\_16/measures/documents/ccrb\\_hb2622\\_01\\_0000.pdf](http://www.kslegislature.org/li/b2015_16/measures/documents/ccrb_hb2622_01_0000.pdf)

The bill also reportedly requires the Regents to adopt a policy that requires college credits to be awarded to students who test out of classes under the College Level Examination Program (CLEP).

## *Find your legislator*

### Want to contact your legislator to let them know what you think of any issue?

Here's a quick and easy way to do it. Just go to:

[http://openstates.org/find\\_your\\_legislator/](http://openstates.org/find_your_legislator/)

Enter your full address, click on the magnifying glass icon. A map of your legislative district and the names and pictures of your state senator and representative will appear.

Click on their name to get contact information.

## *Bill tracker*

Below is a listing of the bills we are tracking for the educator members of the Kansas Counseling Association. You can click on the bill number for more information. It will take you to the Kansas Legislature's web site, where you can read information on the bill.

Many bills will have a Supplemental Note or Fiscal Note. Click on SN or FN to get information in layman's terms.

Many of the bills are carried over from the 2015 Kansas Legislature.

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
<a href="#">SB 2</a> Jacob LaTurner, R-13th	Authorizing school districts to offer multi-year contracts to teachers	In Senate Education	<b>01/28/2015 - Senate</b> Possible Action in Education: Tuesday, 2/3/2015, 1:30 PM, Rm 144-S
<a href="#">Sub for SB 60</a> Senate Federal and State Affairs	Authorizing participation by less than full-time students in activities regulated by Kansas state high school activities association	In House Education	<b>03/13/2015 - House</b> Scheduled Hearing in Education: Tuesday, 3/17, 1:30 PM, Rm 112-N

Committee			
<a href="#">SB 67</a> Senate Federal and State Affairs Committee	Development and establishment of K-12 curriculum standards	In Senate Education	<b>01/23/2015 - Senate</b> Referred to Education
<a href="#">H Sub for SB 136</a> Senate Education Committee	Eliminating due process for certain postsecondary teachers	Stricken from Senate calendar	<b>03/24/2016 - Senate</b> Stricken from Calendar by Rule 1507
<a href="#">SB 137</a> Senate Education Committee	Education; amendments to the school district finance and quality performance act; the virtual school act; the student data privacy act; and the tax credit for low income student scholarship program act	In Senate Ways and Means	<b>02/04/2015 - Senate</b> Referred to Ways and Means
<a href="#">H Sub for SB 168</a> Senate Select Committee on KPERS	Providing certain provisions relating to working after retirement	In Conference Committee	<b>03/23/2016 - Senate</b> Change of Conferees; Longbine and Hensley to replace Smith and Haley
<a href="#">Sub for SB 171</a> Senate Ethics and Elections Committee	Municipal elections; nonpartisan; fall odd-numbered years	In House Taxation	<b>03/25/2015 - House</b> Withdrawn from calendar; referred to Taxation
<a href="#">SB 175</a> Senate Ways and Means Committee	Exercise of religious freedom by postsecondary education student associations	Approved by Governor	<b>03/22/2016</b> Approved by Governor Sam Brownback

<a href="#">SB 176</a> Senate Ways and Means Committee	Limiting negotiations under the professional negotiations act	In Senate Education	<b>02/18/2015 - Senate</b> Scheduled Hearing in Education: Monday, 2/23, 1:30 PM, Rm 144-S
<a href="#">SB 179</a> Senate Ways and Means Committee	Limiting negotiations under the public employer-employee relations act	In Senate Commerce	<b>03/18/2015 - Senate</b> Scheduled Final Action in Commerce: Thursday, 3/19, 8:30 AM, Rm 548-S
<a href="#">H Sub for SB 193</a> Senate Ways and Means Committee	Requiring a degree prospectus for postsecondary degree programs	In Conference Committee	<b>03/17/2016 - House</b> Acceded; appointed Highland, Lunn and Winn
<a href="#">SB 194</a> Senate Corrections and Juvenile Justice Committee	Creating the Kansas public school security act	In Senate Corrections and Juvenile Justice	<b>02/18/2015 - Senate</b> Scheduled Hearing in Corrections and Juvenile Justice: Monday, 2/23, 9:30 AM, Rm 118-N
<a href="#">SB 273</a> Senate Ways and Means Committee	Creating the classroom learning assuring student success act; making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education	In Senate Ways and Means	<b>03/06/2015 - Senate</b> Scheduled Hearing in Ways and Means: Tuesday, 3/10, 9:00 AM, Rm 582-N
<a href="#">SB 294</a> Senate Assessment and Taxation Committee	Creating the education finance act of 2015; making and concerning appropriations for fiscal year ending June 30, 2016, for the department of education	In Senate Education In Senate Ways and Means	<b>03/24/2015 - Senate</b> Scheduled Hearing (cont.) in Education: Wednesday, 3/25, 12:00 PM, Rm 582-N

<p><a href="#">SB 299</a></p> <p>Senate Assessment and Taxation Committee</p>	<p>Providing working after retirement requirements for certain KPERS retirants who return to work with covered employers including benefit and contribution provisions while extending current sunset for teachers to July 1, 2016</p>	<p>In Senate Select Committee on KPERS</p>	<p><b>04/21/2015 - Senate</b> Scheduled Action in Select Committee on KPERS: Wednesday, 4/29, 1:00 PM, Rm 118-N</p>
<p><a href="#">SB 300</a></p> <p>Senate Ways and Means Committee</p>	<p>Education; amendments regarding virtual school state aid, supplemental general state aid, capital outlay state aid and capital improvement state aid</p>	<p>In Senate Ways and Means</p>	<p><b>05/04/2015 - Senate</b> Scheduled Hearing in Ways and Means: Wednesday, 5/6, 1:30 PM, Rm 548-S</p>
<p><a href="#">SB 302</a></p> <p>Senate Assessment and Taxation Committee</p>	<p>Statewide excise tax levy of \$3 per acre on the ownership of real property for the purpose of school finance</p>	<p>In Senate Assessment and Taxation</p>	<p><b>05/01/2015 - Senate</b> Referred to Assessment and Taxation</p>
<p><a href="#">Sub for SB 323</a></p> <p>Senate Corrections and Juvenile Justice Committee</p>	<p>Creating the Jason Flatt act; requiring suicide prevention training for school district personnel</p>	<p>In Conference Committee</p>	<p><b>03/23/2016 - House</b> Acceded; appointed Highland, Lunn and Winn</p>
<p><a href="#">SB 342</a></p> <p>Senate Education Committee</p>	<p>Creating the student online personal protection act</p>	<p>In House Education</p>	<p><b>03/14/2016 - House</b> Referred to Education</p>
<p><a href="#">SB 348</a></p> <p>Tom Hawk, D-22nd</p>	<p>Prohibitions on carrying concealed handguns in postsecondary educational institution buildings</p>	<p>In Senate Federal and State Affairs</p>	<p><b>01/22/2016 - Senate</b> Referred to Federal and State Affairs</p>

<a href="#">Sub for SB 356</a> Senate Education Committee	Amendments regarding school district capital improvement state aid	In House Appropriations	<b>04/27/2016 - House</b> Referred to Appropriations
<a href="#">SB 388</a> Senate Assessment and Taxation Committee	Requiring the state board of regents to adopt a policy on awarding credit hours based on CLEP test results	In Conference Committee	<b>03/23/2016 - House</b> Acceded; appointed Highland, Lunn and Winn
<a href="#">SB 444</a> Senate Assessment and Taxation Committee	Creating a language assessment program for children who are deaf or hard of hearing	In Senate Education	<b>03/10/2016 - Senate</b> Scheduled Possible Action in Education: Wednesday, 3/16, 1:30 PM, Rm 144-S
<a href="#">SB 505</a> Senate Ways and Means Committee	School finance; general state aid adjustment for unencumbered cash balances	In Senate Ways and Means	<b>03/09/2016 - Senate</b> Scheduled Hearing in Ways and Means: Friday, 3/11, 10:00 AM, Rm 548-S
<a href="#">SB 514</a> Senate Ways and Means Committee	Amendments to the CLASS Act regarding the authority to levy a tax for ancillary school facilities	In Senate Ways and Means	<b>03/23/2016 - Senate</b> Referred to Ways and Means
<a href="#">SB 515</a> Senate Ways and Means Committee	Amendments to the CLASS Act regarding supplemental general state aid and capital outlay state aid	In Senate Ways and Means	<b>03/23/2016 - Senate</b> Scheduled Hearing in Ways and Means: Wednesday, 3/23, 8:00 AM, Rm 548-S
<a href="#">HB 2027</a> House Education Committee	Requiring school district and state department of education audits; creating the efficient operation of schools task force	In House Education	<b>01/16/2015 - House</b> Referred to Education

<a href="#">HB 2028</a>	Creating the Kansas education standards study commission	In House Education	<b>02/06/2015 - House</b> Scheduled Discussion and Possible Action in Education: Tuesday, 2/10/2015, 1:30 PM, Rm 112-N
House Education Committee			
<a href="#">HB 2034</a>	School district; reducing negotiable terms and conditions in the professional negotiations act	Stricken from House calendar	<b>03/04/2015 - House</b> Stricken from Calendar, House Rule 1507
House Education Committee			
<a href="#">HB 2035</a>	Amending the tax credit for low income students scholarship program act	In House Education	<b>01/20/2015 - House</b> Referred to Education
House Education Committee			
<a href="#">HB 2078</a>	Requiring school districts to adopt school safety and security policies and plans	In House Education	<b>02/11/2015 - House</b> Scheduled Discussion and Possible Action in Education: Monday, 2/16, 1:30 PM, Rm 112-N
House Veterans, Military and Homeland Security Committee			
<a href="#">HB 2099</a>	Authorizing school districts to administer certain surveys and questionnaires under the student data privacy act	In House Education	<b>02/06/2015 - House</b> Scheduled Hearing in Education: Friday, 2/13/2015, 1:30 PM, Rm 112-N
House Education Committee			
<a href="#">HB 2199</a>	School districts; human sexuality education; policies and procedures	On General Orders in House	<b>02/17/2016 - House</b> Committee Report recommending bill be passed by Education
House Education Committee			
<a href="#">HB 2207</a>	Development and implementation of ethnic studies in schools	On General Orders in House	<b>02/16/2016 - House</b> Committee Report recommending bill be passed as amended by Education
House Education			

Committee			
<a href="#">HB 2220</a> Brandon Whipple, D-96th	Teachers' contracts; due process	In House Education	<b>02/04/2015 - House</b> Referred to Education
<a href="#">HB 2232</a> House Federal and State Affairs Committee	Personal financial literacy course as a requirement for high school graduation	In House Education	<b>02/11/2015 - House</b> Scheduled Discussion and Possible Action in Education: Monday, 2/16, 1:30 PM, Rm 112-N
<a href="#">HB 2253</a> House Pensions and Benefits Committee	Extending special employment after retirement provisions under KPERS for certain retirants who are teachers	On General Orders in House	<b>03/24/2015 - House</b> Committee Report recommending bill be passed as amended by Pensions and Benefits
<a href="#">HB 2262</a> House Federal and State Affairs Committee	Providing a compliance deadline and penalties for non-compliance with the student data privacy act	In House Education	<b>03/04/2015 - House</b> Scheduled Discussion and Possible Action in Education: Thursday, 3/12, 1:30 PM, Rm 112-N
<a href="#">HB 2266</a> House Appropriations Committee	Requiring postsecondary education institutions to adopt a policy on sexual assault, domestic violence, dating violence and stalking	In House Education	<b>03/04/2015 - House</b> Scheduled Discussion and Possible Action in Education: Monday, 3/9, 1:30 PM, Rm 112-N
<a href="#">H Sub for Sub for HB 2292</a> House Federal and State Affairs Committee	Establishment of K-12 curriculum standards	On General Orders in House	<b>03/22/2016 - House</b> Committee of the Whole: Committee Report recommending substitute bill not adopted; Yeas 54; Nays 69; Motion to rerefer to Education failed; Yeas 19, Nays 103; Motion to reconsider vote on Committee Report adoption prevailed; Committee Report be adopted; be

			further amended; motion to recommend favorably failed; Yeas 44, Nays 78
<a href="#">HB 2325</a>	Enacting the public employee bargaining transparency act	In House Commerce, Labor and Economic Development	<b>02/04/2016 - House</b> Scheduled Discussion and Possible Action in Commerce, Labor and Economic Development: Tuesday, 2/9, 1:30 PM, Rm 346-S
House Commerce, Labor and Economic Development Committee			
<a href="#">HB 2345</a>	Prohibiting school board members from having a conflict of interest	In House Appropriations	<b>02/26/2015 - House</b> Withdrawn from Education; referred to Appropriations
House Judiciary Committee			
<a href="#">HB 2394</a>	Career technical education incentive draw down	On General Orders in House	<b>03/09/2015 - House</b> Committee Report recommending bill be passed as amended by Education Budget
House Appropriations Committee			
<a href="#">HB 2403</a>	Creating the classroom learning assuring student success act; making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education	In House Appropriations	<b>03/09/2015 - House</b> Scheduled Discussion (cont.) in Appropriations: Tuesday, 3/10, 9:00 AM, Rm 112-N
House Appropriations Committee			
<a href="#">HB 2409</a>	Eliminating property tax exemption from statewide school levy for property used for residential purposes to the extent of \$20,000 of its appraised value	In House Taxation	<b>03/17/2015 - House</b> Scheduled Hearing in Taxation: Thursday, 3/19, 3:30 PM, Rm 582-N
House Taxation Committee			
<a href="#">HB 2426</a>	KPERS; definition of compensation for purposes of computing final	In House	<b>01/11/2016 - House</b> Withdrawn from Commerce, Labor and

House Appropriations Committee	average salary	Appropriations	Economic Development; referred to Appropriations
<a href="#">HB 2457</a>	Amending the tax credit for low income students scholarship program act	On General Orders in House	<b>03/09/2016 - House</b> Committee of the Whole: Be passed over and retain a place on the Calendar
House Federal and State Affairs Committee			
<a href="#">Sub for HB 2486</a>	Providing a cap on capital improvement state aid for future bond payment obligations of school districts	On General Orders in House	<b>03/16/2016 - House</b> Committee Report recommending substitute bill be passed by Education
House Education Committee			
<a href="#">HB 2504</a>	School district realignment	In House Education	<b>01/27/2016 - House</b> Scheduled Hearing in Education: Wednesday, 2/3, 1:30 PM, Rm 112-N
House Federal and State Affairs Committee			
<a href="#">HB 2526</a>	Prohibitions on carrying concealed handguns in postsecondary educational institution buildings	In House Federal and State Affairs	<b>01/26/2016 - House</b> Referred to Federal and State Affairs
House Appropriations Committee			

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
<a href="#">HB 2531</a>	Eliminating due process for certain postsecondary teachers	In House Education	<b>03/02/2016 - House</b> Withdrawn from Appropriations; rereferred to Education

<a href="#">HB 2532</a> House Education Committee	Including financial literacy as an educational capacity	Killed in House	<b>02/22/2016 - House</b> Emergenced to Final Action: Not passed; Yeas 43, Nays 81
<a href="#">HB 2533</a> House Education Committee	Creating the student online personal protection act	In House Education	<b>01/27/2016 - House</b> Referred to Education
<a href="#">HB 2534</a> House Children and Seniors Committee	Amendments to the freedom from unsafe restraint and seclusion act	In Senate Education	<b>03/18/2016 - Senate</b> Referred to Education
<a href="#">HB 2588</a> House Education Committee	Requiring encryption of student data	In House Education	<b>03/02/2016 - House</b> Scheduled Discussion and Possible Action in Education: Thursday, 3/10, 1:30 PM, Rm 112-N
<a href="#">HB 2596</a> House Education Budget Committee	Creating the classroom-based funding act	In House Education	<b>02/10/2016 - House</b> Scheduled Hearing in Education: Tuesday, 2/16, 1:30 PM, Rm 112-N
<a href="#">HB 2622</a> House Education Committee	Board of regents; updating fees and making amendments to the Kansas private and out-of-state postsecondary educational institution act	Pending enrollment	<b>04/28/2016 - House</b> Not subject to limitations of Joint Rule 4(k); Adopted Conference Committee Report on House bill; Yeas 109, Nays 8
<a href="#">HB 2630</a> House Education	Amending the special education for exceptional children act	In House Education	<b>02/09/2016 - House</b> Referred to Education

Committee			
<a href="#">HB 2653</a> House Pensions and Benefits Committee	Striking sunset to KPERS school working after retirement exception and extending certain working after retirement exceptions upon submission of an assurance protocol and allowing retirants to return to work for a different participating employer when such employer pays a 30% contribution rate	In House Pensions and Benefits	<b>02/16/2016 - House</b> Scheduled Discussion and Possible Action in Pensions and Benefits: Wednesday, 2/17, 9:00 AM, Rm 152-S
<a href="#">S Sub for HB 2655</a> Steven Anthimides, R-98th	Amendments to the CLASS Act regarding supplemental general state aid and capital outlay state aid	Approved by Governor	<b>04/06/2016</b> Approved by Governor Sam Brownback
<a href="#">HB 2656</a> House Pensions and Benefits Committee	Providing a working after retirement exception for KPERS school members who retire at age 62 or later	In House Pensions and Benefits	<b>02/16/2016 - House</b> Scheduled Hearing in Pensions and Benefits: Wednesday, 2/17, 9:00 AM, Rm 152-S
<a href="#">HB 2663</a> Henry Helgerson, D-83rd	Creating the school district finance and quality performance act of 2016	In House Education	<b>02/11/2016 - House</b> Referred to Education
<a href="#">HB 2676</a> Joseph Scapa, R-88th	Development and establishment of K-12 curriculum standards	In House Education	<b>02/11/2016 - House</b> Referred to Education
<a href="#">HB 2698</a> House Education Committee	Requiring school districts to adopt certain policies against bullying, harassment and cyberbullying	In House Education	<b>03/02/2016 - House</b> Withdrawn from Appropriations; rereferred to Education

<a href="#">HB 2728</a> House Appropriations Committee	School finance; general state aid adjustment for unencumbered cash balances	In House Appropriations	<b>03/11/2016 - House</b> Referred to Appropriations
<a href="#">HB 2729</a> House Appropriations Committee	Requiring school districts to procure specific spend categories through the department of administration	In House Education Budget	<b>03/22/2016 - House</b> Committee of the Whole: Committee Report be adopted; be further amended; Rereferred to Education Budget
<a href="#">HB 2730</a> House Appropriations Committee	Authorizing the establishment of a school district group-funded pool for insurance purposes	In House Insurance and Financial Institutions	<b>03/11/2016 - House</b> Referred to Insurance and Financial Institutions
<a href="#">HB 2731</a> House Appropriations Committee	Amendments to CLASS act regarding local option budget and capital outlay equalization	In House Appropriations	<b>03/14/2016 - House</b> Scheduled Hearing in Appropriations: Tuesday, 3/15, 9:00 AM, Rm 112-N
<a href="#">HB 2737</a> House Federal and State Affairs Committee	Creating the student physical privacy act	In House Federal and State Affairs	<b>03/17/2016 - House</b> Referred to Federal and State Affairs
<a href="#">HB 2740</a> House Appropriations Committee	Amendments to the CLASS Act regarding supplemental general state aid and capital outlay state aid	In House Appropriations	<b>03/22/2016 - House</b> Scheduled Hearing in Appropriations: Wednesday, 3/23, 9:30 AM, Rm 112-N
<a href="#">HB 2741</a> House Appropriations	Creating the school district finance and student success act	In House Appropriations	<b>03/24/2016 - House</b> Referred to Appropriations

Committee			

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