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**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
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**MEMORANDUM**

To:           Committee on K-12 Education Budget  
From:        Office of Revisor of Statutes  
Date:         March 17, 2021  
Subject:      House Bill 2411

House Bill 2411 would amend the professional negotiations act found in K.S.A. 72-2218 through 72-2240. The professional negotiations act provides the legal framework for conducting contractual negotiations between boards of education and professional employees' organizations. Public school teachers and other professional employees are covered under the act.

The professional negotiations act grants professional employees the right to collectively negotiate with boards of education through representatives of their choosing. When a professional employees' organization representative is designated by the majority of professional employees of a negotiating unit, the act provides that such representative shall be the exclusive representative of all the professional employees in the unit for the purpose of negotiations. The act also provides methods and procedures relating to determining majority support, determining the negotiating unit, agreement ratification, topics of negotiation, arbitration of disputes, impasse, mediation, and prohibited practices.

HB 2411 would amend the professional negotiations act to grant boards of education the right to designate and choose the professional employees organization with which the board would be required to conduct negotiations with under the act. The board's choice would then determine which professional employees' organization would be the exclusive bargaining organization for the claimed unit.

Under HB 2411, any professional employees organization would be authorized to file a request for recognition with the board of education alleging professional employee support. Such request would be required to include a demonstration of support through verified membership lists. If a board of education receives a competing request for recognition from another professional employees' organization, the board would be required to recognize one of such

professional employees' organizations as the exclusive representative of the negotiating unit for the purpose of conducting negotiations. Under this bill, the board would be required to negotiate with a professional employees' organization upon any one or more organizations filing a request for recognition.

The bill repeals a set of statutes (K.S.A. 72-2222 through 72-2225) that relate to procedures for employee recognition of the negotiating unit and determinations of majority support.

After negotiations have completed, section 4 of HB 2411 amending K.S.A. 72-2226 would still require the agreement to be ratified by the board of education and by a majority of the members who would be subject to the negotiated contract.