

# School Counselor Legislative Report

*Prepared for the Kansas Counseling Association and its members*

May 2, 2016

By Bernie Koch, Lobbyist

## *Legislature ends session*

The 2016 Kansas Legislative session ended at 3:28 a.m. Monday morning with passage of a budget adjustment measure that relies on giving the Governor authority to make cuts to balance the budget. Without the cuts to be made by the Governor, the budget is not balanced.

**The good news is a provision in the budget bill says Brownback cannot cut K-12 education. The bad news is that Brownback can line item veto that provision.**

The budget cuts higher education 3%.

The Governor is given authority to cut the rest of the budget 3% to 5% on his own, if needed.

Millions in highway dollars are expected to be taken by the Governor from the Kansas Department of Transportation from money freed up by delaying about \$550 million in highway projects. Many Transportation Department officials say privately those projects are effectively cancelled.

A document prepared by the Legislative Research Department indicates that with the money Brownback is expected to take from highways, along with the budget that's been passed, there will be \$27 million left in the bank June 30 at the end of this budget year and \$81 million in Fiscal Year 2017. That's a razor thin cushion if revenues don't come in as expected.

## *Emergency Safety Intervention bill for schools passes*

A task force of legislators and stakeholders worked for several months to come up with changes to the Emergency Safety Intervention Act. Their efforts resulted in Senate Bill 193. It has passed and is on its way to the Governor.

The Act is said to provide additional protection for children and removes requirements for schools that do not affect the safety of students.

In summary, here's what it does:

- Revise the standards for the use of emergency safety intervention (ESI)
- Requires local school boards to develop and implement policies governing the use of ESI.
- Exempts campus police and school resource officers from the Act's requirements
- Clarifies parent notification requirements after the use of ESI
- Expands the data that needs to be compiled by the Kansas Department of Education
- Clarifies the process for a parent to request a meeting with the school to discuss each incident of ESI

-Changes the sunset for provisions of the act to June 30, 2020

Here's a link to more detailed information on the bill:

[http://www.kslegislature.org/li/b2015\\_16/measures/documents/ccrb\\_sb193\\_01\\_0000.pdf](http://www.kslegislature.org/li/b2015_16/measures/documents/ccrb_sb193_01_0000.pdf)

### ***A bill with three education items including suicide prevention training***

It's hard to come with a name for Senate Bill 323 because it contains three diverse education items of interest for school counselors. The bill passed the House and Senate unanimously.

**Suicide prevention** – The Jason Flatt Act is a suicide prevention law named after a young man you committed suicide several years ago. His family and others have promoted its passage in many states.

-Requires each school board to provide suicide awareness and prevention programming to all staff.

-Requires at least one hour of training each year using programs approved by the State BOE. This could be satisfied through independent self-review of materials and a building crisis plan, including steps for recognizing suicidal behavior, methods of intervention and crisis recovery.

-Requires each district to notify parents or legal guardians of students that training materials are available.

**Language assessment program** – A language assessment program would be coordinated by the Kansas Commission for the Deaf and Hard of Hearing. Its purpose is to assess, monitor, and track language development milestones of children who are deaf or hard of hearing from birth to age eight.

After July 1, 2018 an annual language assessment is required to be given to each child who is younger than nine and deaf or hard of hearing.

A state advisory committee on the program would be established.

**Capital improvement state aid for school districts** – State money for capital improvements at K-12 schools (bond and interest state aid) would be capped based on a six-year average capital improvement state aid. Higher priority would be given to school districts with a lower assessed valuation per pupil.

### ***Working after retirement KPERS changes***

The subject of KPERS benefits if working after retirement in a school district or state agency was the subject of a bill once again this year. The changes were contained in Senate Bill 168.

It pertains to working after retirement, calculation of final average salary, and certain reporting requirements.

Here's a link on a brief of the bill that may be helpful in understanding it:

[http://www.kslegislature.org/li/b2015\\_16/measures/documents/ccrb\\_sb168\\_01\\_0000.pdf](http://www.kslegislature.org/li/b2015_16/measures/documents/ccrb_sb168_01_0000.pdf)

As I told you last year when legislation on this subject passed, I would recommend you contact the helpful folks at the Kansas Public Employees Retirement System with questions on what can be a complicated system.

You can e-mail them at [kpers@kpers.org](mailto:kpers@kpers.org)

Toll free phone is 1-888-275-5737

You can schedule an office appointment in Topeka by calling the number above. The office is located at 611 S. Kansas Avenue, Suite 100 in Topeka.

## *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*

*FYI, if the bills have not passed, they are dead, buried, and gone for this year. But, there's a catch. Sometimes the contents of these bills are placed into other bills. Just because the list below does not indicate a bill has passed, doesn't mean it was not placed into something else that did pass.*

*That's one of the problems tracking legislation this busy time of year.*

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>	Authorizing school districts to offer	In Senate	01/28/2015 - Senate

Jacob LaTurner, R-13th	multi-year contracts to teachers	Education	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 Committee	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
<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	Pending enrollment	<b>04/30/2016 - Senate</b> Not subject to limitations of Joint Rule 4(k); Adopted Conference Committee Report on Senate bill; Yeas 36, Nays 4
<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>	Exercise of religious freedom by postsecondary education student associations	Approved by Governor	<b>03/22/2016</b> Approved by Governor Sam Brownback
Senate Ways and Means Committee			
<a href="#">SB 176</a>	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
Senate Ways and Means Committee			
<a href="#">SB 179</a>	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
Senate Ways and Means Committee			
<a href="#">H Sub for SB 193</a>	Requiring a degree prospectus for postsecondary degree programs	Pending enrollment	<b>04/30/2016 - Senate</b> Not subject to limitations of Joint Rule 4(k); Adopted Conference Committee Report on Senate bill; Yeas 39, Nays 1
Senate Ways and Means Committee			
<a href="#">SB 194</a>	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
Senate Corrections and Juvenile Justice Committee			
<a href="#">SB 273</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 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
Senate Ways and Means Committee			

<p><a href="#">SB 294</a></p> <p>Senate Assessment and Taxation Committee</p>	<p>Creating the education finance act of 2015; making and concerning appropriations for fiscal year ending June 30, 2016, for the department of education</p>	<p>In Senate Education</p> <p>In Senate Ways and Means</p>	<p><b>03/24/2015 - Senate</b></p> <p>Scheduled Hearing (cont.) in Education: Wednesday, 3/25, 12:00 PM, Rm 582-N</p>
<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></p> <p>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></p> <p>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></p> <p>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>Pending enrollment</p>	<p><b>04/30/2016 - Senate</b></p> <p>Not subject to limitations of Joint Rule 4(k); Adopted Conference Committee Report on Senate bill; Yeas 40, Nays 0</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></p> <p>Referred to Education</p>

<a href="#">SB 348</a> Tom Hawk, D-22nd	Prohibitions on carrying concealed handguns in postsecondary educational institution buildings	In Senate Federal and State Affairs	<b>01/22/2016 - Senate</b> Referred to Federal and State Affairs
<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	Killed in Senate	<b>04/30/2016 - Senate</b> Not subject to limitations of Joint Rule 4(k); Motion to adopt Conference Committee Report failed; Yeas 15, Nays 25
<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> House Education Committee	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
<a href="#">HB 2034</a> House Education Committee	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
<a href="#">HB 2035</a> House Education Committee	Amending the tax credit for low income students scholarship program act	In House Education	<b>01/20/2015 - House</b> Referred to Education
<a href="#">HB 2078</a> House Veterans, Military and Homeland Security Committee	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
<a href="#">HB 2099</a> House Education Committee	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
<a href="#">HB 2199</a> House Education Committee	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

<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>	Teachers' contracts; due process	In House Education	<b>02/04/2015 - House</b> Referred to Education
Brandon Whipple, D-96th			
<a href="#">HB 2232</a>	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
House Federal and State Affairs Committee			
<a href="#">HB 2253</a>	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
House Pensions and Benefits Committee			
<a href="#">HB 2262</a>	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
House Federal and State Affairs Committee			
<a href="#">HB 2266</a>	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
House Appropriations Committee			
<a href="#">H Sub for Sub for HB 2292</a>	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;

House Federal and State Affairs Committee			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> House Commerce, Labor and Economic Development Committee	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
<a href="#">HB 2345</a> House Judiciary Committee	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
<a href="#">HB 2394</a> House Appropriations Committee	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
<a href="#">HB 2403</a> House Appropriations 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 House Appropriations	<b>03/09/2015 - House</b> Scheduled Discussion (cont.) in Appropriations: Tuesday, 3/10, 9:00 AM, Rm 112-N
<a href="#">HB 2409</a> House Taxation Committee	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

<a href="#">HB 2426</a>	KPERS; definition of compensation for purposes of computing final average salary	In House Appropriations	<b>01/11/2016 - House</b> Withdrawn from Commerce, Labor and 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
<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
<a href="#">HB 2504</a>	School district realignment	In House Education	<b>04/30/2016 - House</b> Scheduled Meeting in Fed and State Conference: Saturday, 4/30, 6:30 PM, Rm 218-N
<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

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

Committee			Education
<a href="#">HB 2532</a>	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
House Education Committee			
<a href="#">HB 2533</a>	Creating the student online personal protection act	In House Education	<b>01/27/2016 - House</b> Referred to Education
House Education Committee			
<a href="#">HB 2534</a>	Amendments to the freedom from unsafe restraint and seclusion act	In Senate Education	<b>03/18/2016 - Senate</b> Referred to Education
House Children and Seniors Committee			
<a href="#">HB 2588</a>	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
House Education Committee			
<a href="#">HB 2596</a>	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
House Education Budget Committee			
<a href="#">HB 2622</a>	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
House Education Committee			

<a href="#">HB 2630</a> House Education Committee	Amending the special education for exceptional children act	In House Education	<b>02/09/2016 - House</b> Referred to Education
<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	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

Committee			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 Committee	Creating the school district finance and student success act	In House Appropriations	<b>03/24/2016 - House</b> Referred to Appropriations
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