

## HOUSE BILL No. 2059

By Committee on Education

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AN ACT concerning school districts; relating to teachers' contracts; amending K.S.A. 72-5412 and repealing the existing section.

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

Section 1. K.S.A. 72-5412 is hereby amended to read as follows: 72-5412. *(a) Except as provided by subsections (b) and (c), all contracts shall be binding on both the teacher and board of education of the school district until the teacher has been legally discharged from such teacher's teaching position or until released by the board of education from such contract. Until such teacher has been discharged or released, such teacher shall not have authority to enter into a contract with the board of education of any school district for any period of time covered in the original contract. If upon written complaint, signed by  $\frac{2}{3}$  of the members of the board of education of the school district, any teacher who is reported to have entered into a contract with another school or board of education without having been released from such former contract, or for other reasons fails to fulfill the provisions of such contract, such teacher, upon being found guilty of such charge at a hearing held before the state board of education, shall have such teacher's certificate suspended for the remainder of the term for which such contract was made. The hearing before the state board shall be conducted in accordance with the provisions of the Kansas administrative procedure act. ~~Notwithstanding the foregoing provisions of this section,~~*

*(b) Any contract of employment made by the board of education of any school district prior to the public hearing on the budget of such school district shall be voidable in case adequate funds are not available in such budget for the compensation provided for in such contracts.*

*(c) In any year in which the board of education of any school district adopts a budget for the ensuing school year and subsequent to the adoption of such budget, the amount of general state aid which the district is entitled to receive for that school year is reduced by an act of the legislature or the governor, any contract of employment made by the board of education of any school district prior to such reduction in funding shall be voidable if adequate funds are not available in such budget for the compensation provided for in such contracts. The determination of which*

1 *contract or contracts of employment to be voided shall reside solely with*  
2 *the board of education and such action shall not be subject to the provi-*  
3 *sions of K.S.A. 72-5411, 72-5413 et seq., 72-5436 et seq. and 72-5452, and*  
4 *amendments thereto.*

5 Sec. 2. K.S.A. 72-5412 is hereby repealed.

6 Sec. 3. This act shall take effect and be in force from and after its  
7 publication in the statute book.

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