Session of 2025

SENATE BILL No. 142

By Senator Holscher

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AN ACT concerning education; relating to school districts; authorizing each board of education to include a teacher representative as a nonvoting member of such board; amending K.S.A. 25-2003, 72-1072 and 72-1091 and K.S.A. 2024 Supp. 72-1073, 72-1133 and 72-1137 and repealing the existing sections.

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

New Section 1. (a) Each school district board of education may authorize a teacher representative to serve as a nonvoting member of such board.

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

Sec. 2. K.S.A. 25-2003 is hereby amended to read as follows: 25-2003. (a) "Board" means the board of education of any unified school district.

(b) "Board member" and "member" mean a *voting* member of a board of education of any unified school district.

(c) "Holdover member" means a *voting* member, or an appointed successor to such member, whose term extends for any period before and two years after the July 1 following a change in method of election under this act.

(d) "Member position" means one of the seven positions of members of the board of education when a district method is used, each member position, except the at-large member position, is numbered.

Sec. 3. K.S.A. 72-1072 is hereby amended to read as follows: 72-1072. The governing body of a unified school district is and shall be a board of education composed of seven ~~(7)~~ *voting* members, except as is specifically otherwise provided in K.S.A. 72-1210*, and amendments thereto, and may include one nonvoting representative member as*

provided in section 1, and amendments thereto. The *voting* members may be elected by any combination of method of election and voting plan authorized by law~~,~~ and shall serve for a term of four ~~(4)~~ years.

Sec. 4. K.S.A. 2024 Supp. 72-1073 is hereby amended to read as follows: 72-1073. The provisions of law relating to the term of office of *voting* members of boards of education, including method and time of qualification and of taking office*,* shall apply to every school district in this state. In the event no candidate is elected to a position on the board of education of a school district in a regular election, or if an elected member moves out of the school district after such member is elected and before such member takes office the second Monday in January following the election, or if such member becomes ineligible to serve for any other reason during that period of time, the holdover member shall continue to sit as a voting member of the board of education of such school district until an eligible successor is appointed by the board of education to fill the position.

Sec. 5. K.S.A. 72-1091 is hereby amended to read as follows: 72-1091. *(a)* The board of education of any unified school district established under the provisions of this act shall have seven ~~(7)~~ *voting* members as ~~herein~~ provided *in this section*. Subject to K.S.A. 72-1093*, and amendments thereto*, two members of the board of education shall be nominated and elected by the electors in all of the territory of the unified school district, and one member of the board of education shall be nominated and elected by the electors in each of the five member districts of the unified school district. The members of the board of education shall each have a position number such that the board member from each member district shall have the same number that ~~his~~ *such* member district bears. Subject to ~~said~~ K.S.A. 72-1093*, and amendments thereto*, each member district shall be given one of the numbers one, two, three, four or five and board member positions of members elected in the entire unified school district shall be given position ~~number~~ *numbers* six ~~(6)~~ and seven ~~(7)~~.

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

(c) One nonvoting representative member may be authorized as provided in section 1, and amendments thereto.

Sec. 6. K.S.A. 2024 Supp. 72-1133 is hereby amended to read as follows: 72-1133. (a) At the first meeting of the board of education on or after the second Monday in January of each year, or at a later meeting during that calendar year if so determined by the board at the first meeting, the board shall elect a president and ~~vice-president~~ *vice president*, both of whom shall be members of the board. The president and ~~vice-president~~ *vice president* shall each serve for a term of one year and until a successor is elected and qualified.

(b) The president shall preside at meetings of the board and perform such other duties as are provided by law.

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

Sec. 7. K.S.A. 2024 Supp. 72-1137 is hereby amended to read as follows: 72-1137. *(a)* In addition to the officers provided for in this act, the board of education of any school district may appoint other officers and employees to serve at the pleasure of the board. Such officers and employees shall receive compensation fixed by the board. Members of a board of education of a school district may receive compensation from the school district for the work and duties performed by such board members.

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

Sec. 8. K.S.A. 25-2003, 72-1072 and 72-1091 and K.S.A. 2024 Supp. 72-1073, 72-1133 and 72-1137 are hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its publication in the statute book.