

3
4 **SENATE BILL No. 257**

5
6 By Senator Vratil

7
8 2-6

9
10 AN ACT concerning unified school districts; authorizing boards of edu-
11 cation to delegate the power to execute certain contracts to the su-
12 perintendent of schools; **conferring the power of local control on**
13 **boards of education**; amending K.S.A. 72-8201 **and 72-8205** and
14 repealing the existing ~~section~~ **sections**.

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

17 Section 1. K.S.A. 72-8201 is hereby amended to read as follows: 72-
18 8201. ~~At the time the state superintendent issues his order organizing any~~
19 ~~unified district, he shall, as a part of such order, include a provision dis-~~
20 ~~organizing all of the school districts the main school building of which is~~
21 ~~in such unified district. The disorganizing parts of such order shall take~~
22 ~~effect on July 1, 1966, except as otherwise specifically provided in this~~
23 ~~act. The disorganizing parts of any organization order for a city or preu-~~
24 ~~nified district established prior to July 1, 1965, shall be July 1, 1965. Every~~
25 ~~organization order issued by the state superintendent pursuant to this act~~
26 ~~shall include a number assigned by him to each unified district organized~~
27 ~~by such order. Every organization order shall designate the home county~~
28 ~~of the unified district being organized. Each unified school district shall~~
29 ~~be designated by the name and style of "unified school district No.~~
30 ~~_____ (the number designated by the state superintendent board of~~
31 ~~education), _____ county (naming the home county of the unified~~
32 ~~school district), state of Kansas," and by such name may sue and be sued,~~
33 ~~execute contracts and hold such real and personal property as it may~~
34 ~~require acquire. Every unified school district shall possess the usual pow-~~
35 ~~ers of a corporation for public purposes. The board of education of every~~
36 ~~unified school district may delegate to the superintendent of schools the~~
37 ~~power to execute contracts on behalf of the district for the purchase of~~
38 ~~goods and services if the value of such goods or services is less than~~
39 ~~\$10,000.~~

40 **Sec. 2. K.S.A. 72-8205 is hereby amended to read as follows:**
41 **72-8205. (a) The board of education shall meet at least once each**
42 **month. At some time during the month of July of each year, the**
43 **board shall adopt a resolution specifying a regular meeting time of**

1 *the board and such resolution shall specify the regular hour of com-*
2 *mencement of the meeting, as well as the day of the week and the*
3 *week of the month. Such resolution shall also provide that if the*
4 *regular meeting date occurs on a Sunday or on a legal holiday or*
5 *on a holiday specified by the board, such regular meeting shall be*
6 *held on the day following commencing at the same hour. Such res-*
7 *olution shall also specify the regular meeting place of the board and*
8 *may specify that any regular meeting may be adjourned to another*
9 *time and place. Special meetings may be called at any time by the*
10 *president of the board or by joint action of any three members*
11 *thereof. Written notice, stating the time and place of any special*
12 *meeting and the purpose for which called, shall, unless waived, be*
13 *given each member of the board at least two days in advance of the*
14 *special meeting and no business other than that stated in the notice*
15 *shall be transacted at such meeting. A majority of the full member-*
16 *ship of the board shall constitute a quorum for the purpose of con-*
17 *ducting any business of the school district, and the vote of a major-*
18 *ity of the full membership of the board shall be required for the*
19 *passage of any motion or resolution. Any member who abstains from*
20 *voting shall be counted as having voted against the motion or res-*
21 *olution. If a member announces a conflict of interest with regard to*
22 *the issue, the member may leave the meeting until the voting on the*
23 *issue is concluded and the member who abstains from voting*
24 *thereby shall not be counted as having voted.*

25 *(b) Except as otherwise provided in the unification acts, the*
26 *board of education shall have and may exercise the same powers and*
27 *authorities as were immediately prior to this act conferred uni-*
28 *formly upon boards of education in cities of the first class; and, in*
29 *addition thereto, the powers and authority expressly conferred by*
30 *law.*

31 *(c) The board of education shall have authority to prescribe*
32 *courses of study for each year of the school program and provide*
33 *rules and regulations for teaching in the school district and general*
34 *government thereof, and to approve and adopt suitable textbooks*
35 *and study material for use therein subject to the plans, methods,*
36 *rules and regulations formulated and recommended by the state*
37 *board of education.*

38 *(d) The board of education may provide legal counsel at district*
39 *expense to any members of the board of education, or school district*
40 *officers or employees who are sued in situations relating to and*
41 *arising out of the performance of their office or employment. No*
42 *teacher or other employment contract shall make reference to or*
43 *incorporate the provisions of this subsection, nor shall the provi-*

1 **sions of this subsection be construed as any part of the considera-**
2 **tion of employment of any teacher, officer or other employee of the**
3 **board.**

4 (e) (1) *The board of education may transact all school district busi-*
5 *ness and adopt policies that the board deems appropriate to perform its*
6 *constitutional duty to maintain, develop and operate local public schools.*

7 (2) *The power and authority conferred on school districts by this sub-*
8 *section shall not be construed to relieve any other unit of government of*
9 *its duties and responsibilities which are prescribed by law, nor to create*
10 *any responsibility on the part of a school district to assume the duties or*
11 *responsibilities which are required of another unit of government.*

12 (3) *School districts shall exercise the powers of local control conferred*
13 *by this subsection by resolution of the board of education.*

14 Sec. ~~2~~ **3.** K.S.A. 72-8201 ~~is~~ **and 72-8205 are** hereby repealed.

15 Sec. ~~3~~ **4.** This act shall take effect and be in force from and after its
16 publication in the statute book.

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