

Kansas Register

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New State Laws

Senate Substitute for House Bill 2567, concerning education; making and concerning appropriations for fiscal years ending June 30, 2022, June 30, 2023, and June 30, 2024, for the state department of education; establishing the legislature’s intention to focus on academic achievement; enacting the every child can read act to support literacy proficiency by third grade; authorizing the state board of education and school districts to allow students to earn course credit through alternative educational opportunities outside the traditional classroom; making members of or persons employed by the Kansas state high school activities association mandatory reporters of child abuse and neglect; requiring the board of education of each school district to consider the district building needs assessment and state academic assessments when approving the budget of the school district; requiring school districts to allow for part-time enrollment of certain students; allowing students to transfer to and attend school in any school district in the state; requiring school districts to set transfer capacity and adopt certain transfer policies; establishing an alternative method for calculating virtual school graduation rates; prohibiting virtual schools from offering or providing any financial incentives to attract a student to enroll; increasing virtual school state aid; authorizing virtual school state aid for students who are credit deficient; amending the tax credit for low income students scholarship program to allow students who are seven years of age or under to participate in the program without the need for prior enrollment in a public school; relating to state aid; removing federal impact aid from the determination of local foundation aid; requiring the state department of education to provide an annual written report on academic achievement outcomes; excluding Fort Leavenworth school district and virtual school students from the capital improvement state aid determination; extending the general obligation bond limitation; relating to the Kansas promise scholarship act; responsibilities of the state board of regents and postsecondary educational institutions relating thereto; authorizing designation of additional eligible programs and fields of study; increasing the limitation on reimbursements to Kansas educational institutions for educational benefits for spouses and dependents of deceased, injured or disabled public safety officers and employees and certain deceased, injured or disabled military personnel and prisoners of war; establishing requirements for the administration of certain nonacademic tests, questionnaires, surveys and examinations; authorizing additional research and education programs under the Johnson county education research triangle authority act..... 996

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State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d) and K.S.A. 12-1675a(g).

Table with 2 columns: Term, Rate. Rows include 1-89 days (0.83%), 3 months (1.00%), 6 months (1.46%), 12 months (2.14%), 18 months (2.44%), 2 years (2.62%).

Scott Miller
Director of Investments

Doc. No. 050160

State of Kansas

Department for Children and Families

Request for Proposals

The Kansas Department for Children and Families (DCF), Prevention and Protection Services (PPS) announces the release of a Request for Proposal (RFP) to support families with children in their communities to prevent children and youth from entering state custody and needing foster care placement through implementation of evidence-based programs. Sealed bids will be accepted no later than 2:00 p.m. (CDT) May 31, 2022.

A complete copy of the RFP with details of important dates and timelines may be found at http://www.dcf.ks.gov/Agency/Operations/Pages/OGC/Grant-RFP.aspx. Additional files may be located at this website throughout the process so please monitor on a regular basis for changes.

Laura Howard
Secretary

Doc. No. 050178

State of Kansas

Board of Regents Universities**Request for Proposals and Qualifications**

Emporia State University is seeking to establish a relationship with an Energy Services Company (ESCO) for the purposes of developing and implementing an Energy Performance Contract as defined by K.S.A. 75-37,125. Emporia State University desires to select a full-service firm who will be available to assist with all aspects for project development, project implementation, ongoing support, and the long-term guarantee of savings.

The deadline for submitting your response will be no later than 4:00 p.m. June 16, 2022.

Parties interested in obtaining a Request for Proposal should contact Emporia State University, Attn: Ashley Brandt, 1 Kellogg Cir., Campus Box 4021, Emporia, KS, 66801, phone 620-341-5137, email purchaseorders@emporia.edu.

Diana Kuhlmann
Vice President for Administration and Finance
Emporia State University

Doc. No. 050142

State of Kansas

Board of Regents Universities**Notice of Intent to Sell Real Property**

Emporia State University announces its intent to the following tract of real property as follows:

The Earl Center, 1601 State St., Emporia, Lyon County, KS, [Janet's Subdivision, S10, T19S, R11E, Lot 3], approximately two acres with office building and paved parking lot.

For more information, contact Diana Kuhlmann, Vice President for Administration and Finance at dkuhlman@emporia.edu or 620-341-5173.

Diana Kuhlmann
Vice President for Administration and Finance
Emporia State University

Doc. No. 050141

State of Kansas

Board of Regents Universities**Notice to Bidders**

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids, or proposals. The referenced construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

Emporia State University – Bid postings: <https://www.emporia.edu/about-emporia-state-university/business-office/purchasing>. Additional contact information: phone:

620-341-5137, email: purchaseorders@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801.

Fort Hays State University – Electronic bid postings: <http://www.fhsu.edu/purchasing/bids>. Additional contact information: phone: 785- 628-4251, fax: 785-628-4046, email: purchasing@fhsu.edu. Mailing address: Fort Hays State University Purchasing Office, 601 Park St., Sheridan Hall 318, Hays, KS 67601.

Kansas State University – Bid postings: <https://dfs.ksucloud.net/rfq>. All bids must be submitted via Kansas State University's Vendor Bid Submission Secure File Upload portal, <https://www.k-state.edu/finsvcs/purchasing/bidsubmission.html>. Additional contact information: phone: 785-532-6214, fax: 785-532-5577, email: kspurch@k-state.edu. Mailing address: Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506.

Pittsburg State University – Bid postings: <https://www.pittstate.edu/office/purchasing>. Additional contact information: phone: 620-235-4169, email: sburke@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762.

University of Kansas – Electronic bid postings: <http://www.procurement.ku.edu>. Due to Covid-19, the University of Kansas will not be accepting paper bids until further notice. Additional contact information: phone: 785-864-5800, email: purchasing@ku.edu.

University of Kansas Medical Center – Electronic bid postings: <http://www.kumc.edu/finance/purchasing/bid-opportunities.html>. Additional contact information: phone: 913-588-1117, email: hunkemoore@kumc.edu. Mailing address: University of Kansas Medical Center, Purchasing Department, Mail Stop 2034, 3901 Rainbow Blvd., Kansas City, KS 66160.

Wichita State University – Bid postings: <http://www.wichita.edu/purchasing>. Additional contact information: phone: 316-978-3080, fax: 316-978-3738, email: purchasing.office@wichita.edu. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 38, Wichita, KS 67260-0038.

Kathy Herrman
Chair of Regents Purchasing Group
Purchasing Director
Fort Hays State University

Doc. No. 049784

(Published in the Kansas Register May 26, 2022.)

**North Central Regional
Planning Commission****Notice to Bidders**

Request for qualifications for cyber resilience assessments and cybersecurity roadmap project will be accepted by the North Central Regional Planning Commission (NCRPC) until 10:00 a.m. (CDT) Wednesday, June 15, 2022, at 109 N. Mill St., Beloit, KS 67420, at which time they will be publicly opened and read aloud at the same address. Copies of the Request for Qualifications and

project specifications can be accessed by going to <http://procurement.ncrpc.org/HS/projects.html> or by contacting the NCRPC at 785-738-2218 or hlscoordinator@ncrpc.org. This action is being taken on behalf of the South Central, Southeast, Southwest, Northwest and Northeast Kansas Regional Homeland Security Councils.

Lisa Peters
Homeland Security Coordinator
Assistant Executive Director

Doc. No. 050161

State of Kansas

**Department of Administration
Office of Procurement and Contracts**

Notice to Bidders

Sealed bids for items listed will be received by the Office of Procurement and Contracts until 2:00 p.m. on the date indicated. For more information, call 785-296-2376.

All bids are to be submitted via email only to procurement@ks.gov. For more information, please visit https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL.

- 06/07/2022 EVT0008614 Painting of Exteriors – Lansing Correctional Facility
- 06/08/2022 EVT0008587 HVAC Building Controls Systems – El Dorado CF
- 06/16/2022 EVT0008611 Aggregate – Cheney Wildlife Area
- 06/24/2022 EVT0008615 Janitorial Services – Dodge City

The above referenced bid documents can be downloaded at the following website:

https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL

Additional files may be located at the following website (please monitor this website on a regular basis for any changes/addenda):

<https://admin.ks.gov/offices/procurement-contracts/bidding--contracts/additional-bid-opportunities>

**There are No Bids Under this
Website Closing in this Week’s Ad**

Information regarding prequalification, projects, and bid documents can be obtained at 785-296-8899 or <http://admin.ks.gov/offices/ofpm/dcc>.

Richard Beattie, Director
Office of Procurement and Contracts

Doc. No. 050177

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to four acres

of real property located on the Wichita State University’s campus designated as the “Innovation Campus,” for the private development and operation of a partnership building or buildings. The university is interested in leasing such ground to any individual, organization, or entity whose presence on campus would advance the university’s applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. The university intends to lease such space for a mutually agreeable period of time up to sixty years, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with the university’s educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU, design concepts, financial stability, and proposed use. Interested tenants will be required to construct adjacent and adequate surface parking that will not be included in the leased ground. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of building improvement, and benefit to the university. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization. If interested, please contact Senior Vice President for Industry and Defense Programs, Dr. John Tomblin at john.tomblin@wichita.edu or Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman
University Property Manager
Office of the Vice President for
Administration and Finance

Doc. No. 050070

State of Kansas

Department of Health and Environment

Notice of Hearing

A public hearing is scheduled to be conducted at 1:00 p.m. Monday June 27, 2022, using the Zoom virtual meeting platform, to discuss the 2023 Intended Use Plans for the Kansas Public Water Supply Loan Fund (KP-WSLF) and the Kansas Water Pollution Control Revolving Fund (KWPCRF). These Intended Use Plans (IUP) will make additions to the Project Priority List of each program, include estimates and uses of anticipated capitalization grants from EPA (including grants from the Infrastructure Investment and Jobs Act), establish criteria for loan forgiveness, and establish the procedure for ranking drinking water projects. Copies of the draft IUPs can be obtained online at <https://www.kdhe.ks.gov/518/Loan-Fund-Administration-Documents>.

Comments can be presented at the hearing or in writing prior to the hearing. Written comments are recommended. Written comments should be addressed to William
(continued)

Carr, Bureau of Water, Kansas Department of Health and Environment, 1000 SW Jackson St, Suite 420, Topeka, KS 66612 or emailed to KDHE.KansasSRF@ks.gov. Register for the hearing at https://us02web.zoom.us/webinar/register/WN_9E-8i59CRVO6aImdNhVvUQ.

Janet Stanek
Secretary

Doc. No. 050167

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Construction Permit

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality construction permit. Deffenbaugh Industries – Johnson County Landfill has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300. Emissions of volatile organic compounds (VOC), particulate matter (PM), particulate matter with less than or equal to 10 microns in aerodynamic diameter (PM₁₀), particulate matter with less than or equal to 2.5 microns in aerodynamic diameter (PM_{2.5}), carbon monoxide (CO), oxides of nitrogen (NO_x), oxides of sulfur (SO_x), and hazardous air pollutants (HAPs) were evaluated during the permit review process.

Deffenbaugh Industries – Johnson County Landfill, PO Box 3220, Shawnee, KS 66203, owns and operates a municipal solid waste landfill located at 17955 Holiday Dr., Shawnee, Johnson County, KS 66203, at which the relocation of landfill gas energy facility is to be installed including one new plant thermal recuperative oxidizer (TRO), one new open flare, one new plant emergency generator, and four new portable light plant generators.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review from the date of publication during normal business hours at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Johnson County Department of Health and Environment, 11875 S. Sunset Dr. #300, Olathe, KS 66061. To obtain or review the proposed permit and supporting documentation, contact Jacob Zortman, 785-296-5231, at the central office of the KDHE or Rollin Sachs, 913-715-6939, at the Johnson County Department of Health and Environment. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Jacob Zortman, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, June 27, 2022.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall

be in writing and set forth the basis for the request. The written request must be submitted to FIELD 11, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, June 27, 2022, in order for the Secretary of Health and Environment to consider the request.

Janet Stanek
Secretary

Doc. No. 050171

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Futamura USA, Inc. has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

Futamura USA, Inc., 6000 SE 2nd St., Tecumseh, KS 66542, owns and operates a cellophane manufacturing facility located at 6000 SE 2nd St., Tecumseh, Shawnee County, KS 66542.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Northeast District Office, 800 W. 24th St., Lawrence, KS 66046. To obtain or review the proposed permit and supporting documentation, contact Jonathan Tennis, 785-296-1581, at the central office of the KDHE or Wendi Kessler, 785-330-8611, at the Northeast District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Jonathan Tennis, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, June 27, 2022.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Jonathan Tennis, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, June 27, 2022, in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency (EPA) has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Keith Johnson, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Janet Stanek
Secretary

Doc. No. 050172

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. KPC Pipelines, LLC has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

KPC Pipelines, LLC, 19970 W. 161st St., Olathe, KS 66062, owns and operates a natural gas compressor station located at 3204 K-68 Hwy., Ottawa, Franklin County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Northeast District Office, 800 W. 24th St., Lawrence, KS 66046. To obtain or review the proposed permit and supporting documentation, contact Jacob Zortman, 785-296-5231, at the central office of the KDHE or Wendi Kessler, 785-330-8611, at the Northeast District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Jacob Zortman, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, June 27, 2022.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Jacob Zortman, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, June 27, 2022, in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency (EPA) has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Keith Johnson, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Janet Stanek
Secretary

Doc. No. 050168

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. NuStar Pipeline Operating Partnership, L.P. has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

NuStar Pipeline Operating Partnership, L.P., 7340 W. 21st St. North, Suite 200, Wichita, KS 67205, owns and operates a petroleum products terminal located at 1612 Deer Rd., Delphos, Cloud County, Kansas.

(continued)

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the North Central District Office, 3040 Enterprise Dr., Salina, KS 67401. To obtain or review the proposed permit and supporting documentation, contact Cathy Richardson, 785-296-1947, at the central office of the KDHE or Jessica Fair, 785-827-9639, at the North Central District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Cathy Richardson, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, June 27, 2022.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, June 27, 2022, in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency (EPA) has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Keith Johnson, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Janet Stanek
Secretary

Doc. No. 050170

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments

regarding a proposed air quality operating permit. Scout Energy Management, LLC has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

Scout Energy Management, LLC, 2225 W. Oklahoma Ave., Ulysses, KS 67880 owns and operates a compressor station located at Section 8, T30S, R35W, Grant County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Southwest District Office, 313 Oklahoma Terr., Ulysses, KS 67880. To obtain or review the proposed permit and supporting documentation, contact Cathy Richardson, 785-296-1947, at the central office of the KDHE or Ethel Evans, 620-356-1075, at the Southwest District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Cathy Richardson, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, June 27, 2022.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, June 27, 2022, in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency (EPA) has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Keith Johnson, U.S. EPA, Region 7, Air

Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Janet Stanek
Secretary

Doc. No. 050169

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

The proposed action is to modify and reissue the existing state permit for a facility for a proposed maximum capacity of 999 head (999 animal units) of cattle weighing greater than 700 pounds. This represents an increase in the permitted animal units from the previous permit. This permit is also being modified to propose the construction of an additional 4.5 acres of open-lot pens to the east of the north pens that will drain east through a vegetative treatment area. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Sunflower Pork, Inc. - West Facility 14406 W. 1300 Rd Westphalia, KS 66093	SW/4 of Section 08 T20S, R17E Coffey County	Marais des Cygnes River Basin

Kansas Permit No. A-MCCF-H001
Federal Permit No. KS0115568

The proposed action is to reissue an existing NPDES permit for an existing facility for 8,400 head (3,360 animal units) of swine weighing more than 55 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Condray Farms, Inc. 451 3rd Rd. Clifton, KS 66937	SW/4 of Section 22 T05S, R01E Washington County	Lower Republican River Basin

Kansas Permit No. A-LRWS-H008
Federal Permit No. KS0095974

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 8,000 head (3,200 animal units) of swine weighing more than 55 pounds. The facility's NMP was updated to include changes in the application rate limitations for their fields. The application rate limitations for two fields have become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Public Notice No. KS-AG-22-131/134

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Tuls Dairy Farms, LLC PO Box 1138 Liberal, KS 67905	W/2 of Section 21 T33S, R34W Seward County	Cimarron River Basin

Kansas Permit No. A-CISW-D001
Federal Permit No. KS0090620

The proposed action is to modify and reissue an existing State/NPDES permit for a facility for a proposed maximum capacity of 300 head (300 animal units) of dairy heifers and 5100 head (7140 animal units) of mature dairy cattle for a total of 7440 animal units. This represents an increase in the permitted animal units from the previous permit. This permit is also being modified to increase the storage capacity of a waste retention control structure and to describe decommissioned areas of the facility and a newly constructed freestall barn. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Kerry and Roy Ferguson 2051 120 Rd. Kensington, KS 66951	SW/4 of Section 30 T02S, R15W Smith County	Solomon River Basin

Kansas Permit No. A-SOSM-B019

Public Notice No. KS-Q-22-047/048

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Chemical Waste Management, Inc. 8808 N. 127th St. East Valley Center, KS 67147	Whitewater River via Prairie Creek via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-WA24-PO02
Federal Permit No. KS0100846

Legal Description: SW¹/₄, S26, T25S, R2E, Sedgwick County, Kansas
Facility Name: Chemical Waste Management Groundwater Remediation Project

The proposed action is to reissue an existing State/NPDES permit for an existing facility. Chlorinated hydrocarbon contaminated groundwater from various extraction wells from a former waste management and landfill facility will be collected in a 5,500 gallon above ground storage tank and batch treated with an air stripper prior to discharge. Alternatively, trench water will be treated with the air stripper and then a Granulated Activated Carbon (GAC) vessel prior to collection in a separate 5,000 gallon above ground holding tank. Then untreated B-level water will be blended with the treated trench water for a second time

(continued)

through the air stripper before being discharged. The proposed permit contains limits for pH, trichloroethene, tetrachloroethene, 1,2-dichloroethene, 1,1,2-trichloroethene, chloroethylene, benzene, trichloromethane, 1,1,2,2-tetrachloroethene, methylene chloride, 1,2 dichloropropane, 1,1 dichloroethane, 1,1 dichloroethene, pentachlorophenol, and whole effluent toxicity, as well as monitoring for flow, heavy metals, volatile organic compounds, and sulfate.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Lawrence, City of PO Box 708 Lawrence, KS 66044	Kansas River via Yankee Tank Creek	Process Wastewater

Kansas Permit No. I-KS31-PO23
Federal Permit No. KS0099121

Legal Description: SW¼, S4, T13S, R19E, Douglas County, Kansas

Facility Name: Lawrence - Clinton Water Treatment Plant

Facility Location: 2101 Wakarusa Dr., Lawrence, KS 66047

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a public water treatment plant. Pump stations convey raw water from Clinton Reservoir and a copper ion solution is added to the raw water transmission line to control zebra mussels. The water is then treated via two water treatment trains, each consisting of a pre-sedimentation basin, a primary and a secondary basin. Eight filters are used for both treatment trains, before the water is sent to storage and distribution. The raw water is treated with powdered activated carbon, lime, various polymers, sodium hypochlorite, aqua ammonia, ferric chloride, carbon dioxide, sodium fluoride and phosphate, as it passes through various processes. The filter backwash water and sludges from the basins are treated with sodium bisulfite to remove chlorine, before being routed to a two, single cell lagoon system, operated in parallel. The proposed permit contains limits for total suspended solids and total residual chlorine, as well as monitoring for copper and pH.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before June 25, 2022, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-22-131/134, KS-Q-22-047/048) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Paige Drury, Livestock Waste Management Section at the KDHE, Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should be sent to Michael Beezhold at the KDHE, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Mirina Landry at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at kdhe.feedlots@ks.gov. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Christopher Zwiener, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-3056 or email at Christopher.Zwiener@ks.gov. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available at <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Secretary

Doc. No. 050166

State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the Kansas Department of Transportation (KDOT) website at <https://kdotapp.ksdot.org/Proposal/Proposal.aspx>. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "Non-Bid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid no later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject your bid. The Secretary reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2015 edition of the Kansas Department of Transportation *Standard Specifications for State Road and Bridge Construction*.

KDOT will only accept electronic internet proposals using the Bid Express website at <http://www.bidx.com> until 1:00 p.m. (CDT) June 15, 2022. The KDOT bid letting will be conducted remotely by audio broadcast ONLY at 3:00 p.m. (CDT) Wednesday, June 15, 2022. To join the conference call, dial 866-620-7326 and enter conference code 5895748207. KDOT has tested the process, but in the event of an unforeseen issue, KDOT will provide updates.

Each bidder shall certify that such person, firm, association, or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This certification shall be in the form of a required contract provision provided by the state to each prospec-

tive bidder. Failure to complete the required contract provision and certify the completeness of the preceding statement when electronically signing the proposal will make the bid nonresponsive and not eligible for award consideration.

District One – Northeast

Douglas – 23 C-5065-01 – Horizontal curves on RS-212 (County Road 442) and RS-210 (County Road 210), surfacing, 1.5 miles. (Federal Funds)

Douglas – 23 TE-0497-01 – 10th Street, from Church Street to Peach Street in Eudora, pedestrian and bicycle paths, 0.8 mile. (Federal Funds)

Jefferson – 44 C-5057-01 – RS-328 (Ferguson Road) and Slough Creek Road intersection, intersection improvement, 0.2 mile. (Federal Funds)

Jefferson – 92-44 KA-5413-01 – K-92, from K-16 to Meredith Lane in McLouth, reconstruction, 0.3 mile. (Federal Funds)

Pottawatomie – 24-75 KA-6202-01 – US-24, from the Riley/Pottawatomie County line east 3.9 miles to the start of the concrete pavement, overlay, widen paved shoulder width, 3.9 miles. (Federal Funds)

Riley – 70-81 KA-6403-01 – I-70, beginning at the Geary/Riley County line to the Riley/Wabaunsee County line, concrete pavement, 6.0 miles. (Federal Funds)

Shawnee – 89 TE-0503-01 – from 29th Street north through Robinson Park and Dornwood Park to approximately 25th Street in Topeka, pedestrian and bicycle paths, 0.7 mile. (Federal Funds)

Wabaunsee – 70-99 KA-6405-01 – I-70, beginning at the Riley/Wabaunsee County line to 0.38 mile east of the I-70/K-30 junction, concrete pavement, 19.4 miles. (Federal Funds)

Wyandotte – 32-105 KA-3079-01 – K-32, bridges #104 & #105 located at the K-32/Turner Diagonal/Kaw Drive intersection (K-32 eastbound and westbound lanes), bridge replacement. (Federal Funds)

Wyandotte – 32-105 KA-6533-01 – K-32, beginning at Bridges #104 and #105 located at the K-32/Turner Diagonal/Kaw Drive intersection east to S. 55th Street, pavement patching, 0.9 mile. (Federal Funds)

Wyandotte – 73-105 KA-5241-01 – US-73 and Parallel Parkway intersection in Wyandotte and Leavenworth counties, intersection improvement, 0.7 mile. (Federal Funds)

District Two – North Central

Ellsworth – 27 C-5059-01 – Major collector roads east of K-156 and south of I-70, signing, 82.0 miles. (Federal Funds)

Ellsworth – 156-27 KA-5415-01 – K-156 and K-140 intersection in Ellsworth, intersection improvement, 0.3 mile. (Federal Funds)

Statewide – 106 KA-6094-01 – US-50, K-89, K-15 and K-196 in Harvey, Butler, Marion and Reno Counties, signing. (Federal Funds)

District Three – Northwest

Norton – 383-69 KA-2371-02 – K-383, from the east US-36/K-383 junction northeast to the south edge of wearing

surface of bridge #062 over Prairie Dog Creek, grading and surfacing, 5.6 miles. (Federal Funds)

Smith – 92 C-5072-01 – Bridge over Cedar Creek located 2.5 miles north and 1.6 miles east of Claudell, bridge replacement, 0.2 mile. (Federal Funds)

District Four – Southeast

Statewide – 106 KA-6495-01 – City of Gridley in Coffey County and City of Madison in Greenwood County, special. (State Funds)

Statewide – 106 KA-6496-01 – City of Baxter Springs in Cherokee County, cities of Chetopa and Oswego in Labette County, special. (State Funds)

District Five – South Central

Barber – 4 KA-6548-01 – Selected bridges in Barber County on US-160 and K-2, mud jacking. (State Funds)

Kingman – 42-48 KA-3879-01 – K-42, bridge #044 over the Chikaskia River Drainage located 7.62 miles west of K-14, bridge replacement. (Federal Funds)

Sedgwick – 87 KA-6546-01 – Selected bridges in Sedgwick County on I-135, US-54, K-96 and K-15, mud jacking. (State Funds)

Julie Lorenz
Secretary

Doc. No. 050140

State of Kansas

Department of Transportation

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or team of firms to perform professional services for the project(s) described in Table 1 below. Interested consultants must email a letter of interest to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) June 8, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in the following Categories: 161 Corridor/Project Feasibility Studies; 211 Highway Design–Major Facility; 221 Non-Standard Span Bridge Design; 231 Traffic Control Analysis and Design; 301 Land Surveying; 302 Engineering Surveying; 336 Right of Way Services; and 401 Landscape Seeding and Erosion Control.

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification category definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

(continued)

Table 1: Background and Scope of Project

Project Number	Background and Scope of Project
KA-6541-01	This project is the replacement of the Taylor Road bridge (BR#004) which carries traffic over I-70 in Geary County. This is a new interchange project which will require break in access.

Table 2: Project Summary

Project Number	Route Scope	Length (mi)	Project Termini
KA-6541-01	I70-031 Bridge Replacement	N/A	N/A

Project Number	Structures BR#, Structure Scope, Structure Size and Type
KA-6541-01	Bridge #004 Bridge Replacement/New Interchange; Length: +/-216.5 feet, Roadway Width: 24 feet; Existing structure is a Reinforced Box Girder Continuous (RBGC) Bridge

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Planning Study Services (Including: NEPA EA/EIS); Discovery Phase Services; Break in Access Study; and Public Involvement Services.

The selected consultant will need to gather and evaluate preliminary information. The NEPA boundary will be established, and public involvement will be conducted during the Discovery Phase.

Based on capacity improvement scope and funding needs identified and developed during the Discovery Phase, the consultant selected for this request for proposals may or may not be selected to continue providing service up through the Preliminary and/or Final Design phases. Additional phases which may be added later (at the Secretary’s discretion) may include Surveying; Right of Way; Preliminary Design Services; Final Design Services; Public Involvement Services; Geotechnical Engineering; Environmental Documentation Preparation (Permitting); Letting and Construction Phase Services; and 3D Electronic Deliverables Preparation.

Current expectations for consultant scope are detailed below. The scope included herein may not be all-inclusive. A scoping meeting will take place after consultant selection is made.

Project Management

- Develop and communicate Project Management Plan and Quality Assurance Plan.
- Perform quality control checks according to Quality Assurance Plan.
- Provide electronic plan files compliant with KDOT Graphic Standards Manual, including CAD conformance checks and ControlCAD indexed DGN files with ProjectWise attributes.
- Provide bi-annual construction cost estimates and at major project milestones.

Environmental

- High-level data gathering.
- Identify potential issues.
- Subsequent phases may include:
 - Completing environmental data collecting and analysis.

- Submitting findings.
- Final permitting.

Road Design

- Discovery Phase including NEPA (EA/EIS).
- Visit the project site location.
- Subsequent phases may include:
 - Develop Plans to Materials and Research.
 - Develop Preliminary Plans to Field Check.
 - Develop Office Check Plans.
 - Develop Final Plans for Construction.
 - Perform roadway geometric design, drainage design, and roadside safety analysis.

Survey and Right of Way

- KDOT is in the process of completing a full topographic survey of the project site with an estimated completion date of June 13, 2022.
- Subsequent phases may include:
 - Supplemental survey if needed.
 - Establish and determine impacts to right of way and utilities.
 - Building of the existing right of way.
 - Based upon consultant’s field survey data and historical KDOT project information, consultant shall establish and compile into a right of way strip map the positions and locations of the existing highway right of way and property lines for the ownership adjacent thereto. Consultant shall perform these activities using coordinate geometry and Bentley Open Site Designer.

Bridge Design

- Discovery Phase.
- Subsequent phases may include:
 - The consultant will propose and evaluate different framing layouts for review and acceptance by the KDOT Bridge Office; focus shall be to minimize disruption to the site and facilitate efficient construction to minimize impacts to I-70.
 - Develop Preliminary Plans to Field Check.
 - Perform hydraulic analysis and determine type, size, and location of proposed replacement structures.
 - Final Design.

Traffic Engineering

- Discovery Phase.
- Subsequent phase may include:
 - Develop permanent signing, lighting, and pavement marking plans.
 - Develop Traffic Control Plans.

Transportation Planning

- Determine present and future traffic projections for adjacent interchanges using the current Flint Hills travel demand model.
- Estimate truck traffic using the Flint Hills travel demand model and KDOT’s traffic flow maps.
- Work with the city/county on land-use developments that may not be reflected in the model.
- Develop both daily and a.m./p.m. peak hour traffic for base/future year traffic for the study area.
- Level-of-Service analysis using either Synchro/SimTraffic, HCS, or VISSIM.

- Data collection of present traffic (counts) as needed or deemed necessary.
- Coordinate information with the Transportation Planning Forecasting Group.

Activities to be performed by KDOT include:

- Environmental services, including lead paint and asbestos testing and permit application.
 - Note: Technical data to support these activities will be required from the consultant immediately after field check.
- Utility coordination, if required.
- Geotechnical services including soil investigations, bridge foundation geology, pavement field investigation and design, and surfacing recommendations.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CDT) June 8, 2022
2. The program fiscal year for this project is FY 2027 (July 2026 – June 2027)
3. Other important dates:
 - a. Survey Complete: Spring 2022
 - b. Begin Study: August 29, 2022
 - c. End Study: May 29, 2023
 - d. Plans to Materials and Research: January 8, 2024
 - e. Field Check: October 8, 2024
 - f. Plans to Right-of-Way: December 23, 2024
 - g. Plans Complete: October 20, 2026

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant’s proposal must not exceed 6 pages total (including any cover letter, index, etc.)
3. A PDF (2MB maximum size) of the proposal must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
 - a. “KA-6541-01–Replace BR004 on I-70 in Geary Co_FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	1 page
Project Approach	Demonstrate a unique approach to accomplish the design efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach.

Approach to Schedule	Describe the approach to accomplish the scope of services within the schedule requirements. Include anticipated key milestone dates and availability of staff.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.
Familiarity with KDOT and Project Area	Describe team’s familiarity with KDOT’s design process and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%
Past performance history for similar projects/services for KDOT	25%
Approach to quality control	10%
Understanding of the project area	10%
Knowledge of the NEPA process	10%
Demonstrated understanding of nature and scope of project	25%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until May 26, 2022; answers will be provided to all prequalified consultants on June 1, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050156

State of Kansas

Department of Transportation

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or team of firms to perform professional services for the project(s) described *(continued)*

in Table 1 below. Interested consultants must email a letter of interest to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) June 8, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in the following Categories: 161 Corridor/Project Feasibility Studies; 171 Environmental Documentation; 212 Highway Design–Minor Facility; 221 Non-Standard Span Bridge Design; 231 Traffic Control Analysis and Design; 301 Land Surveying; 302 Engineering Surveying; 336 Right of Way Services; and 401 Landscape Seeding and Erosion Control.

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification category definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Table 1: Background and Scope of Project

Project Number	Background and Scope of Project
KA-5731-01	This project is the replacement of the US-24 bridge (BR#026) over Kyle Railroad, which carries traffic east and west between Cawker City in Osborne County. This structure is on a straight alignment with a 59°-19'-10" skew to the right. The length of the existing bridge is 238.9' feet; the roadway width is 44 feet. This project is scheduled for letting in FY 2026 with plans complete November 18, 2025.

Table 2: Project Summary

Project Number	Route Scope	Length (mi)	Project Termini
KA-5731-01	024-071 Bridge Replacement	0.01	N/A
Project Number	Structures BR#, Structure Scope, Structure Size and Type		
KA-5731-01	Bridge #026 Bridge Replacement, Existing structure is a skewed Illinois Bulletin bridge (RISC) approximately 238.9 feet long. Services associated with this request for proposal begin at Discovery Phase and consultant may be retained (via supplemental agreements) through Final Design.		

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Current expectations for consultant scope are detailed below. The scope included herein may not be all-inclusive. A scoping meeting will take place after consultant selection is made.

Project Management

- Develop and communicate Project Management

Plan and Quality Assurance Plan.

- Perform quality control checks according to Quality Assurance Plan.
- Provide electronic plan files compliant with KDOT Graphic Standards Manual, including CAD conformance checks and ControlCAD indexed DGN files with ProjectWise attributes.
- Provide bi-annual construction cost estimates and at major project milestones.
- Coordinate with required entities, including the Union Pacific Railroad, the Kyle Railroad, and the United States Bureau of Reclamation.

Environmental

- High-level data gathering.
- Identify potential issues.
- Subsequent phases may include:
 - Completing environmental data collecting and analysis.
 - Submitting findings.
 - Final permitting.

Road Design

- Discovery Phase including NEPA (EA/EIS).
- Visit the project site location.
- Subsequent phases may include:
 - Develop Plans to Materials and Research.
 - Develop Preliminary Plans to Field Check.
 - Develop Office Check Plans.
 - Develop Final Plans for Construction.
 - Perform roadway geometric design, drainage design, and roadside safety analysis.

Survey and Right of Way

- KDOT completed a full survey of the project area on April 29, 2021.
- Existing Right of Way features were completed on September 20, 2021.
- Subsequent phases may include:
 - Topographic Field Survey.
 - Based upon Consultant’s field survey data and historical KDOT project information, consultant shall establish and compile into a right of way strip map the positions and locations of the existing highway right of way and property lines for the ownership adjacent thereto. Consultant shall perform these activities using coordinate geometry and Bentley Open Site Designer.

Bridge Design

- Discovery Phase.
- Subsequent phases may include:
 - Develop Preliminary Plans to Field Check.
 - Develop Office Check Plan.
 - Develop Final Plans for Construction:
 - The consultant will propose and evaluate different framing layouts for review and acceptance by the KDOT Bridge Office; focus shall be to minimize disruption to the site and facilitate efficient construction to minimize impacts to US-24 and the Kyle Railroad.

Traffic Engineering

- Discovery Phase.
- Subsequent phase may include:

- Develop permanent signing, lighting, and pavement marking plans.
- Development of Traffic Management Plan, including coordination with the local government and the railroads.
- Develop Traffic Control Plans.

Activities to be performed by KDOT include:

- Environmental services, including lead paint testing and permit application.
 - Note: Technical data to support these activities will be required from the consultant immediately after field check.
- Utility coordination, if required.
- Geotechnical services including soil investigations, bridge foundation geology, pavement field investigation and design, and surfacing recommendations.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CDT) June 8, 2022
2. The program fiscal year for this project is FY 2026 (July 2025 – June 2026)
3. Other important dates:
 - a. Survey is complete
 - b. Begin Study: August 15, 2022
 - c. End Study: January 9, 2023
 - d. Plans to Materials and Research: March 8, 2023
 - e. Field Check: December 7, 2023
 - f. Plans to Right-of-Way: February 21, 2024
 - g. Plans Complete: November 18, 2025

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant’s proposal must not exceed 6 pages total (including any cover letter, index, etc.)
3. A PDF (2MB maximum size) of the proposal must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
4. The subject line of the email and the PDF file name must read:
 - a. “KA-5731-01–Replace BR026 over Kyle RR in Osborne Co_FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

Table 3: Proposal Content

Section	Description of Intent
Cover Letter	1 page

Project Approach	Demonstrate a unique approach to accomplish the design efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach.
Approach to Schedule	Describe the approach to accomplish the scope of services within the schedule requirements. Include anticipated key milestone dates and availability of staff.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.
Familiarity with KDOT and Project Area	Describe team’s familiarity with KDOT’s design process and standards. Describe familiarity with the project area and any identified special site conditions.

Table 4: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%
Project approach	25%
Approach and commitment to meet advertised schedule	10%
Past performance history for similar projects/services for KDOT	10%
Understanding of the project area	15%
Demonstrated understanding of nature and scope of project	20%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until May 26, 2022; answers will be provided to all prequalified consultants on June 1, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050155

State of Kansas

Department of Transportation

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a number of qualified consulting firms or teams of firms to perform professional services as described below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) June 3, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in the following categories: Geotechnical Engineering Services and 312 Materials Laboratory Testing Services. In addition, 333 Geotechnical Specialty Services may come into play on some relevant needs.

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification category definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Background and Scope of Project

Accurate testing of certain samples and materials according to the applicable KT, KDOT, AASHTO, and/or ASTM standard may be needed from time to time by KDOT for information pertinent to investigations, analyses, engineering or design decisions and other matters. Periodically, KDOT's own laboratory may be unable to perform the testing within the time frame required. In those instances, it may be necessary to engage a consultant (with appropriately accredited personnel and laboratory facilities) on short notice for testing samples and materials under an On-Call agreement. See Exhibit 1 to this request for proposals, Short Term On-Call Services Summary.

In addition, KDOT may engage a consultant on short notice to perform the geotechnical field investigations and drilling required to collect samples.

Therefore, KDOT is seeking to execute on-call agreements with a number of highly qualified firms, one of which may be selected on a task-by-task basis for specific assignment to be detailed in a Task Order/Work Order issued under a four-year term on-call agreement.

Anticipated Consultant Scope

KDOT anticipates the following to be included in the selected consultants' scope: Material Testing Services and/or Geotechnical Services as described below:

Most often, the scope of services will generally consist of obtaining materials or samples from KDOT's laboratory in Topeka, Kansas, accurately performing the tests requested and reporting the test results to KDOT. All tests shall be performed in accordance with either the appropriate KT,

KDOT, AASHTO, and/or ASTM standard(s), as directed by KDOT. The laboratory shall be accredited by the AASHTO Accreditation program for the tests to be performed. Materials encountered may include the following: aggregates, bituminous materials, cement, concrete, concrete admixtures, curing materials, geosynthetics, fly ash, lime, metals, paints, reflective materials, soils, sealants, wood, water, and any other materials required to construct and maintain the Kansas roadway system.

Occasionally, Geotechnical Engineering Services (category 311) and/or Geotechnical Specialist services (category 333) may be required to perform the geotechnical field investigations required to collect samples. These samples will be used to identify and locate, both horizontally and vertically, significant soil and rock types and ground water conditions present, and establish the characteristics of the subsurface materials visually, by sampling, and by laboratory and in-situ testing. Geotechnical Specialty Services consists of conducting specialty surveys and services concerning geophysical or nondestructive testing and pavement condition inventory. The service requirements will include geophysical surveys (seismic, resistivity, sonic, magnetic), ground penetrating radar surveys, thermography surveys and automated pavement condition surveys and providing analysis and comprehensive report on results of surveys.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CDT)
2. On-call agreements negotiated with the selected firms will take effect by July 1, 2022

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant's proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5" x 11"). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. Fill out and return Exhibit 1 to this request for proposals, Short Term On-Call Services Summary. This page does not count against the page limit listed above. If you are reading this in the Kansas Register, please contact KDOT.DesignContracts@ks.gov for a copy of this document.
4. A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.
5. The subject line of the email and the PDF file name must read:
 - a. "On-Call Geotech 2022_FIRM NAME"
6. The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate") and No. 10 ("Policy Regarding Sexual Harassment"). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing.
7. The outline in Table 1 below describes the expected proposal organization and content sections.

8. Table 2 lists the evaluation criteria and associated weights which will be used to make a selection.
9. Contact information for one consultant individual who is capable of answering any questions that may arise from the proposal shall be included in the proposal.
10. Depending on the number of responses received, KDOT may elect to shortlist (based on proposals) and hold in-person interviews prior to final selection (which may be based on both proposal and interview content). If KDOT deems them necessary, interview evaluation criteria will be distributed to shortlisted consultant teams in advance.

Table 1: Proposal Content

Section	Description of Intent
Cover Letter	1 page
Project Approach	Demonstrate adequate capabilities to provide the services efficiently and to a high standard. Include cost-effective and optimized solutions. Include unique qualifications or experience related to the services required.
Approach to Schedule	Describe the ability to accomplish the scope of services within schedule requirements. Include anticipated timelines for mobilization and lab testing.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services, reports and other deliverables with professional quality and technical accuracy.
Qualifications and Experience	For key personnel to be assigned to the project, provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and their ability to dedicate what percent of their time to the project when providing the subject services. If there are changes in key personnel, KDOT should be notified immediately, and the above information should be provided for the new personnel. List work for which you do not have in-house capability and name the firm you propose to subcontract with. If laboratory services are a part of the subcontracted work, include the subcontracted labs AASHTO/AMRL accreditation status.
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.
Familiarity with KDOT and Project Areas	Describe team’s familiarity with KDOT’s processes and standards. Describe familiarity with geotechnical engineering and geology in Kansas and any special site conditions you might anticipate finding.

Table 2: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	10%
Approach and commitment to meet advertised schedule	10%
Past performance history for similar projects/services for KDOT	15%
Understanding of the project area	10%

Innovation/Creativity in solutions	10%
Availability to respond to the work	15%
Unique qualifications	10%
Approach to quality control	10%
Demonstrated understanding of nature and scope of project	10%

Contract Terms and Conditions

A standard KDOT on-call agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)

Special Contract Conditions

On-call agreements negotiated with the selected firms will take effect by July 1, 2022, have a maximum cost of services of three million dollars (\$3,000,000) over the life of the agreement, per consultant, and remain effective until such amount is spent associated with the agreement or for a period of one year with the option (at KDOT’s discretion) to add one-year extensions no more than four (4) times.

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until May 24, 2022; answers will be provided to all prequalified consultants on May 30, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050158

State of Kansas

Department of Transportation

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or team of firms to perform professional services for the project described below. Interested consultants must email a proposal to KDOT.DesignContracts@ks.gov by 12:00 p.m. (CDT) July 27, 2022, to be considered for selection.

Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in the following categories: 141 Bicycle and Pedestrian Facilities Planning; 151 Public Transit Facilities and Systems Planning; 162 Long Range Planning; 211 Highway Design–Major Facility; or 411 Pedestrian and Bicycle Facility Design.

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification category definitions (Blue Book) can be found at

(continued)

<http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Consultant must be staffed with experienced planning and engineering professionals with experience in pedestrian, cyclist, and multi-modal transportation planning, as well as analysis in crash data, safety data, and demographics. The selected consultant shall have a licensed engineer within the state of Kansas who is part of the project team as well as one or more persons with experience in highway/local road design on major and minor facilities, to address pedestrian, bicycle, and multi-modal facilities at roadway segments and controlled/uncontrolled intersections. Additionally, one or more team members should have experience in crash data, transportation network data and demographic data analysis with the ability to conduct layered analysis and produce geospatial results.

Background and Scope of Project

Consultant shall develop and complete the FHWA required Vulnerable Road User Safety Assessment (VRU Assessment) per IJJA Section 11122 of the Transportation BIL. The FHWA will release the final ruling on the assessment requirements BEFORE October 2022.

KDOT is interested in hiring a consultant to start with the data analysis needed to finalize the assessment for the State of Kansas. Following the data analysis, consultant will identify areas of “high-risk” to vulnerable road users. Consultant will consult with local governments and metropolitan planning organizations (MPOs) that represent “high-risk” areas and will develop a program of projects or strategies to reduce safety risks to vulnerable road users in areas identified as “high-risk.” See below for more detail.

Anticipated Consultant Scope

KDOT anticipates the following to be included in the consultant’s scope: Data Analysis, Planning Study Services; Public Involvement Services; Local Government, MPO, and Regional Transportation Planning Organization Engagement.

Below is the information available at the present time for initiating the development of a VRU Assessment.

- Note: the term vulnerable road user is intended to mean a non-motorist.

Analysis

- Under IJJA Section 11111 Highway Safety Improvement Program (HSIP):

Contents

- A VRU assessment shall include:
 - A quantitative analysis of VRU fatalities and serious injuries that:
 - Includes data such as location, roadway functional classification, design speed, speed limit, and time of day;
 - Considers the demographics of the locations of fatalities and serious injuries, including race, ethnicity, income, and age;

- Based on the data, identifies areas as “high-risk” to VRU’s; and
- A program of projects or strategies to reduce safety risks to VRU’s in areas identified as high risk.

The KDOT will provide data that is available and useful upon request. Such data would be related to crash data on and off the state system however, local road data beyond crashes are limited.

Report

- IJJA HSIP Section 11111 HSIP:

Requirements

- In carrying out a VRU assessment the consultant shall:
 - Take into consideration a safety system approach; and
 - Consult with local governments, MPOs and regional transportation planning organizations that represent a “high-risk” area identified under the VRU assessment process.

The VRU assessment shall include recommendations for a future update to the Kansas Strategic Highway Safety Plan (SHSP). The report should include guidance for programming on-system and off-system projects, with recommendations derived from Pedestrian and Bicycle Crash Analysis Tool (PBCAT).

The latest guidance from U.S. Department of Transportation – Federal Highway Administration Memorandum of February 2, 2022, pertaining to VRU can be found at https://safety.fhwa.dot.gov/hsip/rulemaking/docs/Section148_SpecialRule_Guidance.pdf. Additional guidance regarding the VRU assessment is expected from FHWA prior to October 2022.

KDOT intends to award one Indefinite Delivery/Indefinite Quantity (IDIQ) contract. Services may not be required on a constant, continuous basis but rather on an as-needed basis during the term of the contract. Individual work orders will be negotiated and issued based on the fee structure negotiated. KDOT is not obligated for services until a work order is issued.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (CDT) July 27, 2022
2. It is anticipated that the FHWA will release the final ruling on the assessment requirements before October 2022
3. The Final Assessment will be due to KDOT before August 2023

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant’s proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5” x 11”). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A single PDF (2MB maximum size) of the proposal including all attachments must be emailed to KDOT.DesignContracts@ks.gov by the proposal due date and time.

4. The subject line of the email and the PDF file name must read:
 - a. "KA-6741-01-KS VRU Assessment_FIRM NAME"
5. The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate") and No. 10 ("Policy Regarding Sexual Harassment"). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing.
6. The outline in Table 1 below describes the expected proposal organization and content sections.
7. Table 2 lists the evaluation criteria and associated weights which will be used when evaluating proposals. Depending on the number of responses received, KDOT may elect to shortlist (based on proposals) to no more than 3-5 firms and hold in-person interviews prior to final selection (which may be based on both proposal and interview content). If KDOT deems them necessary, interview evaluation criteria will be distributed to shortlisted consultant teams in advance.

Table 1: Proposal Content

Section	Description of Intent
Cover Letter	1 page
Project Approach	Demonstrate a unique approach to accomplish the study efficiently and to a high standard. Include cost-effective and optimized solutions to address the scope. Include unique qualifications or experience related to the project approach. Specifically, describe your approach to each of the following: <ul style="list-style-type: none"> • Data Analysis • High Risk Area Identification • Local / Regional Agency Consultation • SHSP Update Recommendations • Programming Guidance
Approach to Schedule	Describe the approach to accomplish the scope of services within the schedule requirements. Include anticipated key milestone dates and availability of staff.
Approach to Quality Control	Describe methods or procedures your firm will use to provide all deliverables and other services with professional quality and technical accuracy.
Qualifications and Experience	For the key personnel who are to be assigned to the study provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm(s) you propose to subcontract with.
Past Performance	Describe team's past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.
Familiarity with KDOT and Project Area	Describe team's familiarity with KDOT's processes and standards. Describe familiarity with the relevant transportations systems and corridors and any identified special conditions.

Table 2: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%
Approach and commitment to meet advertised schedule	20%

Past performance history for similar projects/services for KDOT	10%
Demonstrated understanding of the nature and scope of project	20%
Innovation/Creativity in solutions	10%
Understanding of relevant KDOT data, associated tools, and special considerations necessary for analyzing the data	20%

Contract Terms and Conditions

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 ("Tax Clearance Certificate")
- Special Attachment No. 10 ("Policy Regarding Sexual Harassment")

Questions

All questions regarding this request for proposals shall be emailed to KDOT.DesignContracts@ks.gov.

Questions can be submitted until June 30, 2022; answers will be provided to all prequalified consultants on July 6, 2022.

Marcia Turner, P.E., Contracts Manager
Division of Engineering and Design

Doc. No. 050157

(Published in the Kansas Register May 26, 2022.)

**Unified School District No. 489,
Ellis County, Kansas (Hays)**

**Notice of Intent to Seek Private Placement
General Obligation Bonds, Series 2022-A**

Notice is hereby given that Unified School District No. 489, Ellis County, Kansas (Hays) (the "Issuer") proposes to seek a private placement of the above-referenced bonds (the "Bonds"). The maximum aggregate principal amount of the Bonds shall not exceed \$2,000,000. The proposed sale of the Bonds is in all respects subject to approval of a bond purchase agreement between the Issuer and the purchaser of the Bonds and the adoption of a resolution by the governing body authorizing the issuance of the Bonds and the execution of various documents necessary to deliver the Bonds.

Dated May 16, 2022.

Jess Reling
Clerk

Doc. No. 050162

(Published in the Kansas Register May 26, 2022.)

Atchison County, Kansas

**Notice of Intent to Seek Private Placement
General Obligation Bonds, Series 2022-A**

Notice is hereby given that Atchison County, Kansas (the "Issuer") proposes to seek a private placement of the above-referenced bonds (the "Bonds"). The maximum aggregate principal amount of the Bonds shall not exceed
(continued)

\$2,000,000. The proposed sale of the Bonds is in all respects subject to approval of a bond purchase agreement between the Issuer and the purchaser of the Bonds and the adoption of a resolution by the governing body authorizing the issuance of the Bonds and the execution of various documents necessary to deliver the Bonds.

Dated May 17, 2022.

Michelle Phillips
County Clerk

Doc. No. 050165

(Published in the Kansas Register May 26, 2022.)

City of Independence, Kansas

**Summary Notice of Bond Sale
\$14,110,000***

General Obligation Bonds, Series 2022-A

**(General Obligation Bonds Payable
from Unlimited Ad Valorem Taxes)**

Bids

Subject to the Notice of Bond Sale dated April 28, 2022 (the "Notice"), facsimile and electronic bids will be received on behalf of the Finance Director of the City of Independence, Kansas (the "Issuer") in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 11:00 a.m. (CDT) June 8, 2022, for the purchase of the above-referenced bonds (the "Bonds"). No bid of less than 100% of the principal amount of the Bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated June 30, 2022, and will become due on October 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2022	\$305,000	2033	\$690,000
2023	385,000	2034	715,000
2024	495,000	2035	745,000
2025	515,000	2036	770,000
2026	535,000	2037	800,000
2027	565,000	2038	825,000
2028	585,000	2039	860,000
2029	605,000	2040	885,000
2030	630,000	2041	920,000
2031	650,000	2042	960,000
2032	670,000		

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on October 1, 2022.

Book-Entry-Only System

The Bonds shall be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Treasurer of the State of Kansas, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of \$282,200.

Delivery

The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or about June 30, 2022, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations for the year 2021 is \$55,685,976. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds, is \$18,510,000.

Approval of Bonds

The Bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, Bond Counsel to the Issuer, whose approving legal opinion as to the validity of the Bonds will be furnished and paid for by the Issuer, printed on the Bonds, and delivered to the successful bidder as and when the Bonds are delivered.

Additional Information

Additional information regarding the Bonds may be obtained from the Issuer or Municipal Advisor at the addresses set forth below:

Issuer –Facsimile Bid and Good Faith Deposit Delivery Address

City of Independence, Kansas
Attn: Lacey Lies, Finance Director
City Hall
811 W. Laurel St.
Independence, KS 67301
620-332-2505
Fax: 620-332-2511
laceyli@independenceks.gov

Municipal Advisor Address

Piper Sandler & Co.
Attn: Clayton Kelley
11635 Rosewood St.
913-345-3300
clayton.kelley@psc.com

Dated April 28, 2022.

Lacey Lies
Finance Director

* Subject to change, see the Notice
Doc. No. 050164

(Published in the Kansas Register May 26, 2022.)

Marion County, Kansas

**Summary Notice of Bond Sale
\$5,000,000***

General Obligation Bonds, Series 2022-A

**(General Obligation Bonds Payable
from Unlimited Ad Valorem Taxes)**

Bids

Subject to the Notice of Bond Sale dated May 9, 2022 (the "Notice"), bids will be received on behalf of the County Clerk of Marion County, Kansas (the "Issuer") in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 11:00 a.m. (CDT) June 9, 2022, for the purchase of the above-referenced bonds (the "Bonds"). No bid of less than 100% of the principal amount of the Bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated June 30, 2022, and will become due on September 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2023	\$460,000	2028	575,000
2024	505,000	2029	595,000
2025	525,000	2030	610,000
2026	540,000	2031	630,000
2027	560,000		

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 2023.

Book-Entry-Only System

The Bonds shall be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Treasurer of the State of Kansas, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of 2% of the principal amount of the Bonds.

Delivery

The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or about June 30, 2022, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations for the year 2021 is \$173,891,115. The total general obligation indebtedness

of the Issuer as of the Dated Date, including the Bonds being sold, is \$5,092,343.

Approval of Bonds

The Bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, Bond Counsel to the Issuer, whose approving legal opinion as to the validity of the Bonds will be furnished and paid for by the Issuer, printed on the Bonds, and delivered to the successful bidder as and when the Bonds are delivered.

Additional Information

Additional information regarding the Bonds may be obtained from the Municipal Advisor at the address set forth below:

Issuer – Good Faith Deposit Delivery Address

Marion County, Kansas
Attn: Tina Spencer, County Clerk
200 S. Third St.
Marion, KS 66861
620-382-2185
Fax: 620-382-8815
tspencer@marioncoks.net

Municipal Advisor –Email Bid Address

Stifel, Nicolaus & Company, Incorporated
Attn: Dave Arterberry
4801 Main St., Suite 530
Kansas City, MO 64112
816-203-8733
arterberry@stifel.com

Dated May 9, 2022.

Tina Spencer
County Clerk

* Subject to change, see the Notice
Doc. No. 050174

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9:00 a.m. Tuesday, June 14, 2022, in the offices of the Kansas Development Finance Authority (KDFA), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, on the proposal for the KDFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 001102 Maximum Principal Amount:

\$220,475. Owner/Operator: Brody C. Carlgren; Description: Acquisition of 77.8 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes (the "Project"). The Project is being financed by the Lender for Brody C. Carlgren (the "Begin-

(continued)

ning Farmer”) and is located at the East Half of the Northwest Quarter of Section 15, Township 4 South, Range 5 West of the 6th P.M. in Republic County, Kansas, approximately 5 miles south of Courtland, Kansas on 30 Road then 1 mile east on Valley Road.

The bond, when issued, will be a limited obligation of the K DFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the K DFA, nor will it be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

Interested individuals may participate in the public hearing in person or via conference call. Please call 844-621-3956 and use conference identification number 145 880 8929 followed by # to join the conference.

All individuals who appear at the hearing will be given an opportunity to express their views concerning the proposal to issue the bond to finance the project, and all written comments previously filed with the K DFA at its offices at 534 S. Kansas Ave., Suite 800, Topeka, KS 66603, will be considered. Additional information regarding the project may be obtained by contacting the K DFA.

Rebecca Floyd
President

Doc. No. 050173

State of Kansas

Secretary of State

Certification of New State Laws

I, Scott Schwab, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

Scott Schwab
Secretary of State

(Published in the Kansas Register May 26, 2022.)

Senate Substitute for House Bill No. 2567

AN ACT concerning education; making and concerning appropriations for fiscal years ending June 30, 2022, June 30, 2023, and June 30, 2024, for the state department of education; establishing the legislature’s intention to focus on academic achievement; enacting the every child can read act to support literacy proficiency by third grade; authorizing the state board of education and school districts to allow students to earn course credit through alternative educational opportunities outside the traditional classroom; making members of or persons employed by the Kansas state high school activities association mandatory reporters of child abuse and neglect; requiring the board of education of each school district to consider the district building needs assessment and state academic assessments when approving the budget of the school district; requiring school districts to allow for part-time enrollment of certain students; allowing students to transfer to and attend school in any school district in the state; requiring school districts to set transfer capacity and adopt certain transfer policies; establishing an alternative method for calculating virtual school graduation rates; prohibiting virtual

schools from offering or providing any financial incentives to attract a student to enroll; increasing virtual school state aid; authorizing virtual school state aid for students who are credit deficient; amending the tax credit for low income students scholarship program to allow students who are seven years of age or under to participate in the program without the need for prior enrollment in a public school; relating to state aid; removing federal impact aid from the determination of local foundation aid; requiring the state department of education to provide an annual written report on academic achievement outcomes; excluding Fort Leavenworth school district and virtual school students from the capital improvement state aid determination; extending the general obligation bond limitation; relating to the Kansas promise scholarship act; responsibilities of the state board of regents and postsecondary educational institutions relating thereto; authorizing designation of additional eligible programs and fields of study; increasing the limitation on reimbursements to Kansas educational institutions for educational benefits for spouses and dependents of deceased, injured or disabled public safety officers and employees and certain deceased, injured or disabled military personnel and prisoners of war; establishing requirements for the administration of certain nonacademic tests, questionnaires, surveys and examinations; authorizing additional research and education programs under the Johnson county education research triangle authority act; amending K.S.A. 19-5005, 38-2223, 72-13,101, 72-3120, 72-3122, 72-3123, 72-3124, 72-3125, 72-3713, 72-3715, 72-5135, 72-5461 and 72-6316 and K.S.A. 2021 Supp. 72-1163, 72-4352, 72-5132, 72-5178, 72-5462, 74-32,271, 74-32,272, 74-32,273, 74-32,274, 74-32,275, 74-32,276 and 75-4364 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Education superhighway (652-00-1000-0180)\$178,986
Supplemental state aid (652-00-1000-0840)\$10,252,000

(b) On the effective date of this act, of the \$14,109,493 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 2(a) of chapter 114 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account (652-00-1000-0053), the sum of \$25,749 is hereby lapsed.

(c) On the effective date of this act, of the \$41,853,675 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 2(a) of chapter 114 of the 2021 Session Laws of Kansas from the state general fund in the KPERS – school employer contributions – non-USDS account (652-00-1000-0100), the sum of \$7,789,076 is hereby lapsed.

(d) On the effective date of this act, of the \$537,971,506 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 2(a) of chapter 114 of the 2021 Session Laws of Kansas from the state general fund in the KPERS – school employer contributions – USDs account (652-00-1000-0110), the sum of \$24,041,149 is hereby lapsed.

(e) On the effective date of this act, of the \$2,437,622,329 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 2(a) of chapter 114 of the 2021 session laws of Kansas from the state general fund for state foundation aid account (652-00-1000-0820), the sum of \$58,570,986 is hereby lapsed.

Sec. 2.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (including
official hospitality) (652-00-1000-0053)\$14,200,772

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

State foundation aid (652-00-1000-0820)\$157,335,108
Supplemental state aid (652-00-1000-0840)\$54,039,398
Center for READing (652-00-1000-0080)\$80,000

Provided, That the above agency shall expend moneys in such account to provide a project manager grant to the center for reading at Pittsburg state university to: (1) Assist in the development and support of

a science of reading curricula for the state educational institutions and colleges based on the knowledge and practice standards that have been adopted by the state department of education; (2) develop and support a recommended dyslexia textbook list for in-class learning for school districts to use; (3) develop and support a recommended dyslexia resources list for in-class learning for school districts to use; (4) provide knowledge and support for a train the trainer program and professional development curriculum for school districts to use; and (5) provide knowledge and support for developing a list of qualified trainers for school districts to hire.

KPERS-school employer contributions-non-USDs
(652-00-1000-0100)\$37,714,422

Provided, That any unencumbered balance in the KPERS-school employer contributions-non-USDs account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

KPERS-school employer contributions-USDs
(652-00-1000-0110)\$520,780,609

Provided, That any unencumbered balance in the KPERS-school employer contributions-USDs account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

ACT and workkeys assessments program
(652-00-1000-0140)\$2,800,000
Mental health intervention team pilot (652-00-1000-0150)....\$10,534,722

Provided, That any unencumbered balance in the mental health intervention team pilot account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That expenditures shall be made by the above agency from the mental health intervention team pilot account during fiscal year 2023 for mental health intervention team school liaisons employed by those school districts participating in the mental health intervention team pilot program: *And provided further*, That the salaries and wages for school liaisons shall be matched by participating school districts on a \$3 of state moneys for \$1 of school district moneys basis: *And provided further*, That each school district that participated in the mental health intervention team pilot program during fiscal year 2022 shall continue to receive an amount of moneys not less than the amount from such account or fund such school district received in fiscal year 2022 so long as the school district maintains a substantially similar program participation level in fiscal year 2023: *And provided further*, That the remaining unencumbered moneys in the mental health intervention team pilot account shall be used to expand the program to school districts that have not previously participated in the program and to contract with a third-party entity to conduct a study of the effectiveness of the program and suggest improvements to the program: *And provided further*, That, if such remaining moneys are not fully expended on new school district programs and the third-party study, the above agency shall expend such moneys on school districts that seek to expand existing programs: *And provided further*, That the department of education shall provide a report on or before January 1, 2023, to the director of the budget and the director of legislative research that includes performance measures, developed in consultation with the Kansas department for aging and disability services, that illustrate the effectiveness of the mental health intervention team pilot program.

Career and technical education transportation state aid
(652-00-1000-0190)\$1,482,338
Juvenile transitional crisis center pilot (652-00-1000-0210)\$300,000
Education commission of the states (652-00-1000-0220).....\$67,700
School safety hotline (652-00-1000-0230)\$10,000
School district juvenile detention facilities and Flint Hills
job corps center grants (652-00-1000-0290)\$5,060,528

Provided, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-1173, and amendments thereto.

School food assistance (652-00-1000-0320)\$2,510,486
Mentor teacher (652-00-1000-0440)\$1,300,000
Educable deaf-blind and severely handicapped children’s
programs aid (652-00-1000-0630).....\$110,000

Special education services aid (652-00-1000-0700)\$520,380,818

Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child, unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: *And provided further*, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3425, and amendments thereto: *And provided further*, That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing provisions, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3422, and amendments thereto.

Governor’s teaching excellence scholarships and awards
(652-00-1000-0770)\$360,693
Professional development state aid (652-00-1000-0860)\$1,770,000
School safety and security grants\$4,000,000

Provided, That expenditures shall be made from the school safety and security grants account for fiscal year 2023 for disbursements of grant moneys approved by the state board of education for the: Acquisition and installation of security cameras and any other systems, equipment and services necessary for security monitoring of facilities operated by a school district and for securing doors, windows and any entrances to such facilities; and salaries and wages, and associated fringe benefits, for newly created positions of school resource officers and the costs associated with any newly created school resource officers provided by the city or county of such school district: *Provided further*, That all moneys expended for school safety and security grants for fiscal year 2023 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the district that may be used for such purpose.

Computer science education advancement grant\$1,000,000

Provided, That expenditures shall be made by the above agency from the computer science education advancement grant account for fiscal year 2023 to provide grants to high-quality professional learning providers to develop and implement teacher professional development programs for the computer science courses as established in 2022 Substitute for House Bill No. 2466: *Provided further*, That, if 2022 Substitute for House Bill No. 2466 is not passed by the legislature during the 2022 regular session and enacted into law, then on July 1, 2022, the \$1,000,000 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, by this section in the computer science education advancement grant account is hereby lapsed.

Career technical education pilot\$40,000

Provided, That expenditures shall be made by the above agency from the career technical education pilot account for fiscal year 2023 to distribute the stipends required to be provided to the Washburn institute of technology and to participating high schools that are served by the Washburn institute of technology service area pursuant to the secondary career technical education credentialing and student transitioning to employment success pilot program as established in 2022 Substitute for House Bill No. 2466: *Provided further*, That, if 2022 Substitute for House Bill No. 2466 is not passed by the legislature during the 2022 regular session and enacted into law, then on July 1, 2022, the \$40,000 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, by this section in the career technical education pilot account is hereby lapsed.

Virtual math education program\$4,000,000

Provided, That expenditures shall be made by the above agency from the virtual math education program account for fiscal year 2023 to select and implement a virtual math program that shall be customized to Kansas curriculum standards, be evidence-based, not impose any fee or cost upon students, provide tutoring in multiple languages, provide professional development for the implementation of the program and have been implemented in other states over the preceding eight fiscal years: *Provided further*, That the above agency shall enter into a two-year contract to implement such program: *And provided further*, That any unified school district shall be authorized to use such program: *And (continued)*

provided further, That the above agency shall recommend that all school districts use such program: *And provided further*, That all school districts shall track and report to the above agency twice during school year 2022-2023 as determined by the above agency on the number of attendance centers and students using such program or other virtual math program and the number of attendance centers and students not using any such virtual math program, the number of teachers participating in the professional development provided by such program or other virtual math program and the effect of any such virtual math program on student academic proficiency: *And provided further*, That the above agency shall compile such reports and shall submit a summary report to the house of representatives standing committee on K-12 education budget and the senate standing committee on education during the 2023 regular session of the legislature: *And provided further*, That such report shall also include a list of the school districts and attendance centers that are using such program or other virtual math program and a list of the school districts and attendance centers that are not using a virtual math program and a comparison between low-usage and high-usage school districts and attendance centers: *Provided however*, If the above agency, in consultation with the director of the budget, determines that expenditures are made from the American rescue plan – state fiscal relief federal fund in the virtual math education program account pursuant to section 3(a), then the director of the budget shall so certify such information to the director of accounts and reports, and on the date of such certification, the \$4,000,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by this section from the state general fund in the virtual math education program account is hereby lapsed.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

- School district capital outlay state aid fund No limit
- Educational technology coordinator fund (652-00-2157) No limit

Provided, That expenditures shall be made by the above agency for the fiscal year ending June 30, 2023, from the educational technology coordinator fund of the department of education to provide data on the number of school districts served and cost savings for those districts in fiscal year 2023 in order to assess the cost effectiveness of the position of educational technology coordinator.

- Communities in schools program fund (652-00-2221)..... No limit
- Inservice education workshop fee fund (652-00-2230)..... No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

- Federal indirect cost reimbursement fund (652-00-2312)..... No limit
- Conversion of materials and equipment fund (652-00-2420) No limit
- School bus safety fund (652-00-2532) No limit
- State safety fund (652-00-2538)..... No limit

Provided, That notwithstanding the provisions of K.S.A. 8-272, and amendments thereto, or any other statute, funds shall be distributed during fiscal year 2023 as soon as moneys are available.

- Motorcycle safety fund (652-00-2633) No limit
- Teacher and administrator fee fund (652-00-2723)..... No limit
- Service clearing fund (652-00-2869)..... No limit
- School district capital improvements fund (652-00-2880)..... No limit

Provided, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-5457, and amendments thereto.

- Reimbursement for services fund (652-00-3056) No limit

- ESSA – student support academic enrichment – federal fund (652-00-3113)..... No limit
- Educationally deprived children – state operations – federal fund (652-00-3131)..... No limit
- Food assistance – federal fund (652-00-3230)..... No limit
- Elementary and secondary school aid – federal fund (652-00-3233)..... No limit
- Education of handicapped children fund – federal (652-00-3234)..... No limit
- Community-based child abuse prevention – federal fund (652-00-3319)..... No limit
- TANF children’s programs – federal fund (652-00-3323)..... No limit
- 21st century community learning centers – federal fund (652-00-3519)..... No limit
- State assessments – federal fund (652-00-3520)..... No limit
- Rural and low-income schools program – federal fund (652-00-3521)..... No limit
- Language assistance state grants – federal fund (652-00-3522)..... No limit
- State grants for improving teacher quality – federal fund (652-00-3526)..... No limit
- State grants for improving teacher quality – federal fund – state operations (652-00-3527)..... No limit
- Food assistance – school breakfast program – federal fund (652-00-3529)..... No limit
- Food assistance – national school lunch program – federal fund (652-00-3530)..... No limit
- Food assistance – child and adult care food program – federal fund (652-00-3531)..... No limit
- Elementary and secondary school aid – federal fund – local education agency fund (652-00-3532)..... No limit
- Education of handicapped children fund – state operations – federal fund (652-00-3534)..... No limit
- Education of handicapped children fund – preschool – federal fund (652-00-3535)..... No limit
- Education of handicapped children fund – preschool state operations – federal (652-00-3536)..... No limit
- Elementary and secondary school aid – federal fund – migrant education fund (652-00-3537)..... No limit
- Elementary and secondary school aid – federal fund – migrant education – state operations (652-00-3538)..... No limit
- Vocational education title II – federal fund (652-00-3539)..... No limit
- Vocational education title II – federal fund – state operations (652-00-3540)..... No limit
- Educational research grants and projects fund (652-00-3592) ... No limit
- Local school district contribution program checkoff fund (652-00-7005)..... No limit

Provided, That notwithstanding the provisions of K.S.A. 79-3221n, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2023, any moneys in such fund where a taxpayer fails to designate a unified school district on such taxpayer’s individual income tax return may be expended by the above agency to distribute to unified school districts.

- Governor’s teaching excellence scholarships program repayment fund (652-00-7221)..... No limit

Provided, That all expenditures from the governor’s teaching excellence scholarships program repayment fund shall be made in accordance with K.S.A. 72-2166, and amendments thereto: *Provided further*, That each such grant shall be required to be matched on a \$1-for-\$1 basis from non-state sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants made under the governor’s teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor’s teaching excellence scholarships program repayment fund.

- Private donations, gifts, grants and bequests fund (652-00-7307)..... No limit
- Family and children investment fund (652-00-7375)..... No limit
- State school district finance fund (652-00-7393)..... No limit
- Mineral production education fund (652-00-7669-7669)..... No limit

(c) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2023, the following:

Children’s cabinet accountability fund (652-00-2000-2402) \$375,000

Provided, That any unencumbered balance in the children’s cabinet accountability fund account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

CIF grants (652-00-2000-2408)\$20,729,848

Provided, That any unencumbered balance in the CIF grants account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Parent education program (652-00-2000-2510) \$8,437,635

Provided, That any unencumbered balance in the parent education program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: Provided further, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount that is equal to not less than 50% of the grant.

Pre-K pilot (652-00-2000-2535).....\$4,200,000

Early childhood infrastructure.....\$1,400,773

Imagination library\$500,000

(d) On July 1, 2022, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund (652-00-7375-7900) of the department of education to the communities in schools program fund (652-00-2221-2400) of the department of education.

(e) On March 30, 2023, and June 30, 2023, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$550,000 from the state safety fund (652-00-2538-2030) to the state general fund: Provided, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: Provided further, That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services that are performed on behalf of the department of education by other state agencies that receive appropriations from the state general fund to provide such services.

(f) On July 1, 2022, and quarterly thereafter, the director of accounts and reports shall transfer \$73,750 from the state highway fund (276-00-4100-4100) of the department of transportation to the school bus safety fund (652-00-2532-2300) of the department of education.

(g) On July 1, 2022, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund (652-00-2633-2050) of the department of education to the motorcycle safety fund (561-00-2366-2360) of the state board of regents: Provided, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

(h) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$70,000 from the USAC E-rate program federal fund (561-00-3920-3920) of the state board of regents to the education technology coordinator fund (652-00-2157-2157) of the department of education.

(i) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2023, the following:

Children’s cabinet administration (652-00-7000-7001) \$260,535

Provided, That any unencumbered balance in the children’s cabinet administration account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(j) During the fiscal year ending June 30, 2023, the commissioner of education, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2023 from the state general fund for the department of education to another item of appropriation for fiscal year 2023 from the state general fund for the department of education. The commissioner of education shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(k) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2023, the following:

KPERS – school employer contribution (652-00-1700-1700)\$41,389,547

Provided, That during the fiscal year ending June 30, 2023, the amount appropriated from the expanded lottery act revenues fund in the KPERS – school employer contribution account (652- 00-1700-1700) for the department of education shall be for the purpose of reducing the unfunded actuarial liability of the Kansas public employees retirement system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, in accordance with K.S.A. 74-8768, and amendments thereto.

(l) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by section 3 of chapter 114 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2023 for communities in schools in an amount not less than \$100,000.

Sec. 3.

GOVERNOR’S DEPARTMENT

(a) Expenditures shall be made from the American rescue plan – state fiscal relief federal fund (252-00-3756) for the fiscal year ending June 30, 2023, pursuant to the authority in 42 U.S.C. § 802(c)(1) or other relevant authority, to provide government services, for the following specified purposes:

Virtual math education program\$4,000,000

Provided, That expenditures from the virtual math education program account shall be used by the above agency, in consultation with the department of education, for the purpose of implementing a virtual math program to be used by school districts: Provided further, That the above agency shall designate the department of education as the administrating authority for such program: And provided further, That the department of education is hereby authorized to select and implement a virtual math program that shall be customized to Kansas curriculum standards, be evidence-based, not impose any fee or cost upon students, provide tutoring in multiple languages, provide professional development for the implementation of the program and have been implemented in other states over the preceding eight fiscal years: Provided further, That the department of education shall enter into a two-year contract to implement such program: And provided further, That any unified school district shall be authorized to use such program: And provided further, That the above agency shall recommend that all school districts use such program: And provided further, That all school districts shall track and report to the department of education twice during school year 2022-2023 as determined by the department of education on the number of attendance centers and students using such program or other virtual math program and the number of attendance centers and students not using any such virtual math program, the number of teachers participating in the professional development provided by such program or other virtual math program and the effect of any such virtual math program on student academic proficiency: And provided further, That the department of education shall compile such reports and shall submit a summary report to the house of representatives standing committee on K-12 education budget and the senate standing committee on education during the 2023 regular session of the legislature: And provided further, That such report shall also include a list of the school districts and attendance centers that are using such program or other virtual math program and a list of the school districts and attendance centers that are not using a virtual math program and a comparison between low-usage and high-usage school districts and attendance centers.

School safety and security grants\$1,000,000

Provided, That expenditures shall be made from the school safety and security grants account by the above agency, in consultation with the department of education, for disbursements of grant moneys approved by the state board of education for the: Acquisition and installation of security cameras and any other systems, equipment and services nec- (continued)

essary for security monitoring of facilities operated by a school district and for securing doors, windows and any entrances to such facilities; and salaries and wages, and associated fringe benefits, for newly created positions of school resource officers and the costs associated with any newly created school resource officers provided by the city or county of such school district: *Provided further*, That all moneys expended for school safety and security grants account for fiscal year 2023 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the school district that may be used for such purpose.

(b) During the fiscal year ending June 30, 2023, the expenditures in subsection (a) from the American rescue plan – state fiscal relief federal fund shall not be subject to the provisions of section 28(d) of 2022 House Substitute for Substitute for Senate Bill No. 267.

(c) During the fiscal year ending June 30, 2023, the provisions of section 196 of 2022 House Substitute for Substitute for Senate Bill No. 267 shall not apply to expenditures from the American rescue plan – state fiscal relief federal fund of the governor’s department. Such expenditures are subject to the provisions of subsection (a).

Sec. 4.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

State foundation aid (652-00-1000-0820).....\$2,558,881,605

Provided, That any unencumbered balance in the state foundation aid account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Supplemental state aid (652-00-1000-0840)\$568,150,000

Provided, That any unencumbered balance in the supplemental state aid account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Virtual math education program.....\$2,000,000

Provided, That expenditures shall be made by the above agency from the virtual math education program account for fiscal year 2024 to fund the second year of operation of the virtual math program implemented by the above agency pursuant to sections 2(a) and 3(a): *Provided further*, That all school districts shall track and report to the above agency twice during school year 2023-2024 as determined by the above agency on the number of attendance centers and students using such program or other virtual math program and the number of attendance centers and students not using any such virtual math program, the number of teachers participating in the professional development provided by such program or other virtual math program and the effect of any such virtual math program on student academic proficiency: *And provided further*, That the above agency shall compile such reports and shall submit a summary report to the house of representatives standing committee on K-12 education budget and the senate standing committee on education during the 2024 regular session of the legislature: *And provided further*, That such report shall also include a list of the school districts and attendance centers that are using such program or other virtual math program and a list of the school districts and attendance centers that are not using a virtual math program and a comparison between low-usage and high-usage school districts and attendance centers.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund (652-00-7393).....No limit

Mineral production education fund (652-00-7669-7669) No limit

New Sec. 5. (a) The legislature hereby affirms that excellence in education provides an essential gateway to success not only for students but for the entire state. Achieving excellence in education opens doors of opportunity for long-term personal, professional and economic growth and improvement for all students. As academic achievement is elevated, inspired and attained, more students will gain the soft skills that are necessary to succeed in the workforce, including improved time management, personal accountability and communication skills. Maintaining high academic achievement standards for all students provides the basis for the fundamental belief that all people, despite their socioeconomic, racial or cultural status, are uniquely capable and

worthy of meeting and exceeding the highest caliber of expectations. In affirming this focus on excellence, the legislature hereby desires consistent communication with the state board of education and the state department of education to annually review academic achievement, as quantitatively measured by performance on state assessments and the interventions, goals and strategies that are being utilized to move all students to academic proficiency.

(b) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 6. (a) This section shall be known and may be cited as the every child can read act.

(b) The legislature hereby affirms that third grade marks a pivotal grade level in which students must attain proficiency in reading or risk continued learning losses throughout their academic career. To ensure that all students move toward grade-level proficiency in literacy, especially by the third grade level, the board of education of each school district shall provide opportunities for students to participate in targeted educational interventions to promote proficiency in literacy. Reading literacy shall be attained through the science of reading and evidence-based reading instruction and shall include such competencies as may be necessary to attain reading proficiency. The necessary competencies, best practices and screening tools used by school districts shall follow the framework of the dyslexia handbook developed by the state department of education. To ensure that such competencies are achieved, the board of education of each school district shall include as part of instruction in literacy:

- (1) Phonics, phonological and phonemic awareness;
- (2) vocabulary development;
- (3) silent and oral reading fluency; and
- (4) reading comprehension.

(c) To promote the goals of the every child can read act, the board of education of each school district shall:

(1) Measure student achievement by participation in the state assessment program and through other universal screening and assessment tools that are approved by a board of education of a school district or by the state department of education;

(2) provide targeted and tiered interventions that are designed to match a student’s individual deficiencies through additional contact hours with such student, including, but not limited to, one-on-one instruction, small group instruction, tutoring and summer school programs for all students and especially for those students who are at and below the third grade level who are identified as having a literacy deficit; and

(3) ensure that the teacher of each third grade student communicates with the parent or guardian of each such student to provide information on the student’s literacy proficiency or deficiencies and any recommended interventions for such student to achieve proficiency. Such communication shall occur at least once during the fall semester and once during the spring semester. When a teacher provides the communications required pursuant to this paragraph, each such communication shall provide the parent or guardian with:

- (A) A summary of the every child can read act and the literacy goals of the act;
- (B) any assessment data relating to literacy that pertains to the student;
- (C) any recommended interventions for the student; and
- (D) how the school district tracks the outcomes of any such interventions.

(d) (1) On or before June 30 of each school year, each school district shall report to the state department of education on the school district’s implementation of the every child can read act, the interventions that the school district is using to attain the goals of such act and the resulting outcomes of such interventions. Such report shall include:

- (A) The number of third grade students in such school district;
- (B) the screening and assessment data from at least the preceding two school years that the school district is using as a baseline to evaluate student progress in literacy; and
- (C) the percentage of students that are proficient, moving toward proficiency or deficient, with percentages provided for all students and student subgroups.

(2) The state department of education shall compile such reports and shall submit a summary report to the governor and the legislature on or before January 15 of each year.

(e) This section shall take effect and be in force from and after July 1, 2023.

New Sec. 7. (a) A board of education of a school district may adopt a policy to allow students enrolled in grades six through 12 to earn course credits through alternative educational opportunities with sponsoring entities. A school district's policy adopted pursuant to this section shall provide:

- (1) Eligibility requirements for sponsoring entities;
- (2) requirements for the provision of alternative educational opportunities by sponsoring entities;
- (3) the procedures for a sponsoring entity to submit a proposal to the school district to provide an additional educational opportunity to students;
- (4) the criteria the school district will use to evaluate such proposals; and
- (5) the course credit that may be earned through the alternative educational opportunity by a participating student.

(b) A school district may accept a proposal from a sponsoring entity if the alternative educational opportunity provided by the sponsoring entity:

(1) Provides an additional learning opportunity for students through a work-based, pre-apprenticeship, apprenticeship, internship, industry certification or community program; and

(2) (A) is approved by the state board of education as an alternative educational opportunity pursuant to subsection (d); or

(B) complies with the school district policies adopted pursuant to subsection (a).

(c) Each approved alternative educational opportunity with a sponsoring entity shall be managed and directed by a licensed teacher employed by the school district.

(d) A sponsoring entity may petition the state board to approve an alternative educational opportunity that is provided through such sponsoring entity if the alternative educational opportunity provided through such sponsoring entity is generally applicable on a statewide or regional basis across multiple school districts. The state board of education shall approve or deny each petition proposing an alternative educational opportunity within 90 days of receipt of such proposal. If the state board denies the proposal, the state board shall provide the sponsoring entity the reasons for such denial. If the state board approves such proposal, any school district may implement the alternative educational opportunity. The state board may revoke any such approved proposal if the state board determines that the sponsoring entity fails to comply with the requirements of this section.

(e) Each school district shall report to the state department of education information regarding the school district's alternative educational opportunities offered at the school, the names of sponsoring entities, the number of students participating and credits earned.

(f) The state board of education may adopt rules and regulations for the administration of this section.

(g) As used in this section:

(1) "Alternative educational opportunity" means instruction that primarily occurs outside the classroom with a sponsoring entity.

(2) "Sponsoring entity" means a business, not-for-profit organization, nonprofit organization, trade association, parent of a student, teacher or administrator that partners with a school district to provide an alternative educational opportunity to students.

(h) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 8. (a) As used in K.S.A. 72-3122 through 72-3125, and amendments thereto, and section 9, and amendments thereto:

(1) "Homeless child" means a child who lacks a fixed, regular and adequate nighttime residence and whose primary nighttime residence is:

(A) A supervised publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters and transitional housing for the mentally ill;

(B) an institution that provides a temporary residence for individuals intended to be institutionalized; or

(C) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for humans.

(2) "Nonresident student" or "nonresident transfer student" means a student who is enrolled and in attendance at or seeking to enroll and attend a school located in a district where such student is not a resident.

(3) "Parent" means and includes natural parents, adoptive parents, stepparents and foster parents.

(4) "Person acting as parent" means:

(A) A guardian or conservator; or

(B) a person, other than a parent, who:

- (i) Is liable by law to maintain, care for or support the child;
- (ii) has actual care and control of the child and is contributing the major portion of the cost of support of the child;
- (iii) has actual care and control of the child with the written consent of a person who has legal custody of the child; or
- (iv) has been granted custody of the child by a court of competent jurisdiction.

(5) "Receiving school district" means a school district of nonresidence of a student who attends school in such school district.

(6) "School district" means a school district organized and operating under the laws of this state.

(7) "Sending school district" means a school district of residence of a student who attends school in a school district not of the student's residence.

(8) "Sibling" means a brother or sister of the whole or half blood, adoptive brother or sister, a stepbrother or stepsister or a foster brother or foster sister.

(b) This section shall take effect and be in force from and after July 1, 2023.

New Sec. 9. (a) On or before January 1, 2024, each board of education of a school district shall adopt a policy to determine the number of nonresident students that the school district has the capacity to accept in each grade level for each school of the school district pursuant to K.S.A. 72-3123, and amendments thereto. Such policies shall clearly specify the reasons that the board may use to deny continued enrollment of a nonresident student who is not in good standing. Such reasons for a denial of continued enrollment may include, but shall not be limited to, the nonresident student's record of school absenteeism and repeated suspensions or expulsions.

(b) Prior to adopting such policy, the board of education shall call and hold a hearing on the proposed policy. The board of education shall provide notice of such hearing, which shall include the time, date and place of the public hearing to be held on the proposed policy. Such notice shall be published at least once each week for two consecutive weeks in a newspaper of general circulation in the school district and shall also be posted on the school district's website.

(c) At such hearing, a representative of the board shall present the board's proposal for the policy and the board shall hear testimony regarding the proposed policy. Following the public hearing, after consideration of the testimony and evidence presented or submitted at such public hearing, the board shall determine whether to adopt or revise the proposed policy at a subsequent public meeting of the board.

(d) The policy adopted pursuant to subsection (a) shall be published on the school district's website.

(e) The provisions of this section shall not apply to any school located on a military installation, as defined in K.S.A. 72-8268, and amendments thereto.

(f) This section shall take effect and be in force from and after July 1, 2023.

Sec. 10. On and after July 1, 2022, K.S.A. 19-5005 is hereby amended to read as follows: 19-5005. (a) All revenue received by the county treasurer pursuant to this act shall be appropriated by the county to the Johnson county education research triangle authority. The authority shall remit such funds for expenditure in equal shares by designated officials for the Edwards campus of the university of Kansas, the Johnson county location of Kansas state university and the university of Kansas medical center's Johnson county locations. All such funds shall be spent for building construction, academic and research program development and growth, faculty and staff recruitment and retention, and operations and maintenance in support of:

(1) The undergraduate and graduate programs at the Edwards campus of the university of Kansas;

(2) the research and education programs in animal health and food safety and security at the Johnson county location of Kansas state university; ~~and~~

(3) *other undergraduate and graduate programs, subject to the approval of Kansas state university, the university of Kansas and the Johnson county education research triangle authority board of directors and which shall not include pre-baccalaureate programs, lower-division courses or courses for students attending high school, at the Johnson county location of Kansas state university; and*

(4) the medical education and life sciences and cancer research programs at the university of Kansas medical center's Johnson county locations.

(continued)

(b) All such expenditures shall be in compliance with the purposes of this act and shall be certified as such to the authority and to the Kansas state board of regents by appropriate officials at the university of Kansas, Kansas state university and the university of Kansas medical center. Such expenditures shall also comply with the policies of the Kansas state board of regents and applicable state and federal laws.

(c) ~~No~~ *Not* more than two percent 2% of funds so collected in any fiscal year shall be used for the administrative expenses of the authority or its board of directors.

(d) The authority shall have no authority to issue bonds or to exercise the power of eminent domain.

(e) The authority shall issue an annual report to the board of regents, the legislature and the board of commissioners of Johnson county.

(f) The authority shall be subject to legislative post audit and audit by the board of commissioners of the Johnson county internal auditor.

(g) Meetings of the board of directors of the authority shall be subject to the Kansas open meetings act and records of the authority and the board shall be subject to the Kansas open records act.

(h) Unless state general fund appropriations for the university of Kansas, Kansas state university, and the university of Kansas medical center are reduced by action of the legislature or the governor, state general fund support of such institutions shall not be reduced below the level of support in effect on the effective date of this act.

(i) The Kansas board of regents shall remain responsible for the governance of these institutions, including approval of any academic programs and the regulation thereof, and shall be responsible to the authority for institutional compliance with the purposes of this act.

Sec. 11. On and after July 1, 2022, K.S.A. 38-2223 is hereby amended to read as follows: 38-2223. (a) *Persons making reports.* (1) When any of the following persons has reason to suspect that a child has been harmed as a result of physical, mental or emotional abuse or neglect or sexual abuse, the person shall report the matter promptly as provided in subsections (b) and (c);

(A) The following persons providing medical care or treatment: persons licensed to practice the healing arts, dentistry and optometry, persons engaged in postgraduate training programs approved by the state board of healing arts, licensed professional or practical nurses and chief administrative officers of medical care facilities;

(B) the following persons licensed by the state to provide mental health services: Licensed psychologists, licensed masters level psychologists, licensed clinical psychotherapists, licensed social workers, licensed marriage and family therapists, licensed clinical marriage and family therapists, licensed behavioral analysts, licensed assistant behavioral analysts, licensed professional counselors, licensed clinical professional counselors and registered alcohol and drug abuse counselors;

(C) teachers, school administrators ~~or~~ *and* other employees of an educational institution ~~which that~~ the child is attending and *any member of the board of directors of the Kansas state high school activities association referenced in K.S.A. 72-7114, and amendments thereto, and any person who is employed by or is an officer of such association;*

(D) persons licensed by the secretary of health and environment to provide child care services or the employees of persons so licensed at the place where the child care services are being provided to the child;

~~(E)~~ (E) firefighters, emergency medical services personnel, law enforcement officers, juvenile intake and assessment workers, court services officers, community corrections officers, case managers appointed under K.S.A. 2021 Supp. 23-3508, and amendments thereto, and mediators appointed under K.S.A. 2021 Supp. 23-3502, and amendments thereto; and

~~(F)~~ (F) any person employed by or who works as a volunteer for any organization, whether for profit or not-for-profit, that provides social services to pregnant teenagers, including, but not limited to, counseling, adoption services and pregnancy education and maintenance.

(2) In addition to the reports required under subsection (a)(1), any person who has reason to suspect that a child may be a child in need of care may report the matter as provided in subsection (b) and (c).

(b) *Form of report.* (1) The report may be made orally and shall be followed by a written report if requested. Every report shall contain, if known: The names and addresses of the child and the child's parents or other persons responsible for the child's care; the location of the child if not at the child's residence; the child's gender, race and age; the reasons why the reporter suspects the child may be a child in need of care; if abuse or neglect or sexual abuse is suspected, the nature and extent of the harm to the child, including any evidence of previous harm; and any other information that the reporter believes might be helpful in

establishing the cause of the harm and the identity of the persons responsible for the harm.

(2) When reporting a suspicion that a child may be in need of care, the reporter shall disclose protected health information freely and cooperate fully with the secretary and law enforcement throughout the investigation and any subsequent legal process.

(c) *To whom made.* Reports made pursuant to this section shall be made to the secretary, except as follows:

(1) When the Kansas department for children and families is not open for business, reports shall be made to the appropriate law enforcement agency. On the next day that the department is open for business, the law enforcement agency shall report to the department any report received and any investigation initiated pursuant to K.S.A. 38-2226, and amendments thereto. The reports may be made orally or, on request of the secretary, in writing.

(2) Reports of child abuse or neglect occurring in an institution operated by the Kansas department of corrections shall be made to the attorney general or the secretary of corrections. Reports of child abuse or neglect occurring in an institution operated by the Kansas department for aging and disability services shall be made to the appropriate law enforcement agency. All other reports of child abuse or neglect by persons employed by the Kansas department for aging and disability services or the Kansas department for children and families, or of children of persons employed by either department, shall be made to the appropriate law enforcement agency.

(d) *Death of child.* Any person who is required by this section to report a suspicion that a child is in need of care and who knows of information relating to the death of a child shall immediately notify the coroner as provided by K.S.A. 22a-242, and amendments thereto.

(e) *Violations.* (1) Willful and knowing failure to make a report required by this section is a class B misdemeanor. It is not a defense that another mandatory reporter made a report.

(2) Intentionally preventing or interfering with the making of a report required by this section is a class B misdemeanor.

(3) Any person who willfully and knowingly makes a false report pursuant to this section or makes a report that such person knows lacks factual foundation is guilty of a class B misdemeanor.

(f) *Immunity from liability.* Anyone who, without malice, participates in the making of a report to the secretary or a law enforcement agency relating to a suspicion a child may be a child in need of care or who participates in any activity or investigation relating to the report or who participates in any judicial proceeding resulting from the report shall have immunity from any civil liability that might otherwise be incurred or imposed.

Sec. 12. On and after July 1, 2022, K.S.A. 2021 Supp. 72-1163 is hereby amended to read as follows: 72-1163. (a) (1) Each year the board of education of a school district shall conduct an assessment of the educational needs of each attendance center in the district. *Such assessment shall be published on the school district's website.* Information obtained from such ~~needs assessment~~ *needs assessment* shall be used by the board when ~~preparing~~ *approving* the budget of the school district to ensure improvement in student academic performance. *In the minutes of the meeting at which the board approves its annual budget, the board shall include that such needs assessment was provided to the board, the board evaluated such assessment and how the board used such assessment in the approval of the school district's budget.*

(2) *Each year, the board of education of a school district shall review state assessment results and, as part of such review, shall document the following:*

(A) *The barriers that must be overcome to have all students achieve proficiency above level 2 for grade level academic expectations on such assessments;*

(B) *any budget actions, including, but not limited to, recommendations on reallocation of resources that should be taken to address and remove such barriers; and*

(C) *the amount of time the board estimates it will take for all students to achieve proficiency above level 2 for grade level academic expectations on the state assessments if such budget actions are implemented.*

(3) The budget of the school district shall allocate sufficient moneys in a manner reasonably calculated such that all students may achieve the goal set forth in K.S.A. 72-3218(c), and amendments thereto. The board also shall prepare a summary of the budget for the school district. The budgets and summary shall be in the form prescribed by the director pursuant to K.S.A. 79-2926, and amendments thereto.

(b) The budgets ~~and~~ the summary of the proposed budget, *the needs assessment and the state assessment documentation* shall be on file at the administrative offices of the school district *and available on the*

school district's website. Copies of such budgets and summary shall be available upon request.

(c) The notice required to be published by K.S.A. 79-2929, and amendments thereto, shall include a statement that the budgets and the summary of the proposed budget, the needs assessment and state assessment documentation is on file at the administrative offices of the district and that copies of such budgets and summary are available upon request available on the school district's website.

Sec. 13. On and after July 1, 2023, K.S.A. 72-13,101 is hereby amended to read as follows: 72-13,101. (a) In accordance with the provisions of this section, the boards of education of any two or more unified school districts may make and enter into agreements providing for the attendance of pupils students residing in one school district at school in kindergarten or any of the grades one through 12 maintained by any such other school district. The boards of education may also provide by agreement for the combination of enrollments for kindergarten or one or more grades, courses or units of instruction.

(b) Prior to entering into any agreement under authority of this section, the board of education shall adopt a resolution declaring that it has made a determination that such an agreement should be made and that the making and entering into of such an agreement would be in the best interests of the educational system of the school district. Any such agreement is subject to the following conditions:

(1) The agreement may be for any term not exceeding a term of five years.

(2) The agreement shall be subject to change or termination by the legislature.

(3) Within the limitations provided by law, the agreement may be changed or terminated by mutual agreement of the participating boards of education.

(4) The agreement shall make provision for transportation of pupils students to and from the school attended on every school day, for payment or sharing of the costs and expenses of pupil student attendance at school, and for the authority and responsibility of the participating boards of education.

(c) Provision by agreements entered into under authority of this section for the attendance of pupils students at school in a school district of nonresidence of such pupils students shall be deemed to be in compliance with the kindergarten, grade, course and units of instruction requirements of law.

(d) The board of education of any school district which that enters into an agreement under authority of this section for the attendance of pupils students at school in another school district may discontinue kindergarten or any or all of the grades, courses and units of instruction specified in the agreement for attendance of pupils students enrolled in kindergarten or any such grades, courses and units of instruction at school in such other school district. Upon discontinuing kindergarten or any grade, course or unit of instruction under authority of this subsection, the board of education may close any school building or buildings operated or used for attendance by pupils students enrolled in such discontinued kindergarten, grades, courses or units of instruction. The closing of any school building under authority of this subsection shall require a majority vote of the members of the board of education and shall require no other procedure or approval.

(e) Pupils-Students attending school in a school district of nonresidence of such pupils students in accordance with an agreement made and entered into under authority of this section shall be counted as regularly enrolled in and attending school in the school district of residence of such pupils for the purpose of computations under the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto.

(f) Pupils-Students who satisfactorily complete grade 12 while in attendance at school in a school district of nonresidence of such pupils students in accordance with the provisions of an agreement entered into under authority of this section shall be certified as having graduated from the school district of residence of such pupils students unless otherwise provided for by the agreement.

(g) Students who are not residents of a school district and are attending the schools of the school district in accordance with the provisions of an agreement entered into under the authority of this section shall not be charged for attendance at school. The costs of providing for the attendance of such students at school shall be paid by the school district of residence of the students in accordance with the provisions of the agreement.

Sec. 14. On and after July 1, 2022, K.S.A. 72-3120 is hereby amended to read as follows: 72-3120. (a) Subject to the other provisions of this

section, every parent or person acting as parent in the state of Kansas, who has control over or charge of any child who has reached the age of seven years and is under the age of 18 years and has not attained a high school diploma or, a general educational development (GED) credential or a high school equivalency credential, shall require such child to be regularly enrolled in and attend continuously each school year:

(1) A public school for the duration of the school term provided for in K.S.A. 72-3115, and amendments thereto; or

(2) a private, denominational or parochial school taught by a competent instructor for a period of time which is substantially equivalent to the period of time public school is maintained in the school district in which the private, denominational or parochial school is located. If the child is 16 or 17 years of age, the parent or person acting as parent, by written consent, or the court, pursuant to a court order, may allow the child to be exempt from the compulsory attendance requirements of this section; or

(3) a combination of a public school and a private, denominational or parochial school for the periods of time referred to in paragraphs (1) and (2).

(b) If the child is 16 or 17 years of age, the child shall be exempt from the compulsory attendance requirements of this section if:

(1) The child is regularly enrolled in and attending a program recognized by the local board of education as an approved alternative educational program;

(2) the parent or person acting as parent provides written consent to allow the child to be exempt from the compulsory attendance requirements of this section and the child and the parent or person acting as parent attend a final counseling session conducted by the school during which a disclaimer to encourage the child to remain in school or to pursue educational alternatives is presented to and signed by the child and the parent or person acting as parent. The disclaimer shall include information regarding the academic skills that the child has not yet achieved, the difference in future earning power between a high school graduate and a high school drop out; and a listing of educational alternatives that are available for the child; or

(3) the child is regularly enrolled in a school as required by subsection (a) and is concurrently enrolled in a postsecondary educational institution, as defined by K.S.A. 74-3201b, and amendments thereto. The provisions of this clause (3) shall be applicable to children from and after July 1, 1997, and shall relate back to such date; or

(4) the child is subject to a court order that allows or requires the child to be exempt from the compulsory attendance requirements.

(c) Any child who is under the age of seven years, but who is enrolled in school, is shall be subject to the compulsory attendance requirements of this section. Any such child may be withdrawn from enrollment in school at any time by a parent or person acting as parent of the child and thereupon the child shall be exempt from the compulsory attendance requirements of this section until the child reaches the age of seven years or is re-enrolled in school.

(d) Any child who is determined to be an exceptional child, except for an exceptional child who is determined to be a gifted child, under the provisions of the special education for exceptional children act is shall be subject to the compulsory attendance requirements of such act and is exempt from the compulsory attendance requirements of this section.

(e) Any child who has been admitted to, and is attending, the Kansas academy of mathematics and science, as provided in K.S.A. 72-3903 et seq., and amendments thereto, is shall be exempt from the compulsory attendance requirements of this section.

(f) No child attending public school in this state shall be required to participate in any activity which is contrary to the religious teachings of the child if a written statement signed by one of the parents or a person acting as parent of the child is filed with the proper authorities of the school attended requesting that the child not be required to participate in such activities and stating the reason for the request.

(g) When a recognized church or religious denomination that objects to a regular public high school education provides, offers and teaches, either individually or in cooperation with another recognized church or religious denomination, a regularly supervised program of instruction, which that is approved by the state board of education, for children of compulsory school attendance age who have successfully completed the eighth grade, participation in such a program of instruction by any such children whose parents or persons acting as parents are members of the sponsoring church or religious denomination shall be regarded as acceptable school attendance within the meaning of this act. Approval of such programs shall be granted by the state board of

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education, for two-year periods, upon application from recognized churches and religious denominations, under the following conditions:

(1) Each participating child shall be engaged, during each day on which attendance is legally required in the public schools in the school district in which the child resides, in at least five hours of learning activities appropriate to the adult occupation that the child is likely to assume in later years;

(2) acceptable learning activities, for the purposes of this subsection, shall include ~~parent (or person acting as parent) supervised projects supervised by a parent or person acting as parent~~ in agriculture and homemaking, work-study programs in cooperation with local business and industry; and correspondence courses from schools accredited by the national home study council, recognized by the United States office of education as the competent accrediting agency for private home study schools;

(3) at least 15 hours per week of classroom work under the supervision of an instructor shall be provided, at which time students shall be required to file written reports of the learning activities they have pursued since the time of the last class meeting, indicating the length of time spent on each one, and the instructor shall examine and evaluate such reports, approve plans for further learning activities; and provide necessary assignments and instruction;

(4) regular attendance reports shall be filed as required by law; and students shall be reported as absent for each school day on which they have not completed the prescribed minimum of five hours of learning activities;

(5) the instructor shall keep complete records concerning instruction provided, assignments made; and work pursued by the students, and these records shall be filed on the first day of each month with the state board of education and the board of education of the school district in which the child resides;

(6) the instructor shall be capable of performing competently the functions entrusted thereto; and

(7) in applying for approval under this subsection a recognized church or religious denomination shall certify its objection to a regular public high school education and shall specify, in such detail as the state board of education may reasonably require, the program of instruction that it intends to provide and no such program shall be approved unless it fully complies with standards ~~therefor which shall be~~ specified by the state board of education.

If the sponsors of an instructional program approved under this subsection fail to comply at any time with the provisions of this subsection, the state board of education shall rescind, after a written warning has been served and a period of three weeks allowed for compliance, approval of the programs, even though the two-year approval period has not elapsed, and thereupon children attending such program shall be admitted to a high school of the school district.

(h) (1) *Each board of education of a school district shall allow any child to enroll part-time in the school district to allow the student to attend any courses, programs or services offered by the school district if the child:*

(A) *is also enrolled in a nonaccredited private elementary or secondary school pursuant to K.S.A. 72-4345, and amendments thereto, or in any other private, denominational or parochial school pursuant to the provisions of subsection (a);*

(B) *requests to enroll part-time in the school district; and*

(C) *meets the age of eligibility requirements for school attendance pursuant to K.S.A. 72-3118, and amendments thereto.*

(2) *Each board of education of a school district shall adopt a policy regarding the part-time enrollment of students pursuant to this subsection and shall publish such policy on the school district's website. The board of education of a school district shall make a good faith attempt to accommodate scheduling requests of students enrolling in the school district pursuant to this subsection but shall not be required to make adjustments to accommodate every such request.*

(i) As used in this section:

(1) "Educational alternatives" means an alternative learning plan for the student that identifies educational programs that are located in the area where the student resides; and are designed to aid the student in obtaining a high school diploma, general educational development credential or other certification of completion, such as a career technical education industry certification. Such alternative learning plans may include extended learning opportunities such as independent study, private instruction, performing groups, internships, community service, apprenticeships and online coursework.

(2) "Parent" and "person acting as parent" ~~have the meanings respectively ascribed thereto~~ mean the same as such terms are defined in K.S.A. 72-3122, and amendments thereto.

(3) "Regularly enrolled" means enrolled in five or more hours of instruction each school day. For the purposes of subsection (b)(3), hours of instruction received at a postsecondary educational institution shall be counted.

Sec. 15. On and after July 1, 2023, K.S.A. 72-3122 is hereby amended to read as follows: 72-3122. (a) Any child who has attained the age of eligibility for school attendance may attend school in the district ~~in which~~ *where* the child lives, if:

(1) The child lives with a resident of the district and the resident is the parent, or a person acting as parent, of the child; ~~or~~

(2) subject to the provisions of subsection (c), the child lives in the district as a result of placement therein by a district court or by the secretary for children and families; or

(3) the child is a homeless child.

(b) Any child who has attained the age of eligibility for school attendance may attend school in a school district ~~in which~~ *where* the child is not a resident ~~if the school district in which the child resides has entered into an agreement with such other school district in accordance with and under authority of K.S.A. 72-13,101, 72-3123 or 72-3125, and amendments thereto.~~

(c) ~~Any child who has attained the age of eligibility for school attendance and who lives at the Judge James V. Riddel boys ranch as a result of placement at such ranch by a district court or by the secretary for children and families shall be deemed a resident of unified school district No. 259, Sedgwick county, Kansas, and. Any such child may attend school, which shall be maintained for such child by the board of education of such school district as in the case of a child who is a bona fide resident of the district:~~

(d) ~~As used in this section:~~

(1) ~~"Parent" means and includes natural parents, adoptive parents, stepparents, and foster parents;~~

(2) ~~"person acting as parent" means (A) a guardian or conservator, or (B) a person, other than a parent, who is liable by law to maintain, care for, or support the child, or who has actual care and control of the child and is contributing the major portion of the cost of support of the child, or who has actual care and control of the child with the written consent of a person who has legal custody of the child, or who has been granted custody of the child by a court of competent jurisdiction; and~~

(3) ~~"homeless child" means a child who lacks a fixed, regular, and adequate nighttime residence and whose primary nighttime residence is: (A) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); or (B) an institution that provides a temporary residence for individuals intended to be institutionalized; or (C) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;~~

Sec. 16. On and after July 1, 2023, K.S.A. 72-3123 is hereby amended to read as follows: 72-3123. (a) *Beginning in school year 2024-2025, any child of school age pursuant to K.S.A. 72-3118, and amendments thereto, may attend a school operated by a school district where such child does not reside if such school district has open seats as determined pursuant to this section.*

(b) ~~The board of education of any school district is hereby authorized to permit pupils who are not residents of the school district shall permit nonresident students to enroll in and attend the schools of the district. The board of education may permit such pupils to attend school without charge or, subject to the provisions of subsection (b), may charge such pupils for attendance at school to offset, totally or in part, the costs of providing for such attendance. Amounts received under this subsection by the board of education of a school district for enrollment and attendance of pupils at school in regular educational programs shall be deposited in the general fund of the school district.~~

(b) ~~Pupils who are not residents of a school district and are attending the schools of the school district in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-13,101, and amendments thereto, shall not be charged for attendance at school. The costs of providing for the attendance of such pupils at school shall be paid by the school district of residence of the pupils in accordance with the provisions of the agreement if such school district has open seats as determined pursuant to this section.~~

(c) *Each school district shall determine capacity in each school of the school district for the following school year as follows:*

(1) *For kindergarten and grades one through eight, the classroom student-teacher ratio in each grade level; and*

(2) for grades nine through 12, the student-teacher ratio for each school building or program in each school building, including, but not limited to, advanced placement or international baccalaureate programs.

(d) (1) On or before May 1 of each year, each school board shall determine for each grade level in each school building of the school district for the next succeeding school year the:

- (A) Capacity as determined pursuant to subsection (c);
- (B) number of students expected to attend school in the school district; and
- (C) number of open seats available to nonresident students.

(2) On or before June 1 of each year, each school district shall publish on such school district's website the number of open seats available to nonresident students in each grade level for each school building of the school district for the next succeeding school year.

(3) From June 1 through June 30, each school district shall accept applications from nonresident students. Applications shall be on a form and in a manner determined by the school district.

(4) If the number of applications for a grade level in a school building is less than the number of available seats for such grade level in such school building, the nonresident students shall be accepted for enrollment and attendance at such school district. If the number of applications for a grade level in a school building is greater than the number of available seats for such grade level in such school building, the school district shall randomly select nonresident students using a confidential lottery process. Such process shall be completed on or before July 15 of each year.

(5) The school district shall provide to the parent or person acting as parent of a nonresident student who was not accepted for or denied enrollment at such school district the reason for the nonacceptance or denial and an explanation of the nonresident student selection process.

(e) (1) Subject to capacity, school districts shall give priority to any sibling of a nonresident student who was accepted to enroll in and attend such school district. Priority shall be given when the nonresident student is first accepted and, if necessary, at any other time the school district considers transfer applications. Any such sibling shall not be subject to the open seat lottery.

(2) Any child who is in the custody of the department for children and families and who is living in the home of a nonresident student who transfers may attend school in the receiving school district.

(f) A school district shall not:

(1) Charge tuition or fees to any nonresident student who transfers to such school district pursuant to this section except fees that are otherwise charged to every student enrolled in and attending school in the district; or

(2) accept or deny a nonresident student transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude or athletic ability.

(g) A nonresident student who has been accepted for enrollment and attendance at a receiving school district shall be permitted to continue such enrollment and attendance in such school district until such student graduates from high school, unless such student is no longer in good standing. A receiving school district may deem a nonresident student as not in good standing in accordance with such school district's nonresident transfer policy.

(h) A student may always enroll at any time in the school district where such student resides.

(i) Except for a child in the custody of the department for children and families, a nonresident student shall not transfer more than once per school year to one or more receiving school districts pursuant to the provisions of this section.

(j) A receiving school district shall not be required to provide transportation to nonresident students. If space is available on school district transportation vehicles, a school district may provide nonresident students an in-district bus stop where transportation may be provided by such school district to and from such bus stop and the school for such nonresident students.

(k) Each school district board of education shall submit to the state department of education the number of nonresident student transfers approved and denied by such board and whether the denials were based on capacity or in accordance with the policy adopted pursuant to section 9, and amendments thereto. The state department of education shall collect and report such data on such department's website and make such data available to the legislative division of post audit.

(l) (1) Each year, the state department of education, as part of the department's enrollment audit, shall audit the nonresident student capacity and enrollment.

(2) In calendar year 2027, the legislative post audit committee shall direct the legislative division of post audit to conduct an audit of nonresident student transfers pursuant to this section. Such audit shall be reported to the legislative post audit committee on or before January 15, 2028, and subsequently presented to the house standing committee on K-12 education budget and the senate standing committee on education, or any successor committees.

(m) Nothing in this section shall be construed to exempt any nonresident student who transfers to a receiving school district pursuant to this section from the policies and requirements of the activities association referred to in K.S.A. 72-7114, and amendments thereto.

(n) The provisions of this section shall not apply to any school located on a military installation as defined in K.S.A. 72-8268, and amendments thereto.

Sec. 17. On and after July 1, 2023, K.S.A. 72-3124 is hereby amended to read as follows: 72-3124. (a) As used in this section:

(1) "School district" means a school district organized and operating under the laws of this state and no part of which is located in Johnson county, Sedgwick county, Shawnee county or Wyandotte county.

(2) "Non-resident pupil" or "pupil" means a pupil who is enrolled and in attendance at a school located in a district in which such pupil is not a resident and who: (A) Lives 2½ or more miles from the attendance center the pupil would attend in the district in which the pupil resides and is not a resident of Johnson county, Sedgwick county, Shawnee county or Wyandotte county; or (B) is a member of the family of a pupil meeting the condition prescribed in subparagraph (A).

(3) "Member of the family" means a brother or sister of the whole or half blood or by adoption, a stepbrother or stepsister, and a foster brother or foster sister.

(b) The board of education of any school district may allow any pupil student who is not a resident of the district to enroll in and attend school in such district pursuant to K.S.A. 72-3123, and amendments thereto. The board of education of such district may furnish or provide transportation to any non-resident pupil nonresident student who is enrolled in and attending school in the district pursuant to this section. If the district agrees to furnish or provide transportation to a non-resident pupil nonresident student, such transportation shall be furnished or provided until the end of the school year. Prior to providing or furnishing transportation to a non-resident pupil nonresident student, the receiving school district shall notify the board of education of the sending school district in which the pupil resides that transportation will be furnished or provided for such student.

(c) Pupils attending school in a school district in which the pupil does not reside pursuant to this section

(b) Nonresident students shall be counted as regularly enrolled in and attending school in the receiving school district where the pupil is enrolled for the purpose of computations under the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto, except computation of transportation weighting under such act, and for the purposes of the statutory provisions contained in article 64 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto. Such non-resident pupil nonresident student shall not be charged for the costs of attendance at school.

Sec. 18. On and after July 1, 2023, K.S.A. 72-3125 is hereby amended to read as follows: 72-3125. (a) As used in this section:

(1) "Receiving school district" means a school district of nonresidence of a pupil who attends school in such school district.

(2) "Sending school district" means a school district of residence of a pupil who attends school in a school district not of the pupil's residence.

(b) The board of education of any school district may make and enter into contracts with the board of education of any receiving school district located in this state for the purpose of providing for the attendance of pupils students at school in the receiving school district.

(c) (b) The board of education of any school district may make and enter into contracts with the governing authority of any accredited school district located in another state for the purpose of providing for the attendance of pupils students from this state at school in such other state or for the attendance of pupils students from such other state at school in this state.

(d) (c) Pupils-Students attending school in a receiving school district in accordance with a contract authorized by this section and made and entered into by such receiving school district with a sending school district located in this state shall be counted as regularly enrolled in and attending school in the sending school district for the purpose of computations under the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto.

(e) (d) Any contract made and entered into under authority of this section is subject to the following conditions:

(1) The contract shall be for the benefit of pupils students who reside at inconvenient or unreasonable distances from the schools maintained by the sending school district or for pupils students who, for any

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other reason deemed sufficient by the board of education of the sending school district, should attend school in a receiving school district;

(2) the contract shall make provision for the payment of tuition by the sending school district to the receiving school district;

(3) if a sending school district is located in this state and the receiving school district is located in another state, the amount of tuition provided to be paid for the attendance of a ~~pupil student~~ or ~~pupils students~~ at school in the receiving school district shall not exceed $\frac{1}{2}$ of the amount of the budget per ~~pupil student~~ of the sending school district under the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto, for the current school year; and

(4) the contract shall make provision for transportation of ~~pupils students~~ to and from the school attended on every school day.

(f)(e) Amounts received pursuant to contracts made and entered into under authority of this section by a school district located in this state for enrollment and attendance of ~~pupils students~~ at school in regular educational programs shall be deposited in the general fund of the school district.

(g)(f) The provisions of subsection ~~(e)(3)~~ (d)(3) do not apply to unified school district No. 107, Rock Hills.

(h)(g) The provisions of this section do not apply to contracts made and entered into under authority of the special education for exceptional children act.

(i)(h) The provisions of this section are deemed to be alternative to the provisions of K.S.A. 72-13,101, and amendments thereto, and no procedure or authorization under K.S.A. 72-13,101, and amendments thereto, shall be limited by the provisions of this section.

Sec. 19. On and after July 1, 2022, K.S.A. 72-3713 is hereby amended to read as follows: 72-3713. (a) Virtual schools shall be under the general supervision of the state board. The state board may adopt any rules and regulations relating to virtual schools ~~which that~~ the state board deems necessary to administer and enforce the virtual school act.

(b) For purposes of accreditation by the state board, the four-year adjusted cohort graduation rate for a virtual school shall be determined by only including those students enrolled in such virtual school who had earned 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 such virtual school. The virtual school's four-year adjusted cohort graduation rate shall be determined in addition to the graduation rates determined for the school district that operates the virtual school and any other high schools operated by the school district.

(c) No virtual school shall offer or provide any financial incentive for a student to enroll in a virtual school.

(d) As used in this section, "financial incentive" means any monetary payment or award that is intended to encourage, entice or motivate a student to enroll in a virtual school.

Sec. 20. On and after July 1, 2022, K.S.A. 72-3715 is hereby amended to read as follows: 72-3715. (a) In order to be included in the full-time equivalent enrollment of a virtual school, a student shall be in attendance at the virtual school on:

(1) A single school day on or before September 19 of ~~each~~ the school year; and

(2) on a single school day on or after September 20, but before October 4 of ~~each~~ the school year.

(b) A school district ~~which that~~ offers a virtual school shall determine the full-time equivalent enrollment of each student enrolled in the virtual school on September 20 of ~~each~~ the school year as follows:

(1) Determine the number of hours the student was in attendance on a single school day on or before September 19 of ~~each~~ the school year;

(2) determine the number of hours the student was in attendance on a single school day on or after September 20; but before October 4 of ~~each~~ the school year;

(3) add the numbers obtained under subsections (b)(1) and (b)(2);

(4) divide the sum obtained under subsection (b)(3) by 12. The quotient is the full-time equivalent enrollment of the student.

(c) The school days on which a district determines the full-time equivalent enrollment of a student under subsections (b)(1) and (2) shall be the school days on which the student has the highest number of hours of attendance at the virtual school. No more than six hours of attendance may be counted in a single school day. Attendance may be shown by a student's on-line activity or entries in the student's virtual school journal or log of activities.

(d) Subject to the availability of appropriations and within the limits of any such appropriations, each school year a school district ~~which that~~ offers a virtual school shall receive virtual school state aid. The

state board of education shall determine the amount of virtual school state aid a school district is to receive as follows:

(1) Determine the number of students enrolled in virtual school on a full-time basis, excluding those students who are over 19 years of age and those students who are 19 years of age or younger who qualify for virtual school state aid pursuant to paragraph (4), and multiply the total number of such students by ~~\$5,000~~ \$5,600;

(2) determine the full-time equivalent enrollment of students enrolled in virtual school on a part-time basis, excluding those ~~pupils students~~ who are over 19 years of age and those students who are 19 years of age or younger who qualify for virtual school state aid pursuant to paragraph (4), and multiply the total full-time equivalent enrollment of such students by ~~\$1,700~~ \$2,800;

(3) for students enrolled in a virtual school who are over 19 years of age, determine the number of one-hour credit courses such students have passed, not to exceed six credit courses per school year, and multiply the total number of such courses by \$709; ~~and~~

(4) for students who are 19 years of age or younger who enroll in a virtual school as a dropout diploma completion virtual student, determine the number of one-hour credit courses such students have passed, not to exceed six credit courses per school year, and multiply the total number of such courses by \$709; and

(5) add the amounts calculated under subsections (d)(1) through (d)(4). The resulting sum is the amount of virtual school state aid the school district shall receive.

(e) (1) There is hereby established in every school district ~~a fund which shall be called the virtual school fund; which~~. Such fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to virtual schools offered by a school district may be paid from the virtual school fund. The cost of an advance placement course provided to a student by a virtual school shall be paid by the virtual school. Moneys deposited in or otherwise transferred to the virtual school fund shall only be expended for those costs directly attributable to the provision of virtual instruction.

(2) Any balance remaining in the virtual school fund at the end of the budget year shall be carried forward into the virtual school fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.

(3) In preparing the budget of such school district, the amounts credited to and the amount on hand in the virtual school fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(f) For the purposes of this section, a student enrolled in a virtual school who is not a resident of the state of Kansas shall not be counted in the full-time equivalent enrollment of the virtual school. The virtual school shall record the permanent address of any student enrolled in such virtual school.

(g) ~~For purposes of~~ As used in this section:

(1) "Dropout diploma completion virtual student" means any student who is 19 years of age or younger who has:

(A) A ratio of earned credits to expected credits for the student's cohort year of less than 75% when enrolling in a virtual school;

(B) (i) dropped out of high school such that the student has not attended any school of a school district for 60 consecutive days or more during the current school year and the student is not reasonably anticipated to recommence enrollment or attendance at any school of a school district during the current school year;

(ii) dropped out of high school such that the student has not attended any school of a school district for 60 consecutive days or more during the preceding school year, the student did not finish such preceding school year and the student is not reasonably anticipated to recommence enrollment or attendance at any school of a school district during the current school year; or

(iii) been exempted from compulsory student attendance by written consent of the parent pursuant to K.S.A. 72-3120, and amendments thereto; and

(C) not been counted in the enrollment of a virtual school as a full-time or part-time virtual student during the school year in which such student enrolls as a dropout diploma completion virtual student.

(2) "Full-time" means attendance in a virtual school for no less than six hours as determined pursuant to subsection (b).

(2)(3) "Part-time" means attendance in a virtual school for less than six hours as determined pursuant to subsection (b).

Sec. 21. On and after July 1, 2022, K.S.A. 2021 Supp. 72-4352 is hereby amended to read as follows: 72-4352. As used in the tax credit for low income students scholarship program act:

(a) "Contributions" means monetary gifts or donations and in-kind contributions, gifts or donations that have an established market value.

(b) "Department" means the Kansas department of revenue.

(c) "Educational scholarship" means an amount not to exceed \$8,000 per school year provided to an eligible student, or to a qualified school with respect to an eligible student, to cover all or a portion of the costs of education including tuition, fees and expenses of a qualified school and, if applicable, the costs of transportation to a qualified school if provided by such qualified school.

(d) "Eligible student" means a child who:

(1) Resides in Kansas; and

(2) (A) (i) Is eligible for free or reduced-price meals under the national school lunch act; and

(ii) (a) was enrolled in kindergarten or any of the grades one through eight in any public school in the previous school year in which an educational scholarship is first sought for the child; or

(b) is eligible to be enrolled in any public school in the school year in which an educational scholarship is first sought for the child and the child is ~~under the age of six years~~ *seven years of age or under*; or

(B) *has received an educational scholarship under the program and has not graduated from high school or reached the age of 21 years.*

(e) "Parent" includes a guardian, custodian or other person with authority to act on behalf of the child.

(f) "Program" means the tax credit for low income students scholarship program established in K.S.A. 72-4351 through 72-4357, and amendments thereto.

(g) "Public school" means any school operated by a unified school district under the laws of this state.

(h) "Qualified school" means any nonpublic school that:

(1) Provides education to elementary or secondary students;

(2) *is accredited by the state board or a national or regional accrediting agency that is recognized by the state board for the purpose of satisfying the teaching performance assessment for professional licensure;*

(3) has notified the state board of its intention to participate in the program; and

(4) complies with the requirements of the program.

(i) "Scholarship granting organization" means an organization that complies with the requirements of this program and provides educational scholarships to eligible students or to qualified schools in which parents have enrolled eligible students.

(j) "School district" or "district" means any unified school district organized and operating under the laws of this state.

(k) "School year" means the same as in K.S.A. 72-5132, and amendments thereto.

(l) "Secretary" means the secretary of revenue.

(m) "State board" means the state board of education.

Sec. 22. On and after July 1, 2022, K.S.A. 2021 Supp. 72-5132 is hereby amended to read as follows: 72-5132. As used in the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto:

(a) "Adjusted enrollment" means the enrollment of a school district, excluding the remote enrollment determined pursuant to K.S.A. 2021 Supp. 72-5180, and amendments thereto, adjusted by adding the following weightings, if any, to the enrollment of a school district: At-risk student weighting; bilingual weighting; career technical education weighting; high-density at-risk student weighting; high enrollment weighting; low enrollment weighting; school facilities weighting; ancillary school facilities weighting; cost-of-living weighting; special education and related services weighting; and transportation weighting.

(b) "Ancillary school facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5158, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(c) (1) "At-risk student" means a student who is eligible for free meals under the national school lunch act, and who is enrolled in a school district that maintains an approved at-risk student assistance program.

(2) ~~The term "At-risk student" shall~~ *does not* include any student enrolled in any of the grades one through 12 who is in attendance less than full time, or any student who is over 19 years of age. The provisions of this paragraph shall not apply to any student who has an individualized education program.

(d) "At-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-

5151(a), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(e) "Base aid for student excellence" or "BASE aid" means an amount appropriated by the legislature in a fiscal year for the designated year. The amount of BASE aid shall be as follows:

(1) For school year 2018-2019, \$4,165;

(2) for school year 2019-2020, \$4,436;

(3) for school year 2020-2021, \$4,569;

(4) for school year 2021-2022, \$4,706;

(5) for school year 2022-2023, \$4,846; and

(6) for school year 2023-2024, and each school year thereafter, the BASE aid shall be the BASE aid amount for the immediately preceding school year plus an amount equal to the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor during the three immediately preceding school years rounded to the nearest whole dollar amount.

(f) "Bilingual weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5150, and amendments thereto, on the basis of costs attributable to the maintenance of bilingual educational programs by such school districts.

(g) "Board" means the board of education of a school district.

(h) "Budget per student" means the general fund budget of a school district divided by the enrollment of the school district.

(i) "Categorical fund" means and includes the following funds of a school district: Adult education fund; adult supplementary education fund; at-risk education fund; bilingual education fund; career and post-secondary education fund; driver training fund; educational excellence grant program fund; extraordinary school program fund; food service fund; parent education program fund; preschool-aged at-risk education fund; professional development fund; special education fund; and summer program fund.

(j) "Cost-of-living weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5159, and amendments thereto, on the basis of costs attributable to the cost of living in such school districts.

(k) "Current school year" means the school year during which state foundation aid is determined by the state board under K.S.A. 72-5134, and amendments thereto.

(l) "Enrollment" means, except as provided in K.S.A. 2021 Supp. 72-5180, and amendments thereto:

(1) The number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the preceding school year plus the number of preschool-aged at-risk students regularly enrolled in the school district on September 20 of the current school year, except a student who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the school district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the school district for at least one semester or two quarters, or the equivalent thereof.

(2) If the enrollment in a school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means the sum of:

(A) The enrollment in the second preceding school year, excluding students under paragraph (2)(B), minus enrollment in the preceding school year of preschool-aged at-risk students, if any, plus enrollment in the current school year of preschool-aged at-risk students, if any; and

(B) the adjusted enrollment in the second preceding school year of any students participating in the tax credit for low income students scholarship program pursuant to K.S.A. 72-4351 et seq., and amendments thereto, in the preceding school year, if any, plus the adjusted enrollment in the preceding school year of preschool-aged at-risk students who are participating in the tax credit for low income students scholarship program pursuant to K.S.A. 72-4351 et seq., and amendments thereto, in the current school year, if any.

(3) For any school district that has a military student, as that term is defined in K.S.A. 72-5139, and amendments thereto, enrolled in such district, and that received federal impact aid for the preceding school year, if the enrollment in such school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means whichever is the greater of:

(A) The enrollment determined under paragraph (2); or

(continued)

(B) the sum of the enrollment in the preceding school year of preschool-aged at-risk students, if any, and the arithmetic mean of the sum of:

(i) The enrollment of the school district in the preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any;

(ii) the enrollment in the second preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any; and

(iii) the enrollment in the third preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any.

(4) The enrollment determined under paragraph (1), (2) or (3), except if the school district begins to offer kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.

(m) "February 20" has its usual meaning, except that in any year in which February 20 is not a day on which school is maintained, it means the first day after February 20 on which school is maintained.

(n) "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a school district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

(o) "General fund" means the fund of a school district from which operating expenses are paid and in which is deposited all amounts of state foundation aid provided under this act, payments under K.S.A. 72-528, and amendments thereto, payments of federal funds made available under the provisions of title I of public law 874, except amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program and such other moneys as are provided by law.

(p) "General fund budget" means the amount budgeted for operating expenses in the general fund of a school district.

(q) "High-density at-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5151(b), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(r) "High enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5149(b), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(s) "Juvenile detention facility" means the same as such term is defined in K.S.A. 72-1173, and amendments thereto.

(t) "Local foundation aid" means the sum of the following amounts:

(1) An amount equal to any unexpended and unencumbered balance remaining in the general fund of the school district, except moneys received by the school district and authorized to be expended for the purposes specified in K.S.A. 72-5168, and amendments thereto;

(2) an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, prior to their repeal;

(3) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district under the provisions of K.S.A. 72-3123(a), and amendments thereto;

(4) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district pursuant to contracts made and entered into under authority of K.S.A. 72-3125, and amendments thereto;

(5) an amount equal to the amount credited to the general fund in the current school year from moneys distributed in such school year to the school district under the provisions of articles 17 and 34 of chapter 12 of the Kansas Statutes Annotated, and amendments thereto, and under the provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto;

(6) an amount equal to the amount of payments received by the school district under the provisions of K.S.A. 72-3423, and amendments thereto; and

(7) an amount equal to the amount of any grant received by the school district under the provisions of K.S.A. 72-3425, and amendments thereto; and

(8) an amount equal to 70% of the federal impact aid of the school district.

(u) "Low enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5149(a), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(v) "Operating expenses" means the total expenditures and lawful transfers from the general fund of a school district during a school year for all purposes, except expenditures for the purposes specified in K.S.A. 72-5168, and amendments thereto.

(w) "Preceding school year" means the school year immediately before the current school year.

(x) "Preschool-aged at-risk student" means an at-risk student who has attained the age of three years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines governing the selection of students for participation in head start programs.

(y) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten. The terms "Exceptional children" and "gifted children" have the same meaning as those terms are defined in K.S.A. 72-3404, and amendments thereto.

(z) "Psychiatric residential treatment facility" means the same as such term is defined in K.S.A. 72-1173, and amendments thereto.

(aa) (1) "Remote enrollment" means the number of students regularly enrolled in kindergarten and grades one through 12 in the school district who attended school through remote learning in excess of the remote learning limitations provided in K.S.A. 2021 Supp. 72-5180, and amendments thereto.

(2) This subsection shall not apply in any school year prior to the 2021-2022 school year.

(bb) (1) "Remote learning" means a method of providing education in which the student, although regularly enrolled in a school district, does not physically attend the attendance center such student would otherwise attend in person on a full-time basis and curriculum and instruction are prepared, provided and supervised by teachers and staff of such school district to approximate the student learning experience that would take place in the attendance center classroom.

(2) "Remote learning" does not include virtual school as such term is defined in K.S.A. 72-3712, and amendments thereto.

(3) This subsection shall not apply in any school year prior to the 2021-2022 school year.

(cc) "School district" means a school district organized under the laws of this state that is maintaining public school for a school term in accordance with the provisions of K.S.A. 72-3115, and amendments thereto.

(dd) "School facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5156, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(ee) "School year" means the 12-month period ending June 30.

(ff) "September 20" has its usual meaning, except that in any year in which September 20 is not a day on which school is maintained, it means the first day after September 20 on which school is maintained.

(gg) "Special education and related services weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5157, and amendments thereto, on the basis of costs attributable to the maintenance of special education and related services by such school districts.

(hh) "State board" means the state board of education.

(ii) "State foundation aid" means the amount of aid distributed to a school district as determined by the state board pursuant to K.S.A. 72-5134, and amendments thereto.

(jj) (1) "Student" means any person who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 maintained by the school district or who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 in another school district in accordance with an agreement entered into under authority of K.S.A. 72-13,101, and amendments thereto, or who is regularly enrolled in a school district and attending special education services provided for preschool-aged exceptional children by the school district.

(2) (A) Except as otherwise provided in this subsection, the following shall be counted as one student:

(i) A student in attendance full-time; and
 (ii) a student enrolled in a school district and attending special education and related services, provided for by the school district.

(B) The following shall be counted as $\frac{1}{2}$ student:

(i) A student enrolled in a school district and attending special education and related services for preschool-aged exceptional children provided for by the school district; and

(ii) a preschool-aged at-risk student enrolled in a school district and receiving services under an approved at-risk student assistance plan maintained by the school district.

(C) A student in attendance part-time shall be counted as that proportion of one student, to the nearest $\frac{1}{10}$, that the student's attendance bears to full-time attendance.

(D) A student enrolled in and attending an institution of post-secondary education that is authorized under the laws of this state to award academic degrees shall be counted as one student if the student's postsecondary education enrollment and attendance together with the student's attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student, to the nearest $\frac{1}{10}$, that the total time of the student's post-secondary education attendance and attendance in grades 11 or 12, as applicable, bears to full-time attendance.

(E) A student enrolled in and attending a technical college, a career technical education program of a community college or other approved career technical education program shall be counted as one student, if the student's career technical education attendance together with the student's attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student, to the nearest $\frac{1}{10}$, that the total time of the student's career technical education attendance and attendance in any of grades nine through 12 bears to full-time attendance.

(F) A student enrolled in a school district and attending a non-virtual school and also attending a virtual school shall be counted as that proportion of one student, to the nearest $\frac{1}{10}$, that the student's attendance at the non-virtual school bears to full-time attendance.

(G) A student enrolled in a school district and attending special education and related services provided for by the school district and also attending a virtual school shall be counted as that proportion of one student, to the nearest $\frac{1}{10}$, that the student's attendance at the non-virtual school bears to full-time attendance.

(H) A student enrolled in a school district and attending school on a part-time basis through remote learning and also attending school in person on a part-time basis shall be counted as that proportion of one student, to the nearest $\frac{1}{10}$, that the student's in-person attendance bears to full-time attendance.

(I) ~~(i) Except as provided in clause (ii),~~ A student enrolled in a school district who is not a resident of Kansas shall be counted as follows:

~~(a) For school year 2018-2019, one student;~~

~~(b) for school years 2019-2020 and 2020-2021, $\frac{3}{4}$ of a student; and~~

~~(c) for school year 2021-2022 and each school year thereafter, $\frac{1}{2}$ of a student.~~

~~(ii) This subparagraph shall not apply to:~~

~~(a)(i) A student whose parent or legal guardian is an employee of the school district where such student is enrolled; or~~

~~(b)(ii) a student who attended public school in Kansas during school year 2016-2017 and who attended public school in Kansas during the immediately preceding school year.~~

(3) The following shall not be counted as a student:

(A) An individual residing at the Flint Hills job corps center;

(B) except as provided in paragraph (2), an individual confined in and receiving educational services provided for by a school district at a juvenile detention facility; and

(C) an individual enrolled in a school district but housed, maintained and receiving educational services at a state institution or a psychiatric residential treatment facility.

(4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et seq., and amendments thereto, shall be counted in accordance with the provisions of K.S.A. 72-3715, and amendments thereto.

(5) A student enrolled in a school district who attends school through remote learning shall be counted in accordance with the provisions of this section and K.S.A. 2021 Supp. 72-5180, and amendments thereto.

(kk) "Total foundation aid" means an amount equal to the product obtained by multiplying the BASE aid by the adjusted enrollment of a school district.

(ll) "Transportation weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5148, and amendments thereto, on the basis of costs attributable to the provision or furnishing of transportation.

(mm) "Virtual school" means the same as such term is defined in K.S.A. 72-3712, and amendments thereto.

Sec. 23. On and after July 1, 2022, K.S.A. 72-5135 is hereby amended to read as follows: 72-5135. (a) The distribution of state foundation aid under this act shall be made in accordance with appropriation acts each year as provided in this section.

(b) (1) In the months of July through May of each school year, the state board shall determine the amount of state foundation aid that will be required by each school district to maintain operations in each such month. In making such determination, the state board shall take into consideration the school district's access to local foundation aid and the obligations of the general fund that must be satisfied during the month. The amount determined by the state board under this provision is the amount of state foundation aid that will be distributed to the school district in the months of July through May.

(2) In the month of June of each school year, payment shall be made of the full amount of the state foundation aid determined for the school year less the sum of the monthly payments made in the months of July through May pursuant to subsection (b)(1).

(c) Payments of state foundation aid shall be distributed to school districts once each month on the dates prescribed by the state board. The state board shall certify to the director of accounts and reports the amount due as state foundation aid to each school district in each of the months of July through June. Such certification, and the amount of state foundation aid payable from the state general fund, shall be approved by the director of the budget. The director of accounts and reports shall draw warrants on the state treasurer payable to the school district treasurer of each school district, pursuant to vouchers approved by the state board. Upon receipt of such warrant, each school district treasurer shall deposit the amount of state foundation aid in the general fund of the school district; ~~except that an amount equal to the amount of federal impact aid not included in the local foundation aid of a school district may be disposed of as provided in K.S.A. 72-5166(a), and amendments thereto.~~

(d) If any amount of state foundation aid that is due to be paid during the month of June of a school year pursuant to the other provisions of this section is not paid on or before June 30 of such school year, then such payment shall be paid on or after the ensuing July 1, as soon as moneys are available therefor. Any payment of state foundation aid that is due to be paid during the month of June of a school year and that is paid to school districts on or after the ensuing July 1 shall be recorded and accounted for by school districts as a receipt for the school year ending on the preceding June 30.

Sec. 24. On and after July 1, 2022, K.S.A. 2021 Supp. 72-5178 is hereby amended to read as follows: 72-5178. (a) On or before January 15 of each year, the state department of education shall prepare and ~~submit a digitally update on the website of the state department of education the performance accountability report reports and a longitudinal achievement report for reports upon~~ all students enrolled in any public school or accredited nonpublic school in the state, each school district, each school operated by a school district and each accredited nonpublic school ~~to the governor and to the legislature.~~

(b) Each performance accountability report shall be prepared in a single-page format containing the information that is required to be reported under the federal elementary and secondary education act, as amended by the federal every student succeeds act, public law 114-95, or any successor federal acts, and the college and career readiness metrics developed and implemented by the state board. The report shall use the categories for achievement identified under the federal every student succeeds act, public law 114-95, or any successor achievement categories. All categories and metrics included in the report shall be clearly defined.

(c) Each longitudinal achievement report shall provide the achievement rates on the state assessments for English language arts, math and science for all students and each student subgroup and the change in achievement rate year-over-year starting with the school year in which the state board first implemented new achievement standards on such state assessments.

(d) *On or before January 15 of each year, the state department of education shall prepare written academic achievement reports to provide a summary of*
(continued)

student achievement in this state and shall submit such reports to the governor and the legislature. Such written academic achievement reports shall:

(1) Provide a statewide summary of the performance accountability reports and longitudinal achievement reports prepared pursuant to this section. Such summary report shall provide:

(A) Achievement data from the English language arts assessments and math assessments over the preceding five years for all students and student subgroups to show whether there are statewide trends in academic improvement or learning loss among all students and student subgroups;

(B) a comparison to any other evaluation metric used by the state board of education to evaluate student achievement such as college and career readiness measurements or graduation rates;

(C) a comparison to other educational assessments that measure academic performance such as the national assessment of educational progress;

(D) an analysis of the trends in student achievement outcomes and a review of conditions that are impacting recent student achievement outcomes;

(E) a review of the academic interventions that school districts are using to improve student performance, whether the state board of education has any specific recommendations regarding academic interventions to improve academic achievement and an estimation of the academic achievement gains that can be expected from such interventions; and

(F) a summary of the performance levels and the scale and cut scores for the statewide assessments and how such information should be used to draw conclusions about student achievement; and

(2) provide a student-focused longitudinal achievement report that provides information on the academic achievement of certain student cohort groups to show the achievement gains or learning losses that are occurring for such students. Such report shall begin with the students who are entering grade three and grade eight in school year 2022-2023. The report shall summarize the longitudinal achievement of such students over a three-year period and shall be repeated every three years for the students entering such grade levels. The longitudinal report shall provide:

(A) A summary of the improvement or learning loss that is occurring within such student cohort groups over such three-year period for all such students and the student subgroups;

(B) an analysis of the evaluations and metrics that are used to measure the year-over-year achievement of such student cohort groups;

(C) a review of the academic interventions that school districts are using to improve student performance within such student cohort groups, whether the state board of education has any specific recommendations regarding academic interventions to improve academic achievement and an estimate of the academic achievement gains that can be expected from such interventions; and

(D) the achievement results from the English language arts assessments and math assessments for such student cohort groups and any other assessment data pertaining to such student cohort groups, including, but not limited to, the national assessment for educational progress, the ACT college entrance exam and the pre-ACT assessment.

(d) All reports prepared pursuant to this section shall be published in accordance with K.S.A. 2021 Supp. 72-1181, and amendments thereto.

Sec. 25. On and after July 1, 2022, K.S.A. 72-5461 is hereby amended to read as follows: 72-5461. (a) Upon receiving an application under K.S.A. 72-5460, and amendments thereto, the state board of education shall review the application and examine the evidence furnished in support of the application.

(b) (1) ~~Commencing in school year 2017-2018~~, The state board of education shall not approve any application submitted during the current school year if such approval would result in the aggregate amount of all general obligation bonds approved by the state board for such school year exceeding the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year adjusted for inflation pursuant to paragraph (4). For any application submitted during the current school year in excess of \$175,000,000, the state board shall apply only an amount of \$175,000,000 of such application when determining whether the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year has been exceeded. In determining whether to approve an application, the state board shall prioritize applications in accordance with the priorities set forth as follows in order of highest priority to lowest priority:

(A) Safety of the current facility and disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation;

(B) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;

(C) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology; and

(D) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.

(2) The state board shall not consider a school district's eligibility for capital improvement state aid, or the amount of capital improvement state aid a school district would be eligible to receive, in determining whether to approve such district's application.

(3) The provisions of subsection (b)(1) shall not apply to school districts that:

(A) Have not issued any general obligation bonds in the 25 years prior to the current school year; or

(B) do not receive capital improvement state aid because such school district is not eligible to receive such aid or has opted out of receiving such aid in the resolution adopted as provided in K.S.A. 72-5457, and amendments thereto.

(4) The state board shall adjust the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year by adding an amount equal to the five-year compounded percentage increase in the producer price index industry data for new school building construction as published by the bureau of labor statistics of the United States department of labor for the five immediately preceding school years.

(c) After reviewing the application and examining the supportive evidence, the state board of education shall issue an order either granting or denying the application. If the application is approved, the applicant board of education shall request the county election officer to hold an election to vote upon the question of issuing the increased amount of bonds in the manner provided by law.

(d) Any application that is denied pursuant to subsection (b) may be tentatively approved by the state board of education for the immediately succeeding school year. The amount of general obligation bonds approved in any such application shall be counted first towards the aggregate amount of all general obligation bonds approved by the state board for such school year.

(e) ~~Commencing in school year 2017-2018~~, The state board of education shall determine the aggregate principal amount of general obligation bonds retired in the immediately preceding school year.

(f) The provisions of subsections (b), (d) and (e) shall expire on June 30, ~~2022~~ 2027.

Sec. 26. On and after July 1, 2022, K.S.A. 2021 Supp. 72-5462 is hereby amended to read as follows: 72-5462. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district ~~which~~ that is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection.

(1) For general obligation bonds approved for issuance at an election held prior to July 1, 2015, the state board of education shall:

(A) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(1);

(B) determine the median AVPP of all school districts;

(C) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(D) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point

for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 72-5463, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(E) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held prior to July 1, 2015; and

(F) multiply the amount determined under subsection (b)(1)(E) by the applicable state aid percentage factor.

(2) For general obligation bonds approved for issuance at an election held on or after July 1, 2015, *but prior to July 1, 2022*, the state board of education shall:

(A) Determine the amount of the AVPP of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(2);

(B) prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 72-5463, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held on or after July 1, 2015, *but prior to July 1, 2022*; and

(E) multiply the amount determined under subsection (b)(2)(D) by the applicable state aid percentage factor.

(3) For general obligation bonds approved for issuance at an election held on or after July 1, 2022, the state board of education shall:

(A) Except as provided in subsection (b)(9), determine the amount of the AVPP of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(3);

(B) except as provided in subsection (b)(9), prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 72-5463, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 51%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held on or after July 1, 2022; and

(E) multiply the amount determined under subsection (b)(3)(D) by the applicable state aid percentage factor.

(4) For general obligation bonds approved for issuance at an election held on or before June 30, 2016, the sum of the amount determined under subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E) is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(4)(5) (A) For general obligation bonds approved for issuance at an election held on or after July 1, 2016, the amount determined under subsection (b)(2)(E) or (b)(3)(E) is the amount of payment the school district

shall receive from the school district capital improvements fund in the school year, except the total amount of payments school districts receive from the school district capital improvements fund in the school year for such bonds shall not exceed the six-year average amount of capital improvement state aid as determined by the state board of education.

(A)(B) The state board of education shall determine the six-year average amount of capital improvement state aid by calculating the average of the total amount of moneys expended per year from the school district capital improvements fund in the immediately preceding six fiscal years, not to include the current fiscal year.

(B)(C) (i) Subject to clause (ii), the state board of education shall prioritize the allocations to school districts from the school district capital improvements fund in accordance with the priorities set forth as follows in order of highest priority to lowest priority:

(a) Safety of the current facility and disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation;

(b) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;

(c) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology; and

(d) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.

(ii) In allocating capital improvement state aid, the state board shall give higher priority to those school districts with a lower AVPP compared to the other school districts that are to receive capital improvement state aid under this section.

(C)(D) On and after July 1, 2016, the state board of education shall approve the amount of state aid payments a school district shall receive from the school district capital improvements fund pursuant to subsection ~~(b)(5)~~ (b)(6) prior to an election to approve the issuance of general obligation bonds.

(5)(6) Except as provided in subsections ~~(b)(6)~~ and (b)(7) through (b)(9), the sum of the amounts determined under subsection ~~(b)(3)~~ (b)(4) and the amount determined or allocated to the district by the state board of education pursuant to subsection ~~(b)(4)~~ (b)(5), is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(6)(7) A school district that had an enrollment of less than 260 students in the school year immediately preceding the school year in which an election is held to approve the issuance of general obligation bonds shall not be entitled to receive payments from the school district capital improvements fund unless such school district applied for and received approval from the state board of education to issue such bonds prior to holding an election to approve such bond issuance. The provisions of this paragraph shall apply to general obligation bonds approved for issuance at an election held on or after July 1, 2017, that are issued for the purpose of financing the construction of new school facilities.

(7)(8) For general obligation bonds approved for issuance at an election held on or after July 1, 2017, in determining the amount under subsection (b)(2)(D) and (b)(3)(D), the state board shall exclude payments for any capital improvement project, or portion thereof, that proposes to construct, reconstruct or remodel a facility that would be used primarily for extracurricular activities, unless the construction, reconstruction or remodeling of such facility is necessary due to concerns relating to the safety of the current facility or disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation.

(9) For general obligation bonds approved for issuance at an election held on or after July 1, 2022, the state board of education shall:

(A) In preparing the schedule of dollar amounts pursuant to subsection (b)(3)(B), exclude unified school district No. 207, Fort Leavenworth, from such schedule and determine the point of beginning based on the amount of the AVPP of the school district with the lowest AVPP of the remaining school districts; and

(B) in determining the amount of the AVPP of a school district, exclude the number of students enrolled in a virtual school, as defined in K.S.A. 72-3712, and amendments thereto, that is offered by such school district from the determination of the AVPP of such school district.

(continued)

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending ~~June 30, 2021, June 30, 2022, and June 30, 2023, and June 30, 2024,~~ shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) ~~On or before the first day of the legislative session in 2017, and~~ Each year thereafter, the state board of education shall prepare and submit a report to the legislature that includes information on school district elections held on or after July 1, 2016, to approve the issuance of general obligation bonds and the amount of payments school districts were approved to receive from the school district capital improvements fund pursuant to subsection ~~(b)(4)(C)~~ (b)(5)(D).

Sec. 27. On and after July 1, 2022, K.S.A. 72-6316 is hereby amended to read as follows: 72-6316. ~~No~~ (a) A nonacademic test, questionnaire, survey or examination containing any questions about the student's personal and private attitudes, values, beliefs or practices ~~on issues such as sex, family life, morality or religion, or any questions about the student's parents' or guardians' beliefs and practices on issues such as sex, family life, morality or religion,~~ of the student or the student's parents, guardians, family members, associates, friends or peers that is administered during the school day shall not be administered to any student enrolled in kindergarten or grades one through 12, unless the parent or guardian of the student:

(1) Is notified in writing ~~not more than four months in advance of the administration of such test, questionnaire, survey or examination that this such test, questionnaire, survey or examination is to be administered and the parent or guardian of the student.~~ Such notification shall include:

(A) A copy of the test, questionnaire, survey or examination that is to be administered;

(B) information on how the parent or guardian may provide written consent to authorize the student to take such test, questionnaire, survey or examination;

(C) the name of the company or entity that produces or provides the test, questionnaire, survey or examination to the school; and

(D) whether the school will receive or maintain the resulting data and an explanation of how the school intends to use and maintain such data; and

(2) gives written ~~permission for consent through a written or electronic signature to authorize the student to take this the test, questionnaire, survey or examination or, in the event of an immediate need, gives verbal consent.~~ This section shall not prohibit school counselors from providing counseling services to a student, including the administration of tests and forms which are part of a counselor's student counseling services. Any information obtained through such tests or counseling services shall not be stored on any personal mobile electronic device which is not owned by the school district, including but not limited to, laptops, tablets, phones, flash drives, external hard drives or virtual servers. Such written consent may only be accepted after a parent or guardian has received the notification required pursuant to paragraph (1) and had an opportunity to review the information contained in such notification. Written consent shall be provided separately for each individual test, questionnaire, survey or examination that is to be administered.

(b) Notwithstanding a parent or guardian's consent for a student to take any such test, questionnaire, survey or examination, a student shall have the right to refuse to take any such test, questionnaire, survey or examination

at any time without limitation. Prior to the administration of any such test, questionnaire, survey or examination, each student shall be informed that such student has the right to refuse to take such test, questionnaire, survey or examination and that the student will not suffer any adverse consequences based on such refusal.

(c) Prior to the administration of any such test, questionnaire, survey or examination, a school district shall post and maintain a copy of such test, questionnaire, survey or examination on the school district website.

(d) No personally identifiable student data shall be collected through any such test, questionnaire, survey or examination.

(e) Except as provided in subsection (f), the provisions of this section shall apply to any test, questionnaire, survey or examination described in subsection (a) that is administered or proposed to be administered to any student by any employee of a school district, including, but not limited to, any administrator, teacher, counselor, social worker, psychologist or nurse.

(f) Notwithstanding the provisions of this section, if any school district employee becomes aware that a student may be at risk of suicide by a credible report from the student, the student's peers or another school district employee, the school personnel who are designated by the school to administer a suicide risk assessment or screening tool may administer such risk assessment or screening tool in accordance with the provisions of this subsection to determine whether the student could be at risk for suicide. Such designated school personnel may include, but is not limited to, any administrator, teacher, counselor, social worker, psychologist or nurse. Prior to the administration of any such risk assessment or screening tool, the designated school personnel shall verbally notify the parent or guardian before the administration of such risk assessment or screening tool and obtain the consent of the parent or guardian. If the designated school personnel is unable to verbally notify the parent or guardian of the student and obtain consent after reasonable attempts to do so, the designated school personnel may administer the risk assessment or screening tool without such consent. If a risk assessment or screening tool is administered without the parent or guardian's consent, as soon as contact with the parent or guardian is made, the designated school personnel shall notify the parent or guardian of the administration of such assessment or screening tool and provide to the parent or guardian all information obtained from the risk assessment or screening tool administered to the student.

Sec. 28. K.S.A. 2021 Supp. 74-32,271 is hereby amended to read as follows: 74-32,271. (a) K.S.A. 2021 Supp. 74-32,271 et seq., and amendments thereto, shall be known and may be cited as the Kansas promise scholarship act.

(b) As used in the Kansas promise scholarship act:

(1) "Eligible postsecondary educational institution" means:

(A) Any community college or technical college established under the laws of this state and with a recognized service area;

(B) the Washburn institute of technology; or

(C) any not-for-profit institution of postsecondary education with its main campus or principal place of operation in Kansas that offers a promise eligible program, is operated independently and not controlled or administered by any state agency or subdivision of the state, maintains open enrollment and is accredited by a nationally recognized accrediting agency for higher education in the United States.

(2) "Military servicemember" means the same as defined in K.S.A. 2021 Supp. 48-3406, and amendments thereto.

(3) "Part-time student" means a student who is enrolled for six credit hours or more in ~~a~~ the fall, summer or spring semester and is not enrolled as a full-time student.

(4) "Promise eligible program" means any two-year associate degree program or career and technical education certificate or stand-alone program offered by an eligible postsecondary educational institution that is:

(A) Approved by the state board of regents;

(B) high wage, high demand or critical need; and

(C) identified as a "promise eligible program" by the state board of regents pursuant to K.S.A. 2021 Supp. 74-32,272, and amendments thereto, or designated as a "promise eligible program" within a field of study designated by an eligible postsecondary educational institution pursuant to K.S.A. 2021 Supp. 74-32,273, and amendments thereto.

Sec. 29. K.S.A. 2021 Supp. 74-32,272 is hereby amended to read as follows: 74-32,272. (a) There is hereby established the Kansas promise scholarship program. The state board of regents shall implement and administer the program.

(b) On or before March 1, ~~2022~~ 2023, the state board of regents shall adopt rules and regulations to implement and administer the Kansas promise scholarship program. Such rules and regulations shall establish:

(1) A scholarship application ~~deadlines~~ process, including, but not limited to, accepting scholarship applications throughout the academic year and processing such applications in the order such applications were received;

(2) appeal procedures for denial or revocation of a Kansas promise scholarship;

(3) guidelines to ensure as much as is practicable that, if a student who received a Kansas promise scholarship graduates from a promise eligible program and subsequently enrolls in a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, or municipal university, any courses taken by such student shall be transferred to the state educational institution or municipal university and qualify toward the student's baccalaureate degree;

(4) the terms, conditions and requirements that shall be incorporated into each Kansas promise scholarship agreement, *which shall not be more stringent than the requirements for Kansas promise scholarship agreements provided in this act*;

(5) procedures for requesting and approving medical, military and personal absences from an eligible postsecondary educational institution while receiving a Kansas promise scholarship;

(6) criteria for determining whether a student who received a Kansas promise scholarship fulfilled the residency, employment and repayment requirements included in a Kansas promise scholarship agreement as provided in K.S.A. 2021 Supp. 74-32,276, and amendments thereto; ~~and~~

(7) criteria for determining when a student who received a Kansas promise scholarship may be released from the requirements of a Kansas promise scholarship, if there are special circumstances that caused such student to be unable to complete such requirements; *and*

(8) *that no eligible postsecondary educational institution may:*

(A) Limit scholarship awards to certain promise eligible programs at such institution; or

(B) award less than the full Kansas promise scholarship amount for which a student qualifies as long as funds are available in the Kansas promise scholarship program fund.

(c) The state board of regents shall:

(1) Identify the promise eligible programs offered by each eligible postsecondary educational institution that are:

(A) *Within a field of study designated by the eligible postsecondary educational institution pursuant to K.S.A. 2021 Supp. 74-32,273, and amendments thereto; and*

(B) in any of the following fields of study:

- (i) Information technology and security;
- (ii) mental and physical healthcare;
- (iii) advanced manufacturing and building trades; or
- (iv) early childhood education and development; ~~or~~

(B) ~~designated by the eligible postsecondary educational institution pursuant to K.S.A. 2021 Supp. 74-32,273, and amendments thereto;~~

(2) work with community partners, such as community foundations, school districts, postsecondary educational institutions, Kansas business and industry and Kansas economic development organizations to publicize Kansas promise scholarships, including, but not limited to, publicizing eligible postsecondary educational institutions, approved scholarship-eligible educational programs, application procedures and application deadlines;

(3) disburse funds to each eligible postsecondary educational institution for the purpose of awarding Kansas promise scholarships;

(4) request information from eligible postsecondary educational institutions *and any state agency* necessary for the administration of this act;

(5) ~~ensure that any student accept electronic signatures as sufficient and valid on all forms and agreements required by the Kansas promise scholarship program and any rules and regulations adopted thereunder;~~

(6) *enforce Kansas promise scholarship agreements;*

(7) *collect any moneys repaid by students pursuant to K.S.A. 2021 Supp. 74-32,276, and amendments thereto;*

(8) *determine whether students who received a Kansas promise scholarship fulfill the residency, employment and repayment requirements provided in K.S.A. 2021 Supp. 74-32,276, and amendments thereto; and*

(6)(9) beginning in January 2022, annually evaluate the Kansas promise scholarship program and prepare and submit a report to the senate standing committee on education and the house of representatives standing committee on education. *Such report shall include, but not be limited to, the total program cost for each promise eligible program at each eligible postsecondary educational institution, the amount of scholarship moneys awarded that went to each promise eligible program, the number of credit hours paid for with scholarship moneys, the amount of scholarship moneys*

expected to be awarded to each institution for each semester, the number of scholarships awarded, the total amount of scholarship moneys awarded, the amount of scholarship moneys provided for tuition, fees, books and supplies, measures postsecondary educational institutions have taken in working with private business and industry in the state to determine appropriate fields of study and a review of the employment of scholarship recipients who have completed the Kansas promise scholarship program, including, but not limited to, employment fields and geographic location of such employment.

(d) (1) *The state board of regents may designate an associate degree transfer program as an eligible program only if such program is included in:*

(A) *An established 2+2 agreement with a Kansas four-year postsecondary educational institution; or*

(B) *an articulation agreement with a Kansas four-year postsecondary educational institution and is part of an established degree pathway that allows a student to transfer at least 60 credit hours from the eligible postsecondary educational institution to a four-year postsecondary educational institution for the completion of an additional 60 credit hours toward a bachelor's degree.*

(2) *The provisions of this subsection shall be construed and applied retroactively to the enactment of the Kansas promise scholarship program on July 1, 2021.*

(e) (1) *The state board of regents may remove a promise eligible program from the list of approved promise eligible programs only in accordance with this subsection. If the state board of regents proposes to remove a promise eligible program from such list, the state board of regents shall notify all eligible postsecondary educational institutions of the proposal to remove such program by May 1 of the calendar year that precedes the calendar year in which such program would officially be removed from such list. Within 30 calendar days of receipt, each eligible postsecondary educational institution may appeal such proposed removal to the state board of regents. Following such appeal period, within 45 calendar days, the state board of regents shall consider any such appeal and issue a final decision upon whether the program shall be removed. If the state board of regents issues a final decision to remove such program, the program shall be removed from the list of approved promise eligible programs only after not less than 14 months have elapsed from the date that the state board of regents issued the final decision to remove such program.*

(2) *The provisions of this subsection shall apply to any program that has been approved by the state board of regents as a promise eligible program on or after July 1, 2021.*

Sec. 30. K.S.A. 2021 Supp. 74-32,273 is hereby amended to read as follows: 74-32,273. (a) ~~Subject to subsection (b)~~ *In addition to the fields of study provided in K.S.A. 2021 Supp. 74-32,272, and amendments thereto, an eligible postsecondary educational institution may designate an additional field of study for awarding a Kansas promise scholarship to meet local employment needs if:*

(1) *Promise eligible programs within such field of study are two-year associate degree programs or career and technical education certificates or stand-alone programs approved by the state board of regents that correspond to jobs that are high wage, high demand or critical need in the community;*

(2) *the institution already offers such field of study; and*

(3) *such field of study is one of the following:*

- (A) *Agriculture;*
- (B) *food and natural resources;*
- (C) *education and training;*
- (D) *law, public safety, corrections and security; or*
- (E) *distribution and logistics.*

(b) ~~an eligible postsecondary educational institution may designate one additional promise eligible program if the additional program is a two-year associate degree program or a career and technical education certificate or stand-alone program that corresponds to a high wage, high demand or critical need occupation.~~

(b) *To designate an additional promise eligible program, such institution shall have and maintain an existing promise eligible program in any of the following fields of study:*

- (1) ~~Information technology and security;~~
- (2) ~~mental and physical healthcare;~~
- (3) ~~advanced manufacturing and building trades; or~~
- (4) ~~early childhood education and development.~~

(c) ~~An eligible postsecondary educational institution that designates an additional promise eligible program field of study pursuant to this subsection (a) section shall maintain the promise eligible program field of study designation of such program for at least three consecutive years. After maintaining such program field of study for at least three years, the institution may designate a new promise eligible program field of study that corresponds to a high wage, high demand or criti-~~

(continued)

cal need occupation to replace the existing designated promise eligible program field of study. Any newly designated program field of study shall be subject to the requirements of this section.

(c) Programs designated by eligible institutions prior to the effective date of this act shall be maintained until all students currently enrolled in such programs have exhausted their promise scholarship eligibility.

Sec. 31. K.S.A. 2021 Supp. 74-32,274 is hereby amended to read as follows: 74-32,274. (a) (1) Subject to appropriations, the amount of a Kansas promise scholarship for a student for each semester academic year shall be the aggregate amount of tuition, required fees and the cost of books and required materials for the promise eligible program at the eligible postsecondary educational institution for the academic year in which the student is enrolled and receiving the scholarship minus the aggregate amount of all other aid awarded to such student for such semester. Aid includes any grant, scholarship or financial assistance awards that do not require repayment academic year.

(2) If a student is enrolled in a promise eligible program offered by a four-year eligible private postsecondary educational institution described in K.S.A. 2021 Supp. 74-32,271(b)(1)(C), and amendments thereto, the aggregate amount of tuition, mandatory fees and the cost of books and materials for such program shall be the average cost of tuition, mandatory fees and the cost of books and materials for such promise eligible program when offered by an eligible public postsecondary educational institution that is not a four-year institution described in K.S.A. 2021 Supp. 74-32,271(b)(1)(A) or (B), and amendments thereto.

(b) Except as otherwise provided in this subsection, Kansas promise scholarships shall only be awarded to an eligible student whose family household income equals \$100,000 or less for a family of one or two, \$150,000 or less for a family of three and, for household sizes above three, a household income that is equal to or less than the family of three amount plus \$4,800 for each additional family member. If scholarship moneys remain in the Kansas promise scholarship program fund during the award year after awarding all other scholarships pursuant to this section, Kansas promise scholarships may be awarded to eligible students whose family household income exceeds such amounts.

(c) (1) Kansas promise scholarship awards shall be used only to pay for up to a total of 68 promise scholarship funded credit hours or a total of \$20,000 in Kansas promise scholarship awards, whichever occurs first, over the lifetime of the student who received the Kansas promise scholarship award regardless of the eligible postsecondary educational institution such student attended.

(2) Kansas promise scholarship awards shall not be used to fund:

(A) Prerequisite classes required for a promise eligible program unless such classes are a designated course within the eligible program; or

(B) any remedial course, as defined in K.S.A. 76-7,151, and amendments thereto, unless such course is offered in a corequisite format.

(d) For each fiscal years 2022 and 2023 year, the appropriation made for the Kansas promise scholarship program shall not exceed \$10,000,000. For fiscal year 2024 and each fiscal year thereafter, the appropriation shall not exceed 150% of the amount disbursed in promise scholarships for the immediately preceding fiscal year.

(e) The state board of regents shall disburse funds based on reimbursement requests from eligible postsecondary educational institutions. Reimbursement requests shall be based on the actual amount of Kansas promise scholarship amounts awarded by an eligible postsecondary educational institution for the appropriate academic period. Any eligible postsecondary educational institution seeking reimbursement shall submit a reimbursement request to the state board of regents on or before September 1, December 1, March 1 and June 1 of each year. The state board of regents shall disburse the appropriate amount of funds to eligible postsecondary educational institutions on September 15, December 15, March 15 and June 15 each year.

(f) As used in this section, "aid" includes any grant, scholarship or financial assistance awards that do not require repayment. "Aid" does not include any military financial educational benefits or any family postsecondary savings account or other qualified tuition program established pursuant to section 529 of the internal revenue code of 1986, as amended.

Sec. 32. K.S.A. 2021 Supp. 74-32,275 is hereby amended to read as follows: 74-32,275. (a) To be eligible for a Kansas promise scholarship, a student shall:

(1) Be a United States citizen;

(2) be a Kansas resident;

(3) (A) have graduated from an accredited Kansas public or private secondary school within the preceding 12 months;

(B) have completed the requirements for graduation at a non-accredited private secondary school as provided in K.S.A. 72-4345, and amendments thereto, within the preceding 12 months;

(C) attended an accredited Kansas public or private secondary school or non-accredited private school as provided in K.S.A. 72-4345, and amendments thereto, and obtained a high school equivalency certificate within the preceding 12 months;

(D) be 21 years of age or older and, upon application for a scholarship, have been a resident of Kansas for three or more consecutive years as evidenced by the date of issuance on a Kansas-issued identification card or through Kansas voter registration records or Kansas income tax documentation; or

(E) be a dependent child of a military servicemember permanently stationed in another state and who, within the preceding 12 months, graduated from any out-of-state secondary school or obtained a high school equivalency certificate; or

(F) have been in the custody of the secretary for children and families at any time such student was enrolled in and attending any of the grades nine through 12 and not eligible for assistance under the Kansas foster child educational assistance act, K.S.A. 75-53,111 et seq., and amendments thereto;

(3)(4) complete the required scholarship application on such forms and in such manner as established by the state board of regents;

(4)(5) enter into a Kansas promise scholarship agreement pursuant to K.S.A. 2021 Supp. 74-32,276, and amendments thereto;

(5)(6) complete the free application for federal student aid for the academic year in which the student applies to receive a Kansas promise scholarship. Such submitted application shall be determined to be valid and free of error codes in order to calculate the amount of scholarship to be awarded; and

(6)(7) enroll in an eligible postsecondary educational institution in a promise eligible program.

(b) (1) To continue to receive a Kansas promise scholarship, a student shall:

(1)(A) Maintain satisfactory academic progress toward completion of the courses of the promise eligible program for which the student received a Kansas promise scholarship; and

(2)(B) satisfy the requirements of a Kansas promise scholarship agreement as provided in K.S.A. 2021 Supp. 74-32,276, and amendments thereto.

(2) Any student who entered into a Kansas promise scholarship agreement under the provisions of the Kansas promise scholarship act as such act existed at the time such agreement was entered into shall be entitled to continue to use such Kansas promise scholarship and receive scholarship renewals to fulfill the requirements of such student's Kansas promise scholarship agreement. No subsequent revision or amendment to the Kansas promise scholarship act, the rules and regulations adopted thereunder, the list of approved promise eligible programs or the appropriations made pursuant to such act shall have the effect of terminating a student's Kansas promise scholarship agreement solely due to such amendment or revision.

(c) Nothing in this act shall prohibit a student who received postsecondary course credit while enrolled in high school from qualifying for a Kansas promise scholarship.

Sec. 33. K.S.A. 2021 Supp. 74-32,276 is hereby amended to read as follows: 74-32,276. (a) As a condition to receiving a Kansas promise scholarship, an eligible student shall enter into a Kansas promise scholarship agreement with the state board of regents. The eligible postsecondary educational institution making the scholarship award to such student shall counsel each eligible student on the requirements and conditions of the promise scholarship agreement. Such agreement shall require such any student who receives a Kansas promise scholarship to:

(1) Enroll as a full-time or part-time student at the eligible postsecondary educational institution from which the student is receiving a Kansas promise scholarship and engage in and complete the required promise eligible program within 30 36 months of the date the scholarship was first awarded;

(2) within six months after graduation from the promise eligible program:

(A) Reside in and commence work in the state of Kansas for at least two consecutive years following completion of such program. A scholarship recipient may use a W-2 wage and tax statement showing Kansas withholding or estimated income tax to the state of Kansas as proof of work in Kansas; or

(B) enroll as a full-time or part-time student in any public or private postsecondary educational institution with its primary location in Kansas and upon graduation or failure to re-enroll, reside in and commence work in Kansas for at least two consecutive years following the completion of such program;

(3) maintain records and make reports to the state board of regents on such forms and in such manner as required by the state board of regents to document the satisfaction of the requirements of this act; and

(4) upon failure to satisfy the requirements of a Kansas promise scholarship agreement, repay the amount of the Kansas promise scholarship the student received under the program as provided in subsection (b) to the state board of regents.

(b) (1) Except as provided in subsection (c), if any student who receives a Kansas promise scholarship fails to satisfy the requirements of a Kansas promise scholarship agreement, such student shall pay an amount equal to the total amount of money received by such student pursuant to such agreement that is financed by the state of Kansas plus accrued interest at a rate equivalent to the interest rate applicable to loans made under the federal PLUS program at the time such person first entered into an agreement student's first course funded by a Kansas promise scholarship award began. Interest shall begin accruing on the date the student is determined to be out of compliance with the Kansas promise scholarship agreement. Monthly installment payments of such amounts may be made in accordance with rules and regulations of the state board of regents. Such installment payments shall begin six months after the date of the action or circumstances that cause such student to fail to satisfy the requirements of a Kansas promise scholarship agreement, as determined by the state board of regents upon the circumstances of each individual case. All moneys received pursuant to this subsection shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas promise scholarship program fund.

(2) For any Kansas promise scholarship awarded on or after July 1, 2021, the state board of regents shall be the sole entity responsible for collecting or recouping any Kansas promise scholarship funds required to be repaid by a student who fails to satisfy the requirements of a Kansas promise scholarship agreement pursuant to this section.

(3) The state board of regents is authorized to turn any repayment account arising under this act to a designated loan servicer or collection agency to collect on the state board's behalf, the state not being involved other than to receive payments from the loan servicer or collection agency at the interest rate prescribed under this subsection.

(4) Eligible postsecondary educational institutions and each state agency are authorized to provide academic, employment, residency and contact information regarding students who received a Kansas promise scholarship to the state board of regents for the purposes of:

(A) Determining whether or not a student satisfied the requirements of this act and the Kansas promise scholarship agreement; and

(B) aiding in the collection or recoupment of any funds required to be repaid pursuant to this section.

(5) Eligible postsecondary educational institutions shall:

(A) Provide annually to the state board of regents the last known contact information of each student who received a Kansas promise scholarship until the requirements of the program and scholarship agreement are complete; and

(B) notify the state board of regents when a student who received a Kansas promise scholarship:

(i) Completes the program of study for which the student received the scholarship or has exhausted scholarship benefits; and

(ii) exceeds the 36-month program completion requirement provided in this section. This requirement shall apply to any Kansas promise scholarship awarded on or after July 1, 2021.

(6) For any Kansas promise scholarship awarded on or after July 1, 2021, eligible postsecondary educational institutions shall not be considered a contractor of the state nor shall such institutions be required to participate in tracking, collecting or recouping any funds required to be repaid by a student who fails to satisfy the requirements of a Kansas promise scholarship agreement pursuant to this section.

(c) Any requirement of a Kansas promise scholarship agreement entered into pursuant to this section may be postponed for good cause in accordance with rules and regulations of the state board of regents.

(d) A scholarship recipient satisfies the requirements of the Kansas promise scholarship program if such recipient:

(1) Completes the requirements of the scholarship agreement;

(2) commences service as a military servicemember after receiving a Kansas promise scholarship;

(3) fails to satisfy the requirements after making the best possible effort to do so as determined by the state board of regents;

(4) is unable to obtain employment or continue in employment after making the best possible effort to do so; or

(5) is unable to satisfy the requirements due to disability or death of the scholarship recipient.

Sec. 34. On and after July 1, 2022, K.S.A. 2021 Supp. 75-4364 is hereby amended to read as follows: 75-4364. (a) This section shall be known and may be cited as the Kansas hero's scholarship act.

(b) As used in this section:

(1) "Accident" means an undesigned, sudden and unexpected traumatic event, usually of an afflictive or unfortunate nature and often, but not necessarily, accompanied by a manifestation of force. An "accident" shall be identifiable by the time and place of occurrence, produce at the time symptoms of an injury and occur during a single work shift. The "accident" shall be the prevailing factor in causing the injury.

(2) "Covered person" means a public safety officer or Kansas resident in military service to whom this section applies.

(3) "Dependent" means: (A) A birth child, adopted child or stepchild; or (B) any child other than the foregoing who is actually dependent in whole or in part on the individual and who is related to such individual by marriage or consanguinity.

(4) "Emergency medical service provider" means the same as defined in K.S.A. 65-6112, and amendments thereto.

(5) "Fees" mean those charges required by an institution to be paid by every student as a condition of enrollment. "Fees" do not include all other charges associated with the student's academic program or living costs.

(6) "Firefighter" means a person who is: (A) Employed by any city, county, township or other political subdivision of the state and who is assigned to the fire department thereof and engaged in the fighting and extinguishment of fires and the protection of life and property therefrom; or (B) a volunteer member of a fire district, fire department or fire company.

(7) "Injured or disabled" means that the covered person, because of the injury or disability, has been rendered incapable of performing the duties of the following:

(A) The position being performed at the time the injury or disability was sustained; and

(B) any position that is at or above the pay level of the position the covered person was in at the time the injury or disability was sustained, if the covered person is a paid employee.

(8) "Injury" and "disability" mean any lesion or change in the physical structure of the body causing damage or harm thereto that is not transitory or minor. "Injury" and "disability" shall occur only by accident, intentional act of violence or repetitive trauma.

(9) (A) "Intentional act of violence" means one or a combination of the following:

(i) A deliberate act by a third party that results in inflicting harm on a covered person while such person is performing those duties; or

(ii) a deliberate act by a covered person in the reasonable performance of duties as a covered person that results in the infliction of harm on the covered person.

(B) An "intentional act of violence" shall be identifiable by the time and place of occurrence, produce at the time symptoms of an injury and occur during a single work shift. The "intentional act of violence" shall be the prevailing factor in causing the injury.

(C) "Intentional act of violence" does not include repetitive trauma in any form.

(10) "Kansas educational institution" means and includes community colleges, the municipal university, state educational institutions, the institute of technology at Washburn university and technical colleges.

(11) "Law enforcement officer" means a person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for violation of the laws of the state of Kansas or ordinances of any municipality thereof or with a duty to maintain or assert custody or supervision over persons accused or convicted of crime, and includes wardens, superintendents, directors, security personnel, officers and employees of adult and juvenile correctional institutions, jails or other institutions or facilities for the detention of persons accused or convicted of crime, while acting within the scope of their authority.

(12) "Military service" means any active service in any armed service of the United States and any active state or federal service in the Kansas army or air national guard.

(13) "Nature of the employment" means that, to the occupation, trade or employment in which the covered person was engaged, there is attached a particular and peculiar hazard of the injury or disability that distinguishes the

(continued)

performance of job duties from other occupations and employments and that creates a hazard of such injury or disability in excess of the hazard of the injury or disability in general.

(7)(14) "Prisoner of war" means any person who was a resident of Kansas at the time the person entered service of the United States armed forces and who, while serving in the United States armed forces, has been declared to be a prisoner of war, as established by the United States secretary of defense, after January 1, 1960.

(15) "Public safety employee" means any employee of a law enforcement office, sheriff's department, municipal fire department, volunteer and non-volunteer fire protection association, emergency medical services provider or correctional institution of the department of corrections.

(8)(16) "Public safety officer" means a law enforcement officer, a firefighter, an emergency medical service provider or a public safety employee.

(17)(A) "Repetitive trauma" means the cause of an injury that occurs as a result of repetitive use, cumulative traumas or microtraumas. The repetitive nature of the injury shall be demonstrated by diagnostic or clinical tests. The "repetitive trauma" shall be the prevailing factor in causing the injury.

(B) For purposes of the educational benefit conferred by this section, "repetitive trauma" includes only an injury arising out of the performing of duties and resulting from the nature of the employment in which a covered person was engaged and that was actually contracted while so engaged. The injury shall appear to have had its origin in a special risk of the injury connected with the particular type of employment and to have resulted from that source as a reasonable consequence of the risk. Ordinary injuries of life and conditions to which the general public is or could be exposed outside of the particular employment, and hazards of injuries and conditions attending employment in general, shall not qualify as "repetitive trauma."

(9)(18) "Resident of Kansas" means a person who is a domiciliary resident as defined by K.S.A. 76-729, and amendments thereto.

(10)(19) "Spouse" means the spouse of a deceased public safety officer or deceased member of the military service who has not remarried.

(11)(20) "State board" means the state board of regents.

(12) "Public safety employee" means any employee of a law enforcement office, sheriff's department, municipal fire department, volunteer and non-volunteer fire protection association, emergency medical services provider or correctional institution of the department of corrections:

(b)(c) (1) Every Kansas educational institution shall provide for enrollment without charge of tuition or fees for:

(A) Any eligible dependent or spouse of a public safety officer who:

(i) Was injured or disabled while performing duties as a public safety officer; or

(ii) died as the result of injury sustained while performing duties as a public safety officer;

(B) any dependent or spouse of any resident of Kansas who:

(i) Died or was injured or disabled on or after September 11, 2001, while, and as a result of, serving in military service; or

(ii) is entitled to compensation for a service-connected disability of at least 80% because of a public statute administered by the department of veterans affairs or a military department as a result of injuries or accidents sustained in combat after September 11, 2001; and

(C) any prisoner of war.

(2) Any such dependent or spouse and any prisoner of war shall be eligible for enrollment at a Kansas educational institution without charge of tuition or fees for not to exceed 10 semesters of undergraduate instruction, or the equivalent thereof, at all such institutions.

(e)(d) Subject to appropriations therefor, any Kansas educational institution, at which enrollment, without charge of tuition or fees, of a prisoner of war or a dependent or spouse is provided for under subsection (b), may file a claim with the state board for reimbursement of the amount of such tuition and fees. In any fiscal year, such reimbursement shall not exceed a total of ~~350,000~~ \$500,000. The state board shall include in its budget estimates pursuant to K.S.A. 75-3717, and amendments thereto, a request for appropriations to cover tuition and fee claims pursuant to this section. The state board shall be responsible for payment of reimbursements to Kansas educational institutions upon certification by each such institution of the amount of reimbursement to which entitled. Payments to Kansas educational institutions shall be made upon vouchers approved by the state board and upon warrants of the director of accounts and reports. Payments may be made by issuance of a single warrant to each Kansas educational institution at which one or more eligible dependents or spouses or prisoners of war are enrolled for the total amount of tuition and fees not charged for enrollment at that institution. The director of accounts and reports

shall cause such warrant to be delivered to the Kansas educational institution at which any such eligible dependents or spouses or prisoners of war are enrolled. If an eligible dependent or spouse or prisoner of war discontinues attendance before the end of any semester, after the Kansas educational institution has received payment under this subsection, the institution shall pay to the state the entire amount that such eligible dependent or spouse or prisoner of war would otherwise qualify to have refunded, not to exceed the amount of the payment made by the state in behalf of such dependent or spouse or prisoner of war for the semester. All amounts paid to the state by Kansas educational institutions under this subsection shall be deposited in the state treasury and credited to the state general fund.

(d)(e) The state board shall adopt rules and regulations for administration of the provisions of this section and shall determine the qualification of persons as dependents and spouses of public safety officers or United States military personnel and the eligibility of such persons for the benefits provided for under this section.

Sec. 35. K.S.A. 2021 Supp. 74-32,271, 74-32,272, 74-32,273, 74-32,274, 74-32,275 and 74-32,276 are hereby repealed.

Sec. 36. On and after July 1, 2022, K.S.A. 19-5005, 38-2223, 72-3120, 72-3713, 72-3715, 72-5135, 72-5461 and 72-6316 and K.S.A. 2021 Supp. 72-1163, 72-4352, 72-5132, 72-5178, 72-5462 and 75-4364 are hereby repealed.

Sec. 37. On and after July 1, 2023, K.S.A. 72-13,101, 72-3122, 72-3123, 72-3124 and 72-3125 are hereby repealed.

Sec. 38. This act shall take effect and be in force from and after its publication in the Kansas register.

Doc. No. 050176

State of Kansas

Board of Emergency Medical Services

Notice of Hearing on Proposed Administrative Regulation

A public hearing will be conducted at 10:00 a.m. Tuesday, August 2, 2022, in Room 560 of the Landon State Office Building, 900 SW Jackson, Topeka, Kansas, to consider the adoption of a proposed administrative regulation of the Board of Emergency Medical Services on a permanent basis. The hearing will also be held via GoToMeeting conferencing. Remote access information will be provided upon request to any person wishing to observe, participate in, or listen to the hearing. Request for access must be submitted prior to 4:30 p.m. Friday, July 29, 2022, via email to joseph.house@ks.gov.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendments to the regulation. All interested parties may submit written comments prior to the hearing to the Board of Emergency Medical Services, Landon State Office Building, 900 SW Jackson, Room 1031, Topeka, KS 66612 or by email to joseph.house@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed amendments to the regulation during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentations to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working

days in advance of the hearing by contacting Suzette Smith at 785-296-7296 (or TTY 1-800-766-3777). Handicapped parking is located in front of and to the north of the Landon State Office Building.

Summary of the proposed regulation follows:

K.A.R. 109-17-3, Sponsoring organization; initial course of instruction, is an existing regulation providing the additional requirements for sponsoring organizations that choose to provide EMS initial courses of instruction. The proposed revision is to clearly identify the first-time a student takes the examination as basis for calculation of the pass rate noted in subsection (h).

There is no anticipated economic impact to any governmental agency or unit or to the general public in the adoption of this revised regulation.

Copies of the complete regulation and the complete economic impact statement may be obtained from the Board of Emergency Medical Services at the contact information above or can be accessed at <https://www.ksbems.org>.

Joseph House
Executive Director

Doc. No. 050163

State of Kansas

Board of Healing Arts

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 1:00 p.m. Thursday, July 28, 2022, in the board room at the Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level – Suite A, Topeka, Kansas, to consider proposed amended regulations related to physical therapy licensure and compact fees, renewal and continuing education, and professional liability insurance.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amended regulations. All interested parties may submit comments prior to the hearing to Courtney Cyzman, General Counsel, at the Board of Healing Arts at the address below, or via email to KSBHA_HealingArts@ks.gov. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the proposed amended regulations during the public hearing. In order to provide all parties with an opportunity to present their views, it may be necessary to request each participant limit any oral presentations to five minutes.

Copies of the proposed amended regulations and the Economic Impact Statement for the proposed amended regulations may be obtained from the Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level – Suite A, Topeka, KS 66612, on the agency website at <http://www.ksbha.org/publicinformation/publicinformation.shtml>, by contacting LeeAnn Hunter-Roach at 785-296-4502, or by emailing the agency at KSBHA_HealingArts@ks.gov.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed amended regulations being considered and the economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Sheila Rice at 785-296-8558 or at Sheila.Rice@ks.gov. Individuals with hearing and/or speech disabilities may contact the Kansas Relay Center at 800-766-3777 for communication accommodations. Handicapped parking is located on 8th Street and in the building's parking garage. From the street, both the west entrance to the building on Jackson Street and the north entrance on 8th Street are accessible.

A summary of the proposed amended regulations and the economic impact follows:

K.A.R. 100-29-7 Fees.

K.A.R. 100-29-9 License and certificate renewal; continuing education.

K.A.R. 100-29-15 Professional liability insurance.

The purpose of these proposed amended regulations is to incorporate language to reflect passage and implementation of the Kansas Physical Therapy Licensure Compact, K.S.A. 65-2925. Additionally, there is a revision in K.A.R. 100-29-9 that removes the limitation on the number of contact hours that may be pursued through correspondence, audio, video, or internet courses for continuing education.

The lay opinion of agency staff is that the economic effect on the affected businesses and business sector would be positive as the proposed amended regulations will increase public access to physical therapy services. Additionally, the removal of the 10-hour limitation on the number of contact hours will reflect the reality that licensees are completing more continuing education via non-traditional mediums such as audio, video, and internet. No net implementation and compliance costs are contemplated other than routine agency resources used in the regulation promulgation process and development of the application.

These proposed amended regulations were first discussed in an open Board meeting of which members of the public, business, and stakeholders could attend. The agency has had extensive discussions with members of the Physical Therapy Advisory council, which is made up of 5 members, including 3 members who are licensed physical therapists, a licensed physician, and a member of the Board of Healing Arts. Additionally, the APTA Kansas, a chapter of the American Physical Therapy Association, has been in continual discussion and worked with the agency on the language.

(See economic impact statement.)

Susan Gile
Acting Executive Director

Doc. No. 050175

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended, and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2021 Supplement of the *Kansas Administrative Regulations*. Regulations can also be found at http://www.sos.ks.gov/pubs/pubs_kar.aspx.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-18-1a	Amended	V. 40, p. 1490
1-18-2	Revoked	V. 40, p. 1490

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-7-804	Amended	V. 41, p. 869
4-8-13	Amended	V. 40, p. 320
4-8-14a	Amended	V. 40, p. 320
4-8-27	Amended	V. 40, p. 320
4-8-28	Amended	V. 40, p. 320
4-8-29	Amended	V. 40, p. 320
4-8-30	Amended	V. 40, p. 320
4-8-31	Amended	V. 40, p. 320
4-8-32	Amended	V. 40, p. 320
4-8-33	Amended	V. 40, p. 320
4-8-34	Amended	V. 40, p. 321
4-8-35	Amended	V. 40, p. 321
4-8-36	Amended	V. 40, p. 321
4-8-37	Amended	V. 40, p. 321
4-8-38	Amended	V. 40, p. 321
4-8-39	Amended	V. 40, p. 321
4-8-40	Amended	V. 40, p. 321
4-8-41	Revoked	V. 40, p. 321
4-8-42	Revoked	V. 40, p. 321
4-8-43	Revoked	V. 40, p. 321
4-8-44	New	V. 40, p. 321
4-8-45	New	V. 40, p. 322
4-8-46	New	V. 40, p. 322
4-8-47	New	V. 40, p. 322
4-8-48	New	V. 40, p. 322
4-34-1	Amended	V. 40, p. 191
4-34-24	Amended (T)	V. 40, p. 1322
4-34-24	Amended	V. 40, p. 1663
4-34-25	Amended (T)	V. 40, p. 1323
4-34-25	Amended	V. 40, p. 1664
4-34-29	Amended (T)	V. 40, p. 1324
4-34-29	Amended	V. 40, p. 1665

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-19-1	New	V. 40, p. 1680
5-19-2	New	V. 40, p. 1681
5-19-3	New	V. 40, p. 1681
5-19-4	New	V. 40, p. 1682
5-19-5	New	V. 40, p. 1682

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-30-1	Revoked	V. 41, p. 629
7-32-1	Revoked	V. 41, p. 629
7-32-2	Revoked	V. 41, p. 629

7-35-1	Revoked	V. 41, p. 629
7-35-2	Revoked	V. 40, p. 629
7-48-1	New	V. 40, p. 263

AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH

Reg. No.	Action	Register
9-2-36	New	V. 41, p. 728

AGENCY 10: BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-22-1	Amended	V. 41, p. 152

AGENCY 11: DEPARTMENT OF AGRICULTURE—DIVISION OF CONSERVATION

Reg. No.	Action	Register
11-9-5	Amended	V. 40, p. 427

AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-11-18	Amended	V. 41, p. 919
17-24-2	Amended	V. 41, p. 185

AGENCY 21: HUMAN RIGHTS COMMISSION

Reg. No.	Action	Register
21-40-10	Revoked	V. 40, p. 265
21-41-1	Revoked	V. 40, p. 265
21-41-2	Amended	V. 40, p. 265
21-41-3	Amended	V. 40, p. 265
21-41-4	Revoked	V. 40, p. 265
21-41-6	Amended	V. 40, p. 265
21-41-8	Amended	V. 40, p. 265
21-41-10	Amended	V. 40, p. 265
21-41-11	Revoked	V. 40, p. 265

AGENCY 22: STATE FIRE MARSHAL

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22-26-1	New (T)	V. 40, p. 1034
22-26-1	New	V. 40, p. 1444
22-26-2	New (T)	V. 40, p. 1035
22-26-2	New	V. 40, p. 1445
22-26-3	New (T)	V. 40, p. 1035
22-26-3	New	V. 40, p. 1445
22-26-4	New (T)	V. 40, p. 1036
22-26-5	New (T)	V. 40, p. 1037
22-26-5	New	V. 40, p. 1446
22-26-6	New (T)	V. 40, p. 1037
22-26-6	New	V. 40, p. 1446
22-26-7	New (T)	V. 40, p. 1037
22-26-7	New	V. 40, p. 1446
22-26-8	New (T)	V. 40, p. 1037
22-26-8	New	V. 40, p. 1447
22-26-9	New (T)	V. 40, p. 1038
22-26-9	New	V. 40, p. 1447
22-26-10	New (T)	V. 40, p. 1038
22-26-10	New	V. 40, p. 1447
22-26-11	New (T)	V. 40, p. 1038
22-26-11	New	V. 40, p. 1447
22-26-12	New (T)	V. 40, p. 1039
22-26-12	New	V. 40, p. 1448
22-26-13	New (T)	V. 40, p. 1039
22-26-13	New	V. 40, p. 1448
22-26-14	New (T)	V. 40, p. 1039
22-26-14	New	V. 40, p. 1448
22-26-15	New (T)	V. 40, p. 1040
22-26-16	New (T)	V. 40, p. 1040
22-26-16	New	V. 40, p. 1449

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

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28-1-40	Amended	V. 40, p. 1797
28-1-41	Amended	V. 40, p. 1797
28-1-42	Amended	V. 40, p. 1797
28-1-43	Amended	V. 40, p. 1797
28-1-44	Amended	V. 40, p. 1798
28-16-28b	Amended	V. 41, p. 409
28-16-28e	Amended	V. 41, p. 412
28-16-28f	Amended	V. 41, p. 414
28-16-28g	Amended	V. 41, p. 416
28-16-28h	Amended	V. 41, p. 416
28-18-1	Amended	V. 40, p. 1547
28-18-4	Amended	V. 40, p. 1186
28-18-14	Amended	V. 40, p. 1550
28-18-16	Amended	V. 40, p. 1551
28-18-17	Amended	V. 40, p. 1551
28-18a-4	Amended	V. 40, p. 1187
28-18a-24	Amended	V. 40, p. 1552
28-35-135a	Amended	V. 41, p. 435
28-35-135c	Amended	V. 41, p. 437
28-35-135f	Amended	V. 41, p. 438
28-35-135i	Amended	V. 41, p. 439
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28-35-135o	Amended	V. 41, p. 442
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28-35-135u	Amended	V. 41, p. 444
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28-35-178i	Amended	V. 41, p. 445
28-35-181d	Amended	V. 41, p. 446
28-35-181j	Amended	V. 41, p. 447
28-35-181m	Amended	V. 41, p. 448
28-35-181r	Amended	V. 41, p. 450
28-35-181u	New	V. 41, p. 450
28-35-181v	New	V. 41, p. 451
28-35-192e	Amended	V. 41, p. 451
28-35-192f	Amended	V. 41, p. 451
28-35-192h	Amended	V. 41, p. 451
28-35-195a	Amended	V. 41, p. 452
28-35-196a	Amended	V. 41, p. 452
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28-35-500	Amended	V. 41, p. 455
28-35-500a	New	V. 41, p. 455
28-35-504	Amended	V. 41, p. 455
28-35-504a	New	V. 41, p. 456
28-35-505	Amended	V. 41, p. 457
28-35-700	Amended	V. 41, p. 457
28-51-100	Amended	V. 41, p. 869
28-51-101	Amended	V. 41, p. 872
28-51-102	Revoked	V. 41, p. 873
28-51-103	Amended	V. 41, p. 873
28-51-104	Amended	V. 41, p. 875
28-51-105	Amended	V. 41, p. 876
28-51-106	Amended	V. 41, p. 876
28-51-107	Amended	V. 41, p. 876
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28-51-110	Amended	V. 41, p. 877
28-51-111	Amended	V. 41, p. 877
28-51-112	Amended	V. 41, p. 878
28-51-113	Amended	V. 41, p. 878
28-51-117	New	V. 41, p. 878
28-51-118	New	V. 41, p. 880
28-65-1	Amended	V. 40, p. 318
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28-65-3	Amended	V. 40, p. 318
28-65-4	Amended	V. 40, p. 319

AGENCY 40: INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 40, p. 191

40-1-52 New V. 40, p. 191

AGENCY 60: BOARD OF NURSING

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60-1-102	Amended	V. 40, p. 1707
60-1-104	Amended	V. 40, p. 1708
60-2-101	Amended	V. 40, p. 1709
60-2-102	Amended	V. 40, p. 1710
60-2-103	Amended	V. 40, p. 1711
60-2-104	Amended	V. 40, p. 1712
60-2-105	Amended	V. 40, p. 1713
60-2-106	Amended	V. 40, p. 1713
60-2-107	Amended	V. 40, p. 1713
60-2-108	Amended	V. 40, p. 1714
60-3-101	Amended (T)	V. 41, p. 185
60-3-101	Amended	V. 41, p. 663
60-11-103	Amended (T)	V. 41, p. 186
60-11-103	Amended	V. 41, p. 664

AGENCY 61: BOARD OF BARBERING

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61-4-3	New	V. 40, p. 161

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-7-1	Amended	V. 41, p. 40
66-12-1	Amended	V. 40, p. 670

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-1-4	Amended	V. 40, p. 1522
69-6-2	Amended	V. 40, p. 1522
69-15-31	Amended	V. 40, p. 1522

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-4-30a	Amended (T)	V. 39, p. 1383
82-4-30a	Amended	V. 40, p. 160
82-11-2	Amended	V. 40, p. 1636
82-11-3	Amended	V. 40, p. 1636
82-11-4	Amended	V. 40, p. 1638
82-11-6	Amended	V. 40, p. 1643
82-11-7	Amended	V. 40, p. 1645
82-11-10	Amended	V. 40, p. 1645

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-3-10	Amended	V. 40, p. 497
86-3-18	Amended	V. 40, 497
86-3-21	Revoked	V. 40, p. 498
86-3-22	Amended	V. 40, p. 498

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-29-12	Revoked	V. 41, p. 83
88-29-13	Revoked	V. 41, p. 83
88-29-14	Revoked	V. 41, p. 83
88-29-15	Revoked	V. 41, p. 83
88-29-16	Revoked	V. 41, p. 83
88-29-17	Revoked	V. 41, p. 83
88-29a-1	Revoked	V. 41, p. 83
88-29a-5	Revoked	V. 41, p. 83
88-29a-6	Revoked	V. 41, p. 83
88-29a-7	Revoked	V. 41, p. 83
88-29a-7a	Amended	V. 41, p. 83
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88-29a-8c	Revoked	V. 41, p. 84
88-29a-9	Revoked	V. 41, p. 84
88-29a-10	Revoked	V. 41, p. 84
88-29a-11	Revoked	V. 41, p. 84

88-29a-18	Revoked	V. 41, p. 84
88-29a-19	Revoked	V. 41, p. 84
88-29b-1	Revoked	V. 41, p. 84
88-29b-3	Amended	V. 41, p. 84
88-29b-4	Amended	V. 41, p. 84
88-29b-5	Revoked	V. 41, p. 85
88-29b-6	Revoked	V. 41, p. 85
88-29b-7	Revoked	V. 41, p. 85
88-29b-7a	Amended	V. 41, p. 85
88-29b-8	Revoked	V. 41, p. 85
88-29b-8c	Revoked	V. 41, p. 85
88-29b-9	Revoked	V. 41, p. 85
88-29b-10	Revoked	V. 41, p. 85
88-29c-1	Amended	V. 41, p. 85
88-29c-5	Amended	V. 41, p. 86
88-29c-6	Amended	V. 41, p. 87
88-29c-7	Amended	V. 41, p. 87
88-29c-8	Amended	V. 41, p. 87
88-29c-8c	Amended	V. 41, p. 88
88-29c-9	Amended	V. 41, p. 88
88-29d-1	Amended	V. 41, p. 89
88-29d-5	Amended	V. 41, p. 90
88-29d-6	Amended	V. 41, p. 91
88-29d-7	Amended	V. 41, p. 91
88-29d-8	Amended	V. 41, p. 92
88-29d-8c	Amended	V. 41, p. 92
88-29d-9	Amended	V. 41, p. 92
88-29d-10	Amended	V. 41, p. 93

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-31-31	Amended	V. 40, p. 1399
91-31-32	Amended	V. 40, p. 1401
91-31-33	Amended	V. 40, p. 1401
91-31-34	Amended	V. 40, p. 1401
91-31-35	Amended	V. 40, p. 1402
91-31-36	Amended	V. 40, p. 1402
91-31-37	Amended	V. 40, p. 1403
91-31-38	Amended	V. 40, p. 1403
91-31-39	Revoked	V. 40, p. 1403
91-31-40	Amended	V. 40, p. 1403
91-31-41	Amended	V. 40, p. 1404
91-31-42	Amended	V. 40, p. 1404
91-31-43	New	V. 40, p. 1404

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-19-47	Revoked	V. 40, p. 290
92-19-67	Revoked	V. 40, p. 290
92-51-34a	Amended	V. 40, p. 1225

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-6-2	Amended	V. 40, p. 571
100-6-2a	New	V. 40, p. 290
100-6-7	New (T)	V. 40, p. 1321
100-6-7	New	V. 40, p. 1490
100-8-3	New	V. 40, p. 572
100-15-4	Amended	V. 40, p. 572
100-15-5	Amended	V. 40, p. 573
100-28a-5	Amended	V. 40, p. 1096
100-28a-16	Amended	V. 40, p. 1097

AGENCY 108: STATE EMPLOYEE HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 40, p. 1714
108-1-3	Amended	V. 40, p. 1716
108-1-4	Amended	V. 40, p. 1718

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
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109-1-1	Amended	V. 40, p. 1721
109-2-1	Amended	V. 40, p. 1723
109-3-1	Revoked	V. 40, p. 1723
109-3-3	Amended	V. 40, p. 1522
109-3-5	Amended	V. 40, p. 1524
109-5-1	Amended	V. 40, p. 1723
109-5-3	Amended	V. 40, p. 1724
109-5-6	Amended	V. 40, p. 1724
109-6-2	Amended	V. 40, p. 1724
109-6-4	New	V. 40, p. 1724
109-7-1	Amended	V. 40, p. 1725
109-10-3	Revoked	V. 40, p. 1725
109-10-6	Revoked	V. 40, p. 1725
109-10-7	Revoked	V. 40, p. 1725
109-11-1a	Amended	V. 40, p. 1725
109-11-3a	Amended	V. 40, p. 1726
109-11-4a	Amended	V. 40, p. 1726
109-11-6a	Amended	V. 40, p. 1726
109-11-7	Amended	V. 40, p. 1727
109-11-8	Amended	V. 40, p. 1727
109-11-9	Revoked	V. 40, p. 1727
109-15-1	Amended	V. 40, p. 1727
109-15-2	Amended	V. 40, p. 1728
109-15-3	New	V. 40, p. 1728
109-17-1	New	V. 40, p. 1729
109-17-2	New	V. 40, p. 1730
109-17-3	New	V. 40, p. 1730
109-17-4	New	V. 40, p. 1731

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 *Kansas Register*. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 *Kansas Register*. A list of regulations filed from 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 *Kansas Register*.

Reg. No.	Action	Register
111-4-3681	Amended	V. 41, p. 225
111-4-3695	New	V. 41, p. 225
111-4-3696	New	V. 41, p. 227
111-4-3697	New	V. 41, p. 228
111-4-3698	New	V. 41, p. 229
111-4-3690	New	V. 41, p. 230
111-4-3700	New	V. 41, p. 231
111-4-3701	New	V. 41, p. 233
111-4-3702	New	V. 41, p. 234
111-4-3703	New	V. 41, p. 362
111-4-3704	New	V. 41, p. 363
111-4-3705	New	V. 41, p. 364

111-4-3706	New	V. 41, p. 365
111-4-3707	New	V. 41, p. 366
111-4-3708	Amended	V. 41, p. 919
111-4-3709	Amended	V. 41, p. 921
111-4-3710	New	V. 41, p. 924
111-4-3711	New	V. 41, p. 925
111-4-3712	New	V. 41, p. 926
111-4-3713	New	V. 41, p. 927
111-4-3714	New	V. 41, p. 928
111-5-248	New	V. 41, p. 502
111-9-229	New	V. 41, p. 502
111-9-230	New	V. 41, p. 503
111-19-2a	Amended	V. 41, p. 503
111-19-121	New	V. 41, p. 368
111-19-122	New	V. 41, p. 368
111-19-123	New	V. 41, p. 504

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-1-1	Amended	V. 40, p. 498
115-3-1	Amended	V. 40, p. 1131
115-3-2	Amended	V. 40, p. 721
115-4-4	Amended	V. 40, p. 1132
115-4-4a	Amended	V. 40, p. 1683
115-4-6	Amended	V. 40, p. 500
115-8-1	Amended	V. 40, p. 1133
115-9-6	Amended	V. 40, p. 721
115-17-2	Amended	V. 40, p. 1683
115-18-13	Revoked	V. 40, p. 721
115-30-3	Amended	V. 40, p. 1684

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-8-3	Amended	V. 40, p. 920

AGENCY 132: 911 COORDINATING COUNCIL

Reg. No.	Action	Register
132-1-1	Revoked	V. 40, p. 1422
132-1-2	New	V. 40, p. 1422
132-2-1	Amended	V. 40, p. 1422
132-3-1	Amended	V. 40, p. 1422
132-4-1	Amended	V. 40, p. 1422
132-4-2	New	V. 40, p. 1423
132-4-3	New	V. 40, p. 1423
132-5-1	New	V. 40, p. 1423
132-6-1	New	V. 40, p. 1423

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