

{As Amended by House Committee of the Whole}

Session of 2020

House Substitute for SENATE BILL No. 142

By Committee on K-12 Education Budget

3-16

1 AN ACT concerning education; relating to the duration of the school term;
2 authorizing the grant of a waiver from school term requirements;
3 amending K.S.A. 72-3117 and repealing the existing section.

4 **{WHEREAS, It is the intent of the legislature that any school**
5 **district applying for a waiver under K.S.A. 72-3117, and amendments**
6 **thereto, shall continue to pay all current hourly employees, including,**
7 **but not limited to, paras, maintenance and custodial employees.**

8 **Now, therefore:}**

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

10 Section 1. K.S.A. 72-3117 is hereby amended to read as follows: 72-
11 3117. (a) The state board of education may waive the requirements of law
12 relating to the duration of the school term in any school year upon
13 application for such waiver by a school district. The waiver may be
14 granted by the state board of education upon: (1) Certification by a board
15 of education that, due to disaster, conditions resulting from widespread or
16 severe property damage caused by the disaster *or other conditions*
17 *restricting the operation of public schools* will exist in the school district
18 for an inordinate period of time; and (2) a determination by the state board
19 that the school district cannot reasonably adjust its schedule to comply
20 with such requirements of law. The period of time school is not maintained
21 during any school year due to conditions resulting from disaster, upon
22 granting of the waiver by the state board of education, shall be considered
23 a part of the school term.

24 (b) As used in this section, the term "disaster" means the *declaration*
25 *of a state of disaster emergency by the governor pursuant to K.S.A. 48-*
26 *924, and amendments thereto, closure of schools by order issued by a*
27 *county or joint board of health, a local health officer pursuant to K.S.A.*
28 *65-119, and amendments thereto, or the secretary of health and*
29 *environment pursuant to K.S.A. 65-126, and amendments thereto, or*
30 *occurrence of widespread or severe damage, injury or loss of life or*
31 *property resulting from any natural or manmade cause, including, but not*
32 *limited to, fire, flood, earthquake, tornado, wind, storm, epidemics, air*
33 *contamination, blight, drought, infestation; or explosion.*

34 Sec. 2. K.S.A. 72-3117 is hereby repealed.

35 Sec. 3. This act shall take effect and be in force from and after its
36 publication in the Kansas register.