

SESSION OF 2003

## SUPPLEMENTAL NOTE ON SENATE BILL NO. 57

As Amended by Senate Committee on  
Education

### **Brief\***

SB 57 would give school district boards of education the authority to transact business and adopt policies that they deem appropriate to perform their constitutional duty to maintain, develop, and operate local public schools. This delegation of power is not intended to relieve another governmental unit of duties and responsibilities prescribed by law or require school districts to assume duties and responsibilities required of other governmental units. The authority would not allow school boards to take actions that are contrary to other state law.

### **Background**

SB 57 was requested by the Kansas Association of School Boards (KASB), whose representative told the Senate Education Committee that the policy contained in SB 57 is the Association's highest priority. In the bill's original version, it was supported by the KASB, Schools for Quality Education, USD 233 (Olathe), and the Lenexa Chamber of Commerce.

The bill, as introduced, was opposed by Kansas National Education Association (K-NEA) because of the concern that boards of education would construe the expanded authority so broadly that they might take action affecting personnel matters, such as unilaterally adopting a policy of signing bonuses without talking to teachers or unilaterally instituting a merit pay plan for educators without negotiating with teachers.

---

\*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.kslegislature.org/klrd>

At the direction of the Senate Education Committee, representatives of KASB and K-NEA worked out language that was mutually agreeable to make it clear that expanded authority of school boards would not allow them to circumvent existing state law that applies to, for example, teacher due process and continuing contracts. This agreed-to language was amended into the bill by the Senate Committee.

Passage of SB 57 would have no fiscal impact on the state.