

## HOUSE BILL No. 2403

By Committee on Education

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9 AN ACT concerning school districts; authorizing adoption of career  
10 teacher salary plans; amending K.S.A. 72-5410, 72-5436 and 72-9002  
11 and K.S.A. 2004 Supp. 72-5413, 72-6407 and 72-6409 and repealing  
12 the existing sections.  
13

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

15 New Section 1. As used in this act:

16 (a) "Career teacher salary plan" means a salary plan which is adopted  
17 by a board for career teachers employed by the school district, is supple-  
18 mental to the district's regular salary plan and under which the board  
19 provides for the payment of agreed upon amounts of supplemental com-  
20 pensation to teachers who have agreed to become career teachers and to  
21 participate in the plan.

22 (b) "Career teacher" means any teacher who is employed by a school  
23 district who meets the following: (1) Has at least five years teaching ex-  
24 perience for a Kansas school district; (2) the teacher has agreed to teach  
25 in a school that has over 50% of its students on free or reduced meals  
26 under the national school lunch act; and (3) has agreed with the board of  
27 the district to participate in a career teacher salary plan.

28 (c) "Teacher" means classroom teachers including, in addition to reg-  
29 ular kindergarten through grade 12 classroom teachers, special education  
30 teachers, practical arts/vocational education teachers, prekindergarten  
31 teachers and reading specialists.

32 New Sec. 2. (a) The board of every school district may develop, adopt  
33 and maintain a career teacher salary plan and may apply for assignment  
34 of career teacher weighting under the school district finance and quality  
35 performance act for the purpose of financing a portion of the salary plan.  
36 No more than 25% of the teachers at any qualifying school shall be eligible  
37 for participation in such plan. In order to be eligible for assignment of  
38 career teacher weighting, a board shall submit to the commissioner of  
39 education an application for career teacher weighting and a description  
40 of the career teacher salary plan of the school district. The application  
41 and description shall be prepared in such form and manner as the com-  
42 missioner of education shall require and shall be submitted at a time to  
43 be determined and specified by the commissioner. Approval by the com-

1 commissioner of the salary plan and the application is prerequisite to assign-  
2 ment of career teacher weighting to enrollment of the district.

3 (b) Participation by teachers in a career teacher salary plan is vol-  
4 untary and must be agreed to by the board and any teacher who partic-  
5 ipates in the plan. No board or administrator shall impose any sanction  
6 on any teacher because the teacher declines to participate in a career  
7 teacher salary plan. The board may enter into a contract of employment  
8 with a career teacher for a term of not more than three years.

9 (c) Written notice of a board's intention to not renew the contract of  
10 employment of a career teacher shall be given to the teacher on or before  
11 May 1 of the year in which the term of the teacher's contract expires. A  
12 career teacher shall give written notice to a board on or before May 15  
13 of the teacher's rejection of renewal of a contract of employment as a  
14 career teacher. Terms of a contract may be changed at any time by mutual  
15 consent of both a career teacher and a board.

16 (d) Whenever a career teacher is given written notice of a board's  
17 intention to not renew the contract of the teacher as a career teacher, the  
18 teacher may request a meeting with the board by filing a written request  
19 therefor with the clerk of the board within 10 days from the date of receipt  
20 of the written statement of nonrenewal of a contract. The board shall hold  
21 such meeting within 10 days after the filing of the career teacher's re-  
22 quest. The meeting provided for under this section shall be held in ex-  
23 ecutive session and, at such meeting, the board shall specify the reason  
24 or reasons for the board's intention to not renew the career teacher's  
25 contract. The career teacher shall be afforded an opportunity to respond  
26 to the board. Neither party shall have the right to have counsel present.  
27 Within 10 days after the meeting, the board shall reconsider its reason or  
28 reasons for nonrenewal and shall make a final decision as to the matter.

29 (e) Participation by a teacher in a career teacher salary plan shall  
30 operate as a waiver of rights which may have vested in the teacher under  
31 the provisions of K.S.A. 72-5438 through 72-5443, and amendments  
32 thereto.

33 New Sec. 3. The commissioner of education shall:

34 (a) Establish guidelines and criteria for the components of a career  
35 teacher salary plan;

36 (b) establish standards and criteria for reviewing, evaluating and ap-  
37 proving career teacher salary plans and applications of school districts for  
38 assignment of career teacher weighting;

39 (c) provide any board, upon its request, with technical advice and  
40 assistance regarding the development and maintenance of a career  
41 teacher salary plan; and

42 (d) be responsible for approving career teacher salary plans and ap-  
43 plications of school districts for assignment of career teaching weighting

1 to enrollment.

2 New Sec. 4. The career teacher weighting of each district which is  
3 maintaining an approved career teacher salary plan shall be determined  
4 by the state board by multiplying the number of teachers participating in  
5 the plan by .6. The product is the career teacher weighting of the district.  
6 School districts shall use funds attributable to this weighting solely for  
7 the purpose of paying career teacher salaries.

8 New Sec. 5. There is hereby established in every school district that  
9 has adopted and is maintaining an approved career teacher salary plan a  
10 fund which shall be called the career teacher salary fund which fund shall  
11 consist of all moneys deposited therein or transferred thereto according  
12 to law. Notwithstanding any other provision of law, all moneys received  
13 by the school district from whatever source for maintenance of a career  
14 teacher salary plan shall be deposited in the career teacher salary fund  
15 established by this section. The expenses of a school district directly at-  
16 tributable to maintenance of a career teacher salary plan adopted by the  
17 board in accordance with the provisions of this act shall be paid from the  
18 career teacher salary fund.

19 Sec. 6. K.S.A. 72-5410 is hereby amended to read as follows: 72-  
20 5410. As used in this act: (a) "Teacher" shall mean and include teachers,  
21 supervisors, principals, superintendents and any other professional em-  
22 ployees who are required to hold a teacher's or school administrator's  
23 certificate in any public school, *except that the term teacher shall not mean*  
24 *any career teacher who is participating in the career teacher salary plan*  
25 *of a board of education.*

26 (b) "Governing body" and "board of education" shall mean the board  
27 of education of any public school district.

28 Sec. 7. K.S.A. 2004 Supp. 72-5413 is hereby amended to read as  
29 follows: 72-5413. As used in this act and in acts amendatory thereof or  
30 supplemental thereto:

31 (a) The term "persons" includes one or more individuals, organiza-  
32 tions, associations, corporations, boards, committees, commissions, agen-  
33 cies, or their representatives.

34 (b) "Board of education" means the board of education of any school  
35 district, the board of control of any area vocational-technical school, and  
36 the board of trustees of any community college.

37 (c) "Professional employee" means any person employed by a board  
38 of education in a position which requires a certificate issued by the state  
39 board of education or employed by a board of education in a professional,  
40 educational or instructional capacity, but shall not mean any such person  
41 who is an administrative employee *or any such person who is a career*  
42 *teacher participating in the career teacher salary plan of a board of*  
43 *education.*

- 1 (d) “Administrative employee” means, in the case of a school district,  
2 any person who is employed by a board of education in an administrative  
3 capacity and who is fulfilling duties for which an administrator’s certificate  
4 is required under K.S.A. 72-7513, and amendments thereto; and, in the  
5 case of an area vocational-technical school or community college, any  
6 person who is employed by the board of control or the board of trustees  
7 in an administrative capacity and who is acting in that capacity and who  
8 has authority, in the interest of the board of control or the board of  
9 trustees, to hire, transfer, suspend, layoff, recall, promote, discharge, as-  
10 sign, reward or discipline other employees, or responsibly to direct them  
11 or to adjust their grievances, or effectively to recommend a preponder-  
12 ance of such actions, if in connection with the foregoing, the exercise of  
13 such authority is not of a merely routine or clerical nature, but requires  
14 the use of independent judgment.
- 15 (e) “Professional employees’ organizations” means any one or more  
16 organizations, agencies, committees, councils or groups of any kind in  
17 which professional employees participate, and which exist for the pur-  
18 pose, in whole or part, of engaging in professional negotiation with boards  
19 of education with respect to the terms and conditions of professional  
20 service.
- 21 (f) “Representative” means any professional employees’ organization  
22 or any person it authorizes or designates to act in its behalf or any person  
23 a board of education authorizes or designates to act in its behalf.
- 24 (g) “Professional negotiation” means meeting, conferring, consulting  
25 and discussing in a good faith effort by both parties to reach agreement  
26 with respect to the terms and conditions of professional service.
- 27 (h) “Mediation” means the effort through interpretation and advice  
28 by an impartial third party to assist in reconciling a dispute concerning  
29 terms and conditions of professional service which arose in the course of  
30 professional negotiation between a board of education or its representa-  
31 tives and representatives of the recognized professional employees’  
32 organization.
- 33 (i) “Fact-finding” means the investigation by an individual or board  
34 of a dispute concerning terms and conditions of professional service which  
35 arose in the course of professional negotiation, and the submission of a  
36 report by such individual or board to the parties to such dispute which  
37 includes a determination of the issues involved, findings of fact regarding  
38 such issues, and the recommendation of the fact-finding individual or  
39 board for resolution of the dispute.
- 40 (j) “Strike” means an action taken for the purpose of coercing a  
41 change in the terms and conditions of professional service or the rights,  
42 privileges or obligations thereof, through any failure by concerted action  
43 with others to report for duty including, but not limited to, any work

1 stoppage, slowdown, or refusal to work.

2 (k) “Lockout” means action taken by a board of education to provoke  
3 interruptions of or prevent the continuity of work normally and usually  
4 performed by the professional employees for the purpose of coercing  
5 professional employees into relinquishing rights guaranteed by this act  
6 and the act of which this section is amendatory.

7 (l) (1) “Terms and conditions of professional service” means (A) sal-  
8 aries and wages, including pay for duties under supplemental contracts;  
9 hours and amounts of work; vacation allowance, holiday, sick, extended,  
10 sabbatical, and other leave, and number of holidays; retirement; insurance  
11 benefits; wearing apparel; pay for overtime; jury duty; grievance proce-  
12 dure; including binding arbitration of grievances; disciplinary procedure;  
13 resignations; termination and nonrenewal of contracts; reemployment of  
14 professional employees; terms and form of the individual professional  
15 employee contract; probationary period; professional employee appraisal  
16 procedures; each of the foregoing being a term and condition of profes-  
17 sional service, regardless of its impact on the employee or on the opera-  
18 tion of the educational system; (B) matters which relate to privileges to  
19 be granted the recognized professional employees’ organization includ-  
20 ing, but not limited to, voluntary payroll deductions; use of school or  
21 college facilities for meetings; dissemination of information regarding the  
22 professional negotiation process and related matters to members of the  
23 bargaining unit on school or college premises through direct contact with  
24 members of the bargaining unit, the use of bulletin boards on or about  
25 the facility, and the use of the school or college mail system to the extent  
26 permitted by law; reasonable leaves of absence for members of the bar-  
27 gaining unit for organizational purposes such as engaging in professional  
28 negotiation and partaking of instructional programs properly related to  
29 the representation of the bargaining unit; any of the foregoing privileges  
30 which are granted the recognized professional employees’ organization  
31 through the professional negotiation process shall not be granted to any  
32 other professional employees’ organization; and (C) such other matters  
33 as the parties mutually agree upon as properly related to professional  
34 service including, but not limited to, employment incentive or retention  
35 bonuses authorized under K.S.A. 72-8246 and amendments thereto.

36 (2) Nothing in this act, and amendments thereto, shall authorize the  
37 diminution of any right, duty or obligation of either the professional em-  
38 ployee or the board of education which have been fixed by statute or by  
39 the constitution of this state. Except as otherwise expressly provided in  
40 this subsection (l), the fact that any matter may be the subject of a statute  
41 or the constitution of this state does not preclude negotiation thereon so  
42 long as the negotiation proposal would not prevent the fulfillment of the  
43 statutory or constitutional objective.

1 (3) Matters which relate to the duration of the school term, and spe-  
2 cifically to consideration and determination by a board of education of  
3 the question of the development and adoption of a policy to provide for  
4 a school term consisting of school hours, are not included within the  
5 meaning of terms and conditions of professional service and are not sub-  
6 ject to professional negotiation.

7 (m) "Secretary" means the secretary of labor or a designee thereof.

8 (n) "Statutory declaration of impasse date" means June 1 in the cur-  
9 rent school year.

10 (o) "Supplemental contracts" means contracts for employment duties  
11 other than those services covered in the principal or primary contract of  
12 employment of the professional employee and shall include, but not be  
13 limited to, such services as coaching, supervising, directing and assisting  
14 extracurricular activities, chaperoning, ticket-taking, lunchroom supervi-  
15 sion, and other similar and related activities.

16 Sec. 8. K.S.A. 72-5436 is hereby amended to read as follows: 72-  
17 5436. As used in this act: (a) "Teacher" means any professional employee  
18 who is required to hold a certificate to teach in any school district, and  
19 any teacher or instructor in any area vocational-technical school or com-  
20 munity college. The term "teacher" does not include within its meaning  
21 any supervisors, principals or superintendents or any persons employed  
22 under the authority of K.S.A. 72-8202b, and amendments thereto, or any  
23 persons employed in an administrative capacity by any area vocational-  
24 technical school or community college, *or any career teachers partici-*  
25 *parting in the career teacher salary plan of the board of a school district.*

26 (b) "Board" means the board of education of any school district, the  
27 board of control of any area vocational-technical school and the board of  
28 trustees of any community college.

29 Sec. 9. K.S.A. 2004 Supp. 72-6407 is hereby amended to read as  
30 follows: 72-6407. (a) (1) "Pupil" means any person who is regularly en-  
31 rolled in a district and attending kindergarten or any of the grades one  
32 through 12 maintained by the district or who is regularly enrolled in a  
33 district and attending kindergarten or any of the grades one through 12  
34 in another district in accordance with an agreement entered into under  
35 authority of K.S.A. 72-8233, and amendments thereto, or who is regularly  
36 enrolled in a district and attending special education services provided  
37 for preschool-aged exceptional children by the district.

38 (2) Except as otherwise provided in paragraph (3) of this subsection,  
39 a pupil in attendance full time shall be counted as one pupil. A pupil in  
40 attendance part time shall be counted as that proportion of one pupil (to  
41 the nearest  $\frac{1}{10}$ ) that the pupil's attendance bears to full-time attendance.  
42 A pupil attending kindergarten shall be counted as  $\frac{1}{2}$  pupil. A pupil en-  
43 rolled in and attending an institution of postsecondary education which

1 is authorized under the laws of this state to award academic degrees shall  
2 be counted as one pupil if the pupil's postsecondary education enrollment  
3 and attendance together with the pupil's attendance in either of the  
4 grades 11 or 12 is at least  $\frac{5}{6}$  time, otherwise the pupil shall be counted  
5 as that proportion of one pupil (to the nearest  $\frac{1}{10}$ ) that the total time of  
6 the pupil's postsecondary education attendance and attendance in grade  
7 11 or 12, as applicable, bears to full-time attendance. A pupil enrolled in  
8 and attending an area vocational school, area vocational-technical school  
9 or approved vocational education program shall be counted as one pupil  
10 if the pupil's vocational education enrollment and attendance together  
11 with the pupil's attendance in any of grades nine through 12 is at least  $\frac{5}{6}$   
12 time, otherwise the pupil shall be counted as that proportion of one pupil  
13 (to the nearest  $\frac{1}{10}$ ) that the total time of the pupil's vocational education  
14 attendance and attendance in any of grades nine through 12 bears to full-  
15 time attendance. A pupil enrolled in a district and attending special ed-  
16 ucation and related services, except special education and related services  
17 for preschool-aged exceptional children, provided for by the district shall  
18 be counted as one pupil. A pupil enrolled in a district and attending  
19 special education and related services for preschool-aged exceptional chil-  
20 dren provided for by the district shall be counted as  $\frac{1}{2}$  pupil. A preschool-  
21 aged at-risk pupil enrolled in a district and receiving services under an  
22 approved at-risk pupil assistance plan maintained by the district shall be  
23 counted as  $\frac{1}{2}$  pupil. A pupil in the custody of the secretary of social and  
24 rehabilitation services and enrolled in unified school district No. 259,  
25 Sedgwick county, Kansas, but housed, maintained, and receiving educa-  
26 tional services at the Judge James V. Riddel Boys Ranch, shall be counted  
27 as two pupils.

28 (3) A pupil residing at the Flint Hills job corps center shall not be  
29 counted. A pupil confined in and receiving educational services provided  
30 for by a district at a juvenile detention facility shall not be counted. A  
31 pupil enrolled in a district but housed, maintained, and receiving edu-  
32 cational services at a state institution shall not be counted. A pupil en-  
33 rolled in a virtual school in a district but who is not a resident of the state  
34 of Kansas shall not be counted.

35 (b) "Preschool-aged exceptional children" means exceptional chil-  
36 dren, except gifted children, who have attained the age of three years but  
37 are under the age of eligibility for attendance at kindergarten.

38 (c) "At-risk pupils" means pupils who are eligible for free meals un-  
39 der the national school lunch act and who are enrolled in a district which  
40 maintains an approved at-risk pupil assistance plan.

41 (d) "Preschool-aged at-risk pupil" means an at-risk pupil who has  
42 attained the age of four years, is under the age of eligibility for attendance  
43 at kindergarten, and has been selected by the state board in accordance

1 with guidelines consonant with guidelines governing the selection of pu-  
2 pils for participation in head start programs. The state board shall select  
3 not more than 5,500 preschool-aged at-risk pupils to be counted in any  
4 school year.

5 (e) "Enrollment" means: (1) For districts scheduling the school days  
6 or school hours of the school term on a trimestral or quarterly basis, the  
7 number of pupils regularly enrolled in the district on September 20 plus  
8 the number of pupils regularly enrolled in the district on February 20  
9 less the number of pupils regularly enrolled on February 20 who were  
10 counted in the enrollment of the district on September 20; and for dis-  
11 tricts not specified in this clause (1), the number of pupils regularly en-  
12 rolled in the district on September 20; (2) if enrollment in a district in  
13 any school year has decreased from enrollment in the preceding school  
14 year, enrollment of the district in the current school year means which-  
15 ever is the greater of (A) enrollment in the preceding school year minus  
16 enrollment in such school year of preschool-aged at-risk pupils, if any  
17 such pupils were enrolled, plus enrollment in the current school year of  
18 preschool-aged at-risk pupils, if any such pupils are enrolled, or (B) the  
19 sum of enrollment in the current school year of preschool-aged at-risk  
20 pupils, if any such pupils are enrolled and the average (mean) of the sum  
21 of (i) enrollment of the district in the current school year minus enroll-  
22 ment in such school year of preschool-aged at-risk pupils, if any such  
23 pupils are enrolled and (ii) enrollment in the preceding school year minus  
24 enrollment in such school year of preschool-aged at-risk pupils, if any  
25 such pupils were enrolled and (iii) enrollment in the school year next  
26 preceding the preceding school year minus enrollment in such school year  
27 of preschool-aged at-risk pupils, if any such pupils were enrolled; or (3)  
28 the number of pupils as determined under K.S.A. 72-6447, and amend-  
29 ments thereto.

30 (f) "Adjusted enrollment" means enrollment adjusted by adding at-  
31 risk pupil weighting, program weighting, low enrollment weighting, if any,  
32 correlation weighting, if any, school facilities weighting, if any, ancillary  
33 school facilities weighting, if any, special education and related services  
34 weighting, and transportation weighting to enrollment.

35 (g) "At-risk pupil weighting" means an addend component assigned  
36 to enrollment of districts on the basis of enrollment of at-risk pupils.

37 (h) "Program weighting" means an addend component assigned to  
38 enrollment of districts on the basis of pupil attendance in educational  
39 programs which differ in cost from regular educational programs.

40 (i) "Low enrollment weighting" means an addend component as-  
41 signed to enrollment of districts having under 1,725 enrollment on the  
42 basis of costs attributable to maintenance of educational programs by such  
43 districts in comparison with costs attributable to maintenance of educa-

- 1 tional programs by districts having 1,725 or over enrollment.
- 2 (j) “School facilities weighting” means an addend component  
3 assigned to enrollment of districts on the basis of costs attributable to com-  
4 mencing operation of new school facilities. School facilities weighting may  
5 be assigned to enrollment of a district only if the district has adopted a  
6 local option budget and budgeted therein the total amount authorized for  
7 the school year. School facilities weighting may be assigned to enrollment  
8 of the district only in the school year in which operation of a new school  
9 facility is commenced and in the next succeeding school year.
- 10 (k) “Transportation weighting” means an addend component as-  
11 signed to enrollment of districts on the basis of costs attributable to the  
12 provision or furnishing of transportation.
- 13 (l) “Correlation weighting” means an addend component assigned to  
14 enrollment of districts having 1,725 or over enrollment on the basis of  
15 costs attributable to maintenance of educational programs by such dis-  
16 tricts as a correlate to low enrollment weighting assigned to enrollment  
17 of districts having under 1,725 enrollment.
- 18 (m) “Ancillary school facilities weighting” means an addend compo-  
19 nent assigned to enrollment of districts to which the provisions of K.S.A.  
20 72-6441, and amendments thereto, apply on the basis of costs attributable  
21 to commencing operation of new school facilities. Ancillary school facil-  
22 ities weighting may be assigned to enrollment of a district only if the  
23 district has levied a tax under authority of K.S.A. 72-6441, and amend-  
24 ments thereto, and remitted the proceeds from such tax to the state trea-  
25 surer. Ancillary school facilities weighting is in addition to assignment of  
26 school facilities weighting to enrollment of any district eligible for such  
27 weighting.
- 28 (n) “Juvenile detention facility” means: (1) Any secure public or pri-  
29 vate facility which is used for the lawful custody of accused or adjudicated  
30 juvenile offenders and which shall not be a jail;
- 31 (2) any level VI treatment facility licensed by the Kansas department  
32 of health and environment which is a psychiatric residential treatment  
33 facility for individuals under the age of 21 which conforms with the reg-  
34 ulations of the centers for medicare/medicaid services and the joint com-  
35 mission on accreditation of health care organizations governing such fa-  
36 cilities; and
- 37 (3) the Forbes Juvenile Attention Facility, the Sappa Valley Youth  
38 Ranch of Oberlin, Salvation Army/Koch Center Youth Services, the Clar-  
39 ence M. Kelley Youth Center, the Clarence M. Kelley Transitional Living  
40 Center, Trego County Secure Care Center, St. Francis Academy at At-  
41 chison, St. Francis Academy at Ellsworth, St. Francis Academy at Salina,  
42 St. Francis Center at Salina, King’s Achievement Center, and Liberty  
43 Juvenile Services and Treatment.

1 (o) “Special education and related services weighting” means an addend  
2 component assigned to enrollment of districts on the basis of costs  
3 attributable to provision of special education and related services for pupils  
4 determined to be exceptional children.

5 (p) “Virtual school” means any kindergarten or grades one through  
6 12 course offered for credit that uses distance-learning technologies  
7 which predominantly use internet-based methods to deliver instruction  
8 and for which the course content is available on an “anytime, anyplace”  
9 basis, but the instruction occurs asynchronously with the teacher and  
10 pupil in separate locations, not necessarily located within a local education  
11 agency.

12 (q) “*Career teacher weighting*” means an addend component assigned  
13 to enrollment of districts in which an approved career teacher salary plan  
14 is being maintained.

15 Sec. 10. K.S.A. 2004 Supp. 72-6409 is hereby amended to read as  
16 follows: 72-6409. (a) “General fund” means the fund of a district from  
17 which operating expenses are paid and in which is deposited the proceeds  
18 from the tax levied under K.S.A. 72-6431, and amendments thereto, all  
19 amounts of general state aid under this act, payments under K.S.A. 72-  
20 7105a, and amendments thereto, payments of federal funds made avail-  
21 able under the provisions of title I of public law 874, except amounts  
22 received for assistance in cases of major disaster and amounts received  
23 under the low-rent housing program, and such other moneys as are pro-  
24 vided by law.

25 (b) “Operating expenses” means the total expenditures and lawful  
26 transfers from the general fund of a district during a school year for all  
27 purposes, except expenditures for the purposes specified in K.S.A. 72-  
28 6430, and amendments thereto.

29 (c) “General fund budget” means the amount budgeted for operating  
30 expenses in the general fund of a district.

31 (d) “Budget per pupil” means the general fund budget of a district  
32 divided by the enrollment of the district.

33 (e) “Program weighted fund” means and includes the following funds  
34 of a district: Vocational education fund, ~~and~~ bilingual education fund *and*  
35 *career teacher salary fund*.

36 (f) “Categorical fund” means and includes the following funds of a  
37 district: Special education fund, food service fund, driver training fund,  
38 adult education fund, adult supplementary education fund, area voca-  
39 tional school fund, professional development fund, parent education pro-  
40 gram fund, summer program fund, extraordinary school program fund,  
41 and educational excellence grant program fund.

42 Sec. 11. K.S.A. 72-9002 is hereby amended to read as follows: 72-  
43 9002. As used in this act:

- 1 (a) “Board” means the board of education of a school district, the  
2 governing authority of any nonpublic school offering any of grades kin-  
3 dergarten through 12 in accredited schools, the board of control of an  
4 area vocational-technical school, and the board of trustees of a community  
5 college.
- 6 (b) “State board” means, in the case of school districts and nonpublic  
7 schools, the state board of education; and in the case of area vocational-  
8 technical schools and community colleges, the state board of regents.
- 9 (c) “Employees” means all certificated employees of school districts  
10 ~~and~~ *including career teachers who are participating in a career teacher*  
11 *salary plan of a school district, all certificated employees* of nonpublic  
12 schools, all instructional and administrative employees of area vocational-  
13 technical schools and all full-time employees of community colleges.
- 14 (d) “Full-time employees of community colleges” means instructional  
15 and administrative employees who are under contract for services to a  
16 community college for a term of not less than nine months and whose  
17 services to a community college are considered their principal  
18 employment.
- 19 (e) “School year” means the period from July 1 to June 30.
- 20 (f) “Accredited” means accredited by the state board of education.
- 21 Sec. 12. K.S.A. 72-5410, 72-5436 and 72-9002 and K.S.A. 2004 Supp.  
22 72-5413, 72-6407 and 72-6409 are hereby repealed.
- 23 Sec. 13. This act shall take effect and be in force from and after July  
24 1, 2006, and its publication in the statute book.