

School Counselor Legislative Report

Prepared for the Kansas Counseling Association and its members

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By Bernie Koch, Lobbyist

School finance is in turmoil Senate committee passes no increase bill

After a heated discussion, the House Appropriations Committee did not vote on a bill to deal with the recent Kansas Supreme Court decision that says K-12 funding is unconstitutional.

The bill was supposed to be voted on Thursday. It would put more money into school finance equity, about \$39 million.

However, there clearly was not enough support to pass the bill. Many legislators vocally attacked the Supreme Court. The committee chairman said he will go back to the drawing board and try another proposal next week.

Meanwhile the Kansas Senate Ways and Means Committee DID pass a school finance bill, but it provides no new money. Senate Bill 512 merely shifts existing funds around. It does take \$17 million from the extraordinary needs fund that was set up by last year's block grant legislation. The House Bill had taken that money as well.

Much of the discussion centered on winners and losers in the bill. Sedgwick County school districts end up with more funding. All but one of the Johnson County school districts would lose state money.

Committee Chairman Ty Masterson (R-Andover) said over 100 school districts are "winners" under the bill and over 180 are "losers."

The Senate could debate the bill next week, the last week of the regular legislative session.

There have been high hopes to pass a school finance bill before the end of next week. That would give the Kansas Supreme Court time to review the legislation and give an opinion on whether it meets constitutional muster. If not, lawmakers could take a second shot during the veto session that begins April 27.

The problems getting support in the House Appropriations Committee make that scenario less likely.

How to know what your district gets with the Senate bill

There's a way to check online on any school district in the state and the estimated impact of Senate Bill 512, which could be debated next week in the Senate.

- Go to this link on the State Department of Education web site:
<http://www.ksde.org/Agency/Fiscal-and-Administrative-Services/School-Finance/Whats-New>
- Go to “Estimated Effects of 2016 Senate Bill 512, As Amended.”
- The links with the word “Cover” at the end take you to cover sheets that explain the Excel spread sheets.
- Below those links are links to the Excel spread sheets for General State Aid, LOB State Aid, and Capital Outlay State Aid. You can look at each individual spread sheet.
- There’s also a summary of all three for all school districts at the bottom.

Student privacy bill introduced

A bill (SB 513) that some believed is aimed at transgendered students was introduced this week and sent to the Senate Education Committee where it faces an uncertain future with little time left in the legislative session.

The bill is called the Student Physical Privacy Act. Some read it to say a student could not use a restroom for a gender other than that identified at the student’s birth.

Violations would subject the school district to lawsuits.

Here’s some of the wording:

Every public school and postsecondary educational institution student restroom, locker room and shower room accessible by multiple students at the same time shall be designated for use by male students only or female students only.

In all public schools and postsecondary educational institutions in this state, student restrooms, locker rooms and showers that are designated for one sex shall be used only by members of that sex.

In any other public school facility, postsecondary educational institution facility or setting not specified where a student may be in a state of undress in the presence of other students, school or institution personnel shall provide separate, private areas designated for use by students based on their sex.

Students who, for any reason, desire greater privacy when using a public school or postsecondary educational institution restroom, locker room or shower room, and whose parents or legal guardians provide written consent to school or institution officials, may submit a request to such officials for access to alternative facilities.

Student online protection measures moves forward

A bill to protect students from being targeted for advertising by those who provide educational online products has passed the Kansas Senate 39 to 0. Senate Bill 342 now goes to the House.

It prohibits the operator of an educational online product (who knows the product is used primarily for educational purposes) from knowingly:

“Engaging in targeted advertising on the educational online product or collecting and using certain student information to amass a profile about a student, except in furtherance of educational purposes.”

They also could not sell or rent the information about a student to a third party.

Parents or legal guardians of students could sue if the law was violated.

Bill outlines when it’s okay for restraint and seclusion and when it’s not

House bill 2534, the Unsafe Restraint and Seclusion Act, has passed the Kansas House by a vote of 120 to zero.

The bill is the work of the ESI (emergency safety intervention) Task Force designed to add clarity and definition to rules for educators, especially those who work with certain populations of students.

The legislation is quite lengthy because it puts what are normally regulations into the law books.

Here’s a link to the Legislative Research Department’s explanation of the bill:

http://www.kslegislature.org/li/b2015_16/measures/documents/supp_note_hb2534_01_0000.pdf

Bill on school capital improvements voted out of committee

A controversial bill that would limit state money for capital improvements in schools came out of the House Education Committee this week.

Substitute for House Bill 2486 places a cap on the total amount of capital improvement state aid available using a formula.

The original bill would have set up a review board to approve bond and interest state aid. That has now been changed to the cap mechanism.

At the committee hearing on the original bill, supporters included conservative groups like Americans for Prosperity, the Kansas Policy Institute, and the Kansas Chamber of Commerce. The bill was opposed by the Galena, Topeka, Lawrence, and Bonner Springs-Edwardsville school districts; and the Kansas National Education Association.

The bill now goes to the Kansas House of Representatives for debate.

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/

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
SB 2 Jacob LaTurner, R-13th	Authorizing school districts to offer multi-year contracts to teachers	In Senate Education	01/28/2015 - Senate Possible Action in Education: Tuesday, 2/3/2015, 1:30 PM, Rm 144-S
Sub for SB 60 Senate Federal and State Affairs Committee	Authorizing participation by less than full-time students in activities regulated by Kansas state high school activities association	In House Education	03/13/2015 - House Scheduled Hearing in Education: Tuesday, 3/17, 1:30 PM, Rm 112-N
SB 67 Senate Federal and State Affairs Committee	Development and establishment of K-12 curriculum standards	In Senate Education	01/23/2015 - Senate Referred to Education
H Sub for SB 136 Senate Education	Eliminating due process for certain postsecondary teachers	On General Orders in House	03/15/2016 - House Committee Report

Committee			recommending substitute bill be passed by Education
SB 137 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	02/04/2015 - Senate Referred to Ways and Means
SB 168 Senate Select Committee on KPERS	Issuing a \$1 billion of pension obligation bonds to finance a portion of the unfunded actuarial liability of KPERS	In House Pensions and Benefits	03/05/2015 - House Referred to Pensions and Benefits
Sub for SB 171 Senate Ethics and Elections Committee	Municipal elections; nonpartisan; fall odd-numbered years	In House Taxation	03/25/2015 - House Withdrawn from calendar; referred to Taxation
SB 175 Senate Ways and Means Committee	Exercise of religious freedom by postsecondary education student associations	Pending enrollment	03/16/2016 - House Final Action: Passed; Yeas 81, Nays 41
SB 176 Senate Ways and Means Committee	Limiting negotiations under the professional negotiations act	In Senate Education	02/18/2015 - Senate Scheduled Hearing in Education: Monday, 2/23, 1:30 PM, Rm 144-S
SB 179 Senate Ways and Means Committee	Limiting negotiations under the public employer-employee relations act	In Senate Commerce	03/18/2015 - Senate Scheduled Final Action in Commerce: Thursday, 3/19, 8:30 AM, Rm 548-S

H Sub for SB 193 Senate Ways and Means Committee	Requiring a degree prospectus for postsecondary degree programs	In Conference Committee	03/17/2016 - House Acceded; appointed Highland, Lunn and Winn
SB 194 Senate Corrections and Juvenile Justice Committee	Creating the Kansas public school security act	In Senate Corrections and Juvenile Justice	02/18/2015 - Senate Scheduled Hearing in Corrections and Juvenile Justice: Monday, 2/23, 9:30 AM, Rm 118-N
SB 273 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	03/06/2015 - Senate Scheduled Hearing in Ways and Means: Tuesday, 3/10, 9:00 AM, Rm 582-N
SB 294 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	03/24/2015 - Senate Scheduled Hearing (cont.) in Education: Wednesday, 3/25, 12:00 PM, Rm 582-N
SB 299 Senate Assessment and Taxation Committee	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	In Senate Select Committee on KPERS	04/21/2015 - Senate Scheduled Action in Select Committee on KPERS: Wednesday, 4/29, 1:00 PM, Rm 118-N
SB 300 Senate Ways and Means Committee	Education; amendments regarding virtual school state aid, supplemental general state aid, capital outlay state aid and capital improvement state aid	In Senate Ways and Means	05/04/2015 - Senate Scheduled Hearing in Ways and Means: Wednesday, 5/6, 1:30 PM, Rm 548-S

SB 302 Senate Assessment and Taxation Committee	Statewide excise tax levy of \$3 per acre on the ownership of real property for the purpose of school finance	In Senate Assessment and Taxation	05/01/2015 - Senate Referred to Assessment and Taxation
Sub for SB 323 Senate Corrections and Juvenile Justice Committee	Creating the Jason Flatt act; requiring suicide prevention training for school district personnel	On General Orders in House	03/11/2016 - House Committee Report recommending bill be passed as amended by Education
SB 342 Senate Education Committee	Creating the student online personal protection act	In House Education	03/14/2016 - House Referred to Education
SB 348 Tom Hawk, D-22nd	Prohibitions on carrying concealed handguns in postsecondary educational institution buildings	In Senate Federal and State Affairs	01/22/2016 - Senate Referred to Federal and State Affairs
SB 356 Senate Education Committee	Creating the school district bond project review board	In Senate Education	03/16/2016 - Senate Scheduled Possible Action in Education: Thursday, 3/17, 1:30 PM, Rm 144-S
SB 388 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 House Education	03/14/2016 - House Scheduled Hearing and Possible Action in Education: Thursday, 3/17, 1:30 PM, Rm 112-N
SB 444 Senate Assessment and Taxation	Creating a language assessment program for children who are deaf or hard of hearing	In Senate Education	03/10/2016 - Senate Scheduled Possible Action in Education: Wednesday, 3/16, 1:30 PM, Rm 144-S

Committee			
SB 505 Senate Ways and Means Committee	School finance; general state aid adjustment for unencumbered cash balances	In Senate Ways and Means	03/09/2016 - Senate Scheduled Hearing in Ways and Means: Friday, 3/11, 10:00 AM, Rm 548-S
HB 2027 House Education Committee	Requiring school district and state department of education audits; creating the efficient operation of schools task force	In House Education	01/16/2015 - House Referred to Education
HB 2028 House Education Committee	Creating the Kansas education standards study commission	In House Education	02/06/2015 - House Scheduled Discussion and Possible Action in Education: Tuesday, 2/10/2015, 1:30 PM, Rm 112-N
HB 2034 House Education Committee	School district; reducing negotiable terms and conditions in the professional negotiations act	Stricken from House calendar	03/04/2015 - House Stricken from Calendar, House Rule 1507
HB 2035 House Education Committee	Amending the tax credit for low income students scholarship program act	In House Education	01/20/2015 - House Referred to Education
HB 2078 House Veterans, Military and Homeland Security Committee	Requiring school districts to adopt school safety and security policies and plans	In House Education	02/11/2015 - House Scheduled Discussion and Possible Action in Education: Monday, 2/16, 1:30 PM, Rm 112-N

HB 2099 House Education Committee	Authorizing school districts to administer certain surveys and questionnaires under the student data privacy act	In House Education	02/06/2015 - House Scheduled Hearing in Education: Friday, 2/13/2015, 1:30 PM, Rm 112-N
HB 2199 House Education Committee	School districts; human sexuality education; policies and procedures	On General Orders in House	02/17/2016 - House Committee Report recommending bill be passed by Education
HB 2207 House Education Committee	Development and implementation of ethnic studies in schools	On General Orders in House	02/16/2016 - House Committee Report recommending bill be passed as amended by Education
HB 2220 Brandon Whipple, D-96th	Teachers' contracts; due process	In House Education	02/04/2015 - House Referred to Education
HB 2232 House Federal and State Affairs Committee	Personal financial literacy course as a requirement for high school graduation	In House Education	02/11/2015 - House Scheduled Discussion and Possible Action in Education: Monday, 2/16, 1:30 PM, Rm 112-N
HB 2253 House Pensions and Benefits Committee	Extending special employment after retirement provisions under KPERS for certain retirants who are teachers	On General Orders in House	03/24/2015 - House Committee Report recommending bill be passed as amended by Pensions and Benefits
HB 2262 House Federal and State Affairs	Providing a compliance deadline and penalties for non-compliance with the student data privacy act	In House Education	03/04/2015 - House Scheduled Discussion and Possible Action in Education:

Committee			Thursday, 3/12, 1:30 PM, Rm 112-N
HB 2266 House Appropriations Committee	Requiring postsecondary education institutions to adopt a policy on sexual assault, domestic violence, dating violence and stalking	In House Education	03/04/2015 - House Scheduled Discussion and Possible Action in Education: Monday, 3/9, 1:30 PM, Rm 112-N
Sub for HB 2292 House Federal and State Affairs Committee	Development and establishment of K-12 curriculum standards	In House Education	03/08/2016 - House Withdrawn from Calendar; rereferred to Education
HB 2325 House Commerce, Labor and Economic Development Committee	Enacting the public employee bargaining transparency act	In House Commerce, Labor and Economic Development	02/04/2016 - House Scheduled Discussion and Possible Action in Commerce, Labor and Economic Development: Tuesday, 2/9, 1:30 PM, Rm 346-S
HB 2345 House Judiciary Committee	Prohibiting school board members from having a conflict of interest	In House Appropriations	02/26/2015 - House Withdrawn from Education; referred to Appropriations
HB 2394 House Appropriations Committee	Career technical education incentive draw down	On General Orders in House	03/09/2015 - House Committee Report recommending bill be passed as amended by Education Budget
HB 2403 House Appropriations	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	In House Appropriations	03/09/2015 - House Scheduled Discussion (cont.) in Appropriations: Tuesday, 3/10,

Committee	department of education		9:00 AM, Rm 112-N
HB 2409	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	03/17/2015 - House Scheduled Hearing in Taxation: Thursday, 3/19, 3:30 PM, Rm 582-N
House Taxation Committee			
HB 2426	KPERS; definition of compensation for purposes of computing final average salary	In House Appropriations	01/11/2016 - House Withdrawn from Commerce, Labor and Economic Development; referred to Appropriations
House Appropriations Committee			
HB 2457	Amending the tax credit for low income students scholarship program act	On General Orders in House	03/09/2016 - House Committee of the Whole: Be passed over and retain a place on the Calendar
House Federal and State Affairs Committee			
Sub for HB 2486	Providing a cap on capital improvement state aid for future bond payment obligations of school districts	On General Orders in House	03/16/2016 - House Committee Report recommending substitute bill be passed by Education
House Education Committee			
HB 2504	School district realignment	In House Education	01/27/2016 - House Scheduled Hearing in Education: Wednesday, 2/3, 1:30 PM, Rm 112-N
House Federal and State Affairs Committee			
HB 2526	Prohibitions on carrying concealed handguns in postsecondary educational institution buildings	In House Federal and State Affairs	01/26/2016 - House Referred to Federal and State Affairs
House Appropriations Committee			

HB 2531 House Education Committee	Eliminating due process for certain postsecondary teachers	In House Education	03/02/2016 - House Withdrawn from Appropriations; rereferred to Education
HB 2532 House Education Committee	Including financial literacy as an educational capacity	Killed in House	02/22/2016 - House Emergenced to Final Action: Not passed; Yeas 43, Nays 81

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
HB 2533 House Education Committee	Creating the student online personal protection act	In House Education	01/27/2016 - House Referred to Education
HB 2534 House Children and Seniors Committee	Amendments to the freedom from unsafe restraint and seclusion act	In Senate Education	03/18/2016 - Senate Referred to Education
HB 2588 House Education Committee	Requiring encryption of student data	In House Education	03/02/2016 - House Scheduled Discussion and Possible Action in Education: Thursday, 3/10, 1:30 PM, Rm 112-N
HB 2596 House Education Budget Committee	Creating the classroom-based funding act	In House Education	02/10/2016 - House Scheduled Hearing in Education: Tuesday, 2/16, 1:30 PM, Rm 112-N

HB 2622 House Education Committee	Board of regents; updating fees and making amendments to the Kansas private and out-of-state postsecondary educational institution act	On General Orders in Senate Above the Line in Senate	03/15/2016 - Senate Committee Report recommending bill be passed as amended by Education
HB 2630 House Education Committee	Amending the special education for exceptional children act	In House Education	02/09/2016 - House Referred to Education
HB 2653 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	02/16/2016 - House Scheduled Discussion and Possible Action in Pensions and Benefits: Wednesday, 2/17, 9:00 AM, Rm 152-S
HB 2656 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	02/16/2016 - House Scheduled Hearing in Pensions and Benefits: Wednesday, 2/17, 9:00 AM, Rm 152-S
HB 2663 Henry Helgerson, D-83rd	Creating the school district finance and quality performance act of 2016	In House Education	02/11/2016 - House Referred to Education
HB 2676 Joseph Scapa, R-88th	Development and establishment of K-12 curriculum standards	In House Education	02/11/2016 - House Referred to Education
HB 2698 House Education	Requiring school districts to adopt certain policies against bullying, harassment and cyberbullying	In House Education	03/02/2016 - House Withdrawn from Appropriations; rereferred

Committee			to Education
HB 2728	School finance; general state aid adjustment for unencumbered cash balances	In House Appropriations	03/11/2016 - House Referred to Appropriations
House Appropriations Committee			
HB 2729	Requiring school districts to procure specific spend categories through the department of administration	In House Education Budget	03/14/2016 - House Scheduled Discussion (cont.) in Education Budget: Thursday, 3/17, 3:30 PM, Rm 281-N
House Appropriations Committee			
HB 2730	Authorizing the establishment of a school district group-funded pool for insurance purposes	In House Insurance and Financial Institutions	03/11/2016 - House Referred to Insurance and Financial Institutions
House Appropriations Committee			
HB 2731	Amendments to CLASS act regarding local option budget and capital outlay equalization	In House Appropriations	03/14/2016 - House Scheduled Hearing in Appropriations: Tuesday, 3/15, 9:00 AM, Rm 112-N
House Appropriations Committee			
HB 2737	Creating the student physical privacy act	In House Federal and State Affairs	03/17/2016 - House Referred to Federal and State Affairs
House Federal and State Affairs Committee			

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