

Substitute for HOUSE BILL No. 2760

By Committee on Local Government

3-26

AN ACT concerning political subdivisions of the state; relating to the powers and duties of the governing body thereof; amending K.S.A. 72-8205 and repealing the existing section.

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

Section 1. K.S.A. 72-8205 is hereby amended to read as follows: 72-8205. (a) The board of education shall meet at least once each month. At some time during the month of July of each year, the board shall adopt a resolution specifying a regular meeting time of the board and such resolution shall specify the regular hour of commencement of the meeting, as well as the day of the week and the week of the month. Such resolution shall also provide that if the regular meeting date occurs on a Sunday or on a legal holiday or on a holiday specified by the board, such regular meeting shall be held on the day following commencing at the same hour. Such resolution shall also specify the regular meeting place of the board and may specify that any regular meeting may be adjourned to another time and place. Special meetings may be called at any time by the president of the board or by joint action of any three members thereof. Written notice, stating the time and place of any special meeting and the purpose for which called, shall, unless waived, be given each member of the board at least two days in advance of the special meeting and no business other than that stated in the notice shall be transacted at such meeting. A majority of the full membership of the board shall constitute a quorum for the purpose of conducting any business of the school district, and the vote of a majority of the full membership of the board shall be required for the passage of any motion or resolution. Any member who abstains from voting shall be counted as having voted against the motion or resolution. If a member announces a conflict of interest with regard to the issue, the member may leave the meeting until the voting on the issue is concluded and the member who abstains from voting thereby shall not be counted as having voted.

(b) Except as otherwise provided in the unification acts, the board of education shall have and may exercise the same powers and authorities as were immediately prior to this act conferred uniformly upon boards of education in cities of the first class; and, in addition thereto, the powers

1 and authority expressly conferred by law.

2 (c) The board of *education* shall have authority to prescribe courses
3 of study for each year of the school program and provide rules and reg-
4 ulations for teaching in the school district and general government
5 thereof, and to approve and adopt suitable textbooks and study material
6 for use therein subject to the plans, methods, rules and regulations for-
7 mulated and recommended by the state board of education.

8 (d) The board of *education* may provide legal counsel at district ex-
9 pense to any members of the board of education, or school district officers
10 or employees who are sued in situations relating to and arising out of the
11 performance of their office or employment. No teacher or other employ-
12 ment contract shall make reference to or incorporate the provisions of
13 this subsection, nor shall the provisions of this subsection be construed
14 as any part of the consideration of employment of any teacher, officer or
15 other employee of the board.

16 (e) (1) *The board of education shall have the power to transact busi-*
17 *ness for the efficient and effective use of district resources in a manner*
18 *and upon such terms and conditions as the board deems to be in the best*
19 *interest of the school district.*

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

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

27 (4) *The powers and authorities granted pursuant to this subsection*
28 *shall be construed liberally.*

29 New Sec. 2. Property which is owned by a political subdivision or
30 property which a political subdivision is required to manage or maintain
31 shall not be placed on the state register of historic places without the
32 written approval of the governing body of the political subdivision owning,
33 managing or maintaining such property.

34 Sec. 3. K.S.A. 72-8205 is hereby repealed.

35 Sec. 4. This act shall take effect and be in force from and after its
36 publication in the statute book.

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