

Senate Concurrent Resolution No. 1609

By Senator Pyle

12-21

1 A PROPOSITION to amend article 6 of the constitution of the state of
2 Kansas by creating a new section limiting the authority to close a
3 school district or attendance center within a school district to locally
4 elected boards of education.
5

6 *Be it resolved by the Legislature of the State of Kansas, two-thirds of*
7 *the members elected (or appointed) and qualified to the Senate and two-*
8 *thirds of the members elected (or appointed) and qualified to the House*
9 *of Representatives concurring therein:*

10 Section 1. The following proposition to amend the constitution of
11 the state of Kansas shall be submitted to the qualified electors of the state
12 for their approval or rejection: Article 6 of the constitution of the state of
13 Kansas is hereby amended by adding a new section to read as follows:

14 **"§ 11. Closure of school districts or attendance centers.**

15 (a) The locally elected board of a school district shall be the
16 only government entity that may close a school district or
17 attendance center within such school district, except as provided
18 by law.

19 (b) The executive branch, judicial branch, state board of
20 education or any constitutional officer of the executive
21 department shall have no authority to effectuate the closure of a
22 school district or attendance center within such school district
23 by limiting, transferring, redirecting or stopping the expenditure
24 of funds appropriated by law, except as provided by law."

25 Sec. 2. The following statement shall be printed on the ballot with
26 the amendment as a whole:

27 *"Explanatory statement.* The purpose of this amendment is to
28 clarify that except as provided by law, the locally elected
29 board of a school district shall be the only government entity
30 that may close schools and the executive branch, judicial
31 branch, state board of education or any constitutional officer
32 of the executive department shall have no authority to
33 effectuate the closure of a school by limiting, transferring,
34 redirecting or stopping the expenditure of funds appropriated
35 by law.

36 "A vote for this proposition would clarify that except as

1 provided by law, the locally elected board of a school district
2 shall be the only government entity that may close schools.
3 "A vote against this proposition would provide no change to the
4 Kansas constitution."

5 Sec. 3. This resolution, if approved by two-thirds of the members
6 elected (or appointed) and qualified to the Senate, and two-thirds of the
7 members elected (or appointed) and qualified to the House of
8 Representatives shall be entered on the journals, together with the yeas
9 and nays. The secretary of state shall cause this resolution to be published
10 as provided by law and shall cause the proposed amendment to be
11 submitted to the electors of the state at a special election on April 17,
12 2018, or the next practicable Tuesday following April 17, 2018.