

SESSION OF 2002

**SUPPLEMENTAL NOTE ON
SUBSTITUTE FOR SENATE BILL NO. 488**

As Recommended by Senate Committee on
Education

Brief*

Sub. for SB 488 applies to all school district boards of education except Shawnee Mission (USD 512) and authorizes them to close school buildings whenever the board finds that doing so will improve the district's school system. This action is taken by adoption of a resolution. The resolution must include the reasons for closing the school building, the name of the affected building, and the buildings to which the involved pupils will be reassigned. Prior to adopting the resolution to close a school building, the board must hold a hearing. Notice of the hearing must be published at least once each week for two consecutive weeks in a newspaper of general circulation in the school district. The last publication must be at least ten days, but not more than 20 days, prior to the date of the hearing. At the hearing, the board presents its school closing proposal and takes testimony concerning it. Subsequently, the board determines if the school building should be closed for the improvement of the school system.

The bill becomes effective upon publication in the *Kansas Register*.

Background

Under the current law, the general authority granted in the bill is available to all school districts with enrollments of 1,600 or more, except for Shawnee Mission (USD 512). The law applicable to school districts with enrollments of less than 1,600 contains a procedure under which a school board desiring to close a school building develops a closing plan for the facility and conducts a public hearing on it.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.accesskansas.org/legislature/>

Subsequent to the hearing the school board makes a final decision regarding closing of the facility. That decision is subject to a 5.0 percent protest petition election. If, at such an election, the electors of the school district vote against closing the facility, it may not be closed. The statutes that apply to the Shawnee Mission school district also contain a 5.0 percent protest petition election provision, but in that district the election essentially is limited to electors of the school board member district in which the facility is located. (Note: SB 394, which has passed the Senate and currently is assigned to the House Committee on Education, proposes repeal of the special statutes applicable to Shawnee Mission (USD 512).)

Conferees presenting testimony on SB 488 included the Kansas Association of School Boards, Kansas National Education Association, and Schools for Quality Education, all of whom supported the measure.

The fiscal note states that SB 488 would have no fiscal effect on the State Department of Education.