

SENATE BILL No. 185

By Senator Holscher

2-7

1 AN ACT concerning education; relating to school districts; authorizing a
2 teacher and a student to serve as non-voting members of boards of
3 education; amending K.S.A. 72-1072, 72-1091 and 72-1137 and K.S.A.
4 2022 Supp. 72-1073 and 72-1133 and repealing the existing sections.
5

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

7 New Section 1. (a) Each school district board of education may
8 authorize a teacher representative and a student representative to serve as
9 non-voting members of such board.

10 (b) The teacher representative shall be a licensed teacher employed
11 by the school district and elected by a vote of the teachers employed by
12 such school district in a manner determined by the board of education of
13 such school district. The teacher representative shall serve a term of two
14 years and may be reelected for one additional term. If a vacancy occurs in
15 the teacher representative position, an interim teacher representative may
16 be appointed by the board of education until the next teacher
17 representative election is held. The teacher representative shall not
18 participate as a board member in any teacher contract negotiations.

19 (c) The student representative shall be a student enrolled in and
20 attending high school in the school district and selected in a manner
21 determined by the board of education of such school district. The student
22 representative shall serve a one-year term. If a vacancy occurs in the
23 student representative position, an interim student representative may be
24 appointed by the board of education.

25 Sec. 2. K.S.A. 72-1072 is hereby amended to read as follows: 72-
26 1072. The governing body of a unified school district is and shall be a
27 board of education composed of seven-~~(7)~~ *voting* members, except as is
28 specifically otherwise provided in K.S.A. 72-1210, *and amendments*
29 *thereto, and may include two non-voting representative members as*
30 *provided in section 1, and amendments thereto.* The *voting* members may
31 be elected by any combination of method of election and voting plan
32 authorized by law; and shall serve for a term of four-~~(4)~~ years.

33 Sec. 3. K.S.A. 2022 Supp. 72-1073 is hereby amended to read as
34 follows: 72-1073. The provisions of law relating to the term of office of
35 *voting* members of boards of education, including method and time of
36 qualification and of taking office, shall apply to every school district in

1 this state. In the event no candidate is elected to a position on the board of
2 education of a school district in a regular election, or if an elected member
3 moves out of the school district after such member is elected and before
4 such member takes office the second Monday in January following the
5 election, or if such member becomes ineligible to serve for any other
6 reason during that period of time, the holdover member shall continue to
7 sit as a voting member of the board of education of such school district
8 until an eligible successor is appointed by the board of education to fill the
9 position.

10 Sec. 4. K.S.A. 72-1091 is hereby amended to read as follows: 72-
11 1091. (a) The board of education of any unified school district established
12 under the provisions of this act shall have seven-~~(7)~~ *voting* members as
13 herein provided. Subject to K.S.A. 72-1093, *and amendments thereto*, two
14 members of the board of education shall be nominated and elected by the
15 electors in all of the territory of the unified school district, and one
16 member of the board of education shall be nominated and elected by the
17 electors in each of the five member districts of the unified school district.
18 The members of the board of education shall each have a position number
19 such that the board member from each member district shall have the same
20 number that ~~his~~ *such* member district bears. Subject to ~~said~~ K.S.A. 72-
21 1093, *and amendments thereto*, each member district shall be given one of
22 the numbers one, two, three, four or five and board member positions of
23 members elected in the entire unified school district shall be given position
24 ~~number numbers~~ six-~~(6)~~ and seven-~~(7)~~.

25 (b) Candidates for *voting* member of the board of education shall be
26 qualified electors and reside in the member district bearing the same
27 number as the member position for which the candidate files, except that
28 candidates for position numbers six-~~(6)~~ and seven-~~(7)~~, or the position-at-
29 large only if ~~said~~ K.S.A. 72-1093, *and amendments thereto*, becomes
30 operative, shall reside at any place in the unified school district. Upon the
31 death or resignation of a board member, or upon the removal of ~~his~~ *such*
32 *member's* residence from a member district, a vacancy shall occur in the
33 board member position of such board member.

34 (c) *Two non-voting representative members may be authorized as*
35 *provided in section 1, and amendments thereto.*

36 Sec. 5. K.S.A. 2022 Supp. 72-1133 is hereby amended to read as
37 follows: 72-1133. (a) At the first meeting of the board of education on or
38 after the second Monday in January of each year, or at a later meeting
39 during that calendar year if so determined by the board at the first meeting,
40 the board shall elect a president and vice-president, both of whom shall be
41 members of the board. The president and vice-president shall each serve
42 for a term of one year and until a successor is elected and qualified.

43 (b) The president shall preside at meetings of the board and perform

1 such other duties as are provided by law.

2 (c) In the absence or inability to act of the president, the vice-
3 president shall perform the duties of the president. In the absence or
4 inability to act of both the president and vice-president, the remaining
5 *voting* members shall select a member to act in the capacity of president.

6 Sec. 6. K.S.A. 72-1137 is hereby amended to read as follows: 72-
7 1137. (a) In addition to the officers provided for in this act, the board of
8 education of any school district may appoint other officers and employees
9 to serve at the pleasure of the board. Such officers and employees shall
10 receive compensation fixed by the board. *Except as provided in subsection*
11 *(b)*, no member of a board of education shall receive compensation from
12 the school district for any work or duties performed by ~~him~~ *such member*.

13 (b) *Any teacher representative serving as a member of a board of*
14 *education pursuant to section 1, and amendments thereto, may receive*
15 *compensation from the school district in such teacher representative's*
16 *capacity as a teacher but shall not receive any compensation for any work*
17 *or duties performed as a representative member of such board. The*
18 *teacher representative shall not participate as a board member in any*
19 *teacher contract negotiations.*

20 Sec. 7. K.S.A. 72-1072, 72-1091, 72-1137 and K.S.A. 2022 Supp. 72-
21 1073 and 72-1133 are hereby repealed.

22 Sec. 8. This act shall take effect and be in force from and after its
23 publication in the statute book.