

## HOUSE BILL No. 2976

By Committee on Education

2-15

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AN ACT dissolving existing unified school districts; establishing county school districts; terminating certain administrator contracts; relating to continuing teacher contracts and assigning responsibility therefor; providing for continued payment of bonded indebtedness; amending K.S.A. 72-8202b and repealing the existing section.

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

New Section 1. Except as provided further, all of the unified school districts existing on July 1, 2004, shall be and are hereby dissolved on such date. The provisions of this act shall not apply to unified school districts in Johnson county, Sedgwick county and Wyandotte county.

New Sec. 2. (a) On July 1, 2004, the following county school districts shall be and are hereby established with territory, boundaries and designations as hereafter prescribed:

- County school district No. 1 coterminus with Allen county.
- County school district No. 2 coterminus with Anderson county.
- County school district No. 3 coterminus with Atchison county.
- County school district No. 4 coterminus with Barber county.
- County school district No. 5 coterminus with Barton county.
- County school district No. 6 coterminus with Bourbon county.
- County school district No. 7 coterminus with Brown county.
- County school district No. 8 coterminus with Butler county.
- County school district No. 9 coterminus with Chase county.
- County school district No. 10 coterminus with Chautauqua county.
- County school district No. 11 coterminus with Cherokee county.
- County school district No. 12 coterminus with Cheyenne county.
- County school district No. 13 coterminus with Clark county.
- County school district No. 14 coterminus with Clay county.
- County school district No. 15 coterminus with Cloud county.
- County school district No. 16 coterminus with Coffey county.
- County school district No. 17 coterminus with Comanche county.
- County school district No. 18 coterminus with Cowley county.
- County school district No. 19 coterminus with Crawford county.
- County school district No. 20 coterminus with Decatur county.
- County school district No. 21 coterminus with Dickinson county.

- 1 County school district No. 22 coterminus with Doniphan county.
- 2 County school district No. 23 coterminus with Douglas county.
- 3 County school district No. 24 coterminus with Edwards county.
- 4 County school district No. 25 coterminus with Elk county.
- 5 County school district No. 26 coterminus with Ellis county.
- 6 County school district No. 27 coterminus with Ellsworth county.
- 7 County school district No. 28 coterminus with Finney county.
- 8 County school district No. 29 coterminus with Ford county.
- 9 County school district No. 30 coterminus with Franklin county.
- 10 County school district No. 31 coterminus with Geary county.
- 11 County school district No. 32 coterminus with Gove county.
- 12 County school district No. 33 coterminus with Graham county.
- 13 County school district No. 34 coterminus with Grant county.
- 14 County school district No. 35 coterminus with Gray county.
- 15 County school district No. 36 coterminus with Greeley county.
- 16 County school district No. 37 coterminus with Leavenworth county.
- 17 County school district No. 38 coterminus with Lincoln county.
- 18 County school district No. 39 coterminus with Linn county.
- 19 County school district No. 40 coterminus with Logan county.
- 20 County school district No. 41 coterminus with Lyon county.
- 21 County school district No. 42 coterminus with Marion county.
- 22 County school district No. 43 coterminus with Marshall county.
- 23 County school district No. 44 coterminus with McPherson county.
- 24 County school district No. 45 coterminus with Meade county.
- 25 County school district No. 46 coterminus with Miami county.
- 26 County school district No. 47 coterminus with Mitchell county.
- 27 County school district No. 48 coterminus with Montgomery county.
- 28 County school district No. 49 coterminus with Morris county.
- 29 County school district No. 50 coterminus with Morton county.
- 30 County school district No. 51 coterminus with Nemaha county.
- 31 County school district No. 52 coterminus with Neosho county.
- 32 County school district No. 53 coterminus with Ness county.
- 33 County school district No. 54 coterminus with Norton county.
- 34 County school district No. 55 coterminus with Greenwood county.
- 35 County school district No. 56 coterminus with Hamilton county.
- 36 County school district No. 57 coterminus with Harper county.
- 37 County school district No. 58 coterminus with Harvey county.
- 38 County school district No. 59 coterminus with Haskell county.
- 39 County school district No. 60 coterminus with Hodgeman county.
- 40 County school district No. 61 coterminus with Jackson county.
- 41 County school district No. 62 coterminus with Jefferson county.
- 42 County school district No. 63 coterminus with Jewell county.
- 43 County school district No. 64 coterminus with Kearny county.

- 1 County school district No. 65 coterminus with Kingman county.
- 2 County school district No. 66 coterminus with Kiowa county.
- 3 County school district No. 67 coterminus with Labette county.
- 4 County school district No. 68 coterminus with Lane county.
- 5 County school district No. 69 coterminus with Osage county.
- 6 County school district No. 70 coterminus with Osborne county.
- 7 County school district No. 71 coterminus with Ottawa county.
- 8 County school district No. 72 coterminus with Pawnee county.
- 9 County school district No. 73 coterminus with Phillips county.
- 10 County school district No. 74 coterminus with Pottawatomie county.
- 11 County school district No. 75 coterminus with Pratt county.
- 12 County school district No. 76 coterminus with Rawlins county.
- 13 County school district No. 77 coterminus with Reno county.
- 14 County school district No. 78 coterminus with Republic county.
- 15 County school district No. 79 coterminus with Rice county.
- 16 County school district No. 80 coterminus with Riley county.
- 17 County school district No. 81 coterminus with Rooks county.
- 18 County school district No. 82 coterminus with Rush county.
- 19 County school district No. 83 coterminus with Russell county.
- 20 County school district No. 84 coterminus with Saline county.
- 21 County school district No. 85 coterminus with Scott county.
- 22 County school district No. 86 coterminus with Seward county.
- 23 County school district No. 87 coterminus with Shawnee county.
- 24 County school district No. 88 coterminus with Sheridan county.
- 25 County school district No. 89 coterminus with Sherman county.
- 26 County school district No. 90 coterminus with Smith county.
- 27 County school district No. 91 coterminus with Stafford county.
- 28 County school district No. 92 coterminus with Stanton county.
- 29 County school district No. 93 coterminus with Stevens county.
- 30 County school district No. 94 coterminus with Sumner county.
- 31 County school district No. 95 coterminus with Thomas county.
- 32 County school district No. 96 coterminus with Trego county.
- 33 County school district No. 97 coterminus with Wabaunsee county.
- 34 County school district No. 98 coterminus with Wallace county.
- 35 County school district No. 99 coterminus with Washington county.
- 36 County school district No. 100 coterminus with Wichita county.
- 37 County school district No. 101 coterminus with Wilson county.
- 38 County school district No. 102 coterminus with Woodson county.

39 (b) On and after July 1, 2004, whenever the terms “unified school  
40 district” or “school district” are used, referred to, or designated by or in  
41 any statute, contract or other document, such usage, reference or design-  
42 nation shall be deemed to apply to the county school districts established  
43 by this act.

1 (c) On and after July 1, 2004, the provisions of all statutes of general  
2 application to unified school districts shall apply to county school districts  
3 to the extent that such statutory provisions do not conflict with the pro-  
4 visions of this act.

5 New Sec. 3. (a) Each county school district shall have a board of  
6 education consisting of seven members elected as provided in section 4,  
7 and amendments thereto. Each county school district shall have a super-  
8 intendent appointed by the board of education of the school district as  
9 provided in K.S.A. 72-8202b and amendments thereto. The superinten-  
10 dent of a county school district shall receive compensation as contracted  
11 for by the board of education of the county school district.

12 (b) On and after July 1, 2004, whenever the board of education of a  
13 unified school district is referred to or designated by or in any statute,  
14 contract or other document, such reference or designation shall be  
15 deemed to apply to the board of education of a county school district.

16 (c) On and after July 1, 2004, the provisions of all statutes of general  
17 application to boards of education of unified school districts shall apply  
18 to boards of education of county school districts to the extent that such  
19 statutory provisions do not conflict with the provisions of this act.

20 New Sec. 4. (a) At school elections in 2004, seven members shall be  
21 elected to each board of education. Such members' positions shall be  
22 numbered from No. 1 to No. 7, inclusive. Members elected to positions  
23 No. 1, No. 2, No. 3 and No. 4 shall be elected for four-year terms com-  
24 mencing on July 1, 2004. Members elected to positions No. 5, No. 6, and  
25 No. 7 shall be elected for two-year terms commencing July 1, 2004. All  
26 members shall be elected for four-year terms following the initial elec-  
27 tions. All board of education members shall be elected from the county  
28 school district at large by the qualified electors residing in the county.  
29 When a vacancy occurs on the board of education, other than at the  
30 expiration of a term, it shall be filled by the remaining board members  
31 voting at a regularly scheduled meeting.

32 (b) Election laws applicable to unified school districts shall apply to  
33 county school districts to the extent that such laws are not in conflict with  
34 this act.

35 New Sec. 5. Immediately following their election in 2004, boards of  
36 education of county school districts shall meet as often as necessary and  
37 convenient. The acts of such boards of education shall be valid and bind-  
38 ing for school years commencing after June 30, 2004, and shall take pre-  
39 cedence over any acts contrary therewith taken by boards of education of  
40 unified school districts. Except as otherwise provided by this act, acts of  
41 boards of education of county school districts shall not have binding effect  
42 for the administration and government of schools until July 1, 2004.

43 New Sec. 6. (a) County school districts shall be liable for the contin-

1 uation of teacher contracts in accordance with law.

2 (b) Liability under subsection (a) is hereby transferred from a unified  
3 school district to a county school district when all of the territory of the  
4 unified school district is entirely within the county of such county school  
5 district.

6 (c) When the territory of a unified school district is divided by one  
7 or more county lines, liability under subsection (a) is hereby transferred  
8 to the county school districts receiving territory of the unified school  
9 district according to the location of the school building in which the  
10 teacher taught in the 2003-04 school year.

11 (d) When a dispute arises as to the application of this section, the  
12 state board of education shall determine the dispute.

13 (e) There shall be no liability transferred to any county school district  
14 from a unified school district for employment of any persons other than  
15 teachers.

16 Sec. 7. K.S.A. 72-8202b is hereby amended to read as follows: 72-  
17 8202b. (a) The board of education of each school district shall appoint a  
18 superintendent of schools for a term of not more than three ~~(3)~~ years.  
19 The board may appoint one or more assistant superintendents of schools,  
20 supervisors and principals for terms of not more than three ~~(3)~~ years. *The*  
21 *board of education of a unified school district shall appoint no person to*  
22 *be superintendent of schools, assistant superintendent, supervisor or prin-*  
23 *cipal for a term that expires after June 30, 2004. The board of education*  
24 *of a county school district may appoint a superintendent of schools, as-*  
25 *stant superintendents, supervisors and principals for terms commencing*  
26 *on or after July 1, 2004.* The board may give any assistant superintendent  
27 of schools the title of “assistant superintendent of schools,” “deputy su-  
28 perintendent of schools” or “associate superintendent of schools.” No  
29 person employed under the authority of this section shall be a member  
30 of the board. The superintendent, any assistant superintendents, super-  
31 visors and principals shall receive compensation fixed by the board.

32 (b) In the event that a vacancy occurs in the office of superintendent  
33 of schools, the board shall promptly fill such vacancy. Such a vacancy may  
34 either be filled by appointment of an acting superintendent of schools,  
35 or may be filled by appointment of a superintendent of schools as spec-  
36 ified in subsection (a).

37 (c) The superintendent of schools shall have charge and control of  
38 the public schools of the school district, subject to the orders, rules and  
39 regulations of the board of education.

40 New Sec. 8. When bonds of a unified school district have been au-  
41 thorized and issued before April 1, 2004, the obligation thereof shall be  
42 paid by tax levies on the territory of such unified school district as such  
43 boundaries existed on April 1, 2004. Other territory of county school

1 districts shall not be liable for payment of such outstanding bonded  
2 indebtedness.

3 New Sec. 9. Property, moneys and other assets of unified school dis-  
4 tricts dissolved by this act shall be disposed of as follows:

5 (a) When all of the territory of a unified school district lies within a  
6 single county, the county school district shall succeed to such property,  
7 moneys and assets.

8 (b) (1) When the territory of a unified school district lies in more  
9 than one county, the land, buildings and facilities located in a county shall  
10 become property of the county school district in which the land, building  
11 or facility is located.

12 (2) Moneys and assets other than land, buildings and facilities, in-  
13 cluding any fund or amounts obtained from a capital outlay fund, shall  
14 be divided in the proportion that the assessed tangible valuation of the  
15 unified school district was divided.

16 (c) When a dispute arises as to any disposition under this section, the  
17 dispute shall be determined by the state board of education upon request  
18 of any board of education of a county school district.

19 New Sec. 10. On July 1, 2004, each county school district shall be-  
20 come liable for and pay all lawful debts of unified school districts the land,  
21 property, moneys and other assets of which it becomes successor to in  
22 the same proportion as is provided in section 8, and amendments thereto.  
23 Debts for purchases or improvement of land or buildings shall be a lia-  
24 bility of the county school district in which located.

25 Sec. 11. K.S.A. 72-8202b is hereby repealed.

26 Sec. 12. This act shall take effect and be in force from and after its  
27 publication in the statute book.

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