

HOUSE BILL No. 2625

By Representative Henry

1-17

9 AN ACT relating to schools; allowing for school districts to create shared
10 schools by interlocal agreement; concerning operations and financing
11 thereof.

12

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

14 Section 1. The provisions of this act shall be an alternative method
15 for school districts to enter into interlocal cooperation agreements when
16 school districts desire to create one or more shared schools. Such shared
17 schools shall be independent of the sponsoring school districts in accord-
18 ance with this act.

19 Sec. 2. (a) In the event the boards of education of any two or more
20 school districts desire to enter into a school district interlocal cooperation
21 agreement for the purpose of creating shared schools, the following con-
22 ditions shall apply:

23 (1) A school district interlocal cooperation agreement shall establish
24 a board of directors which shall govern the operations of the shared
25 schools and shall be referred to as the interlocal school board of directors.
26 The agreement shall specify the organization and composition of and
27 manner of appointment to the board of directors. Only members of
28 boards of education of school districts party to the agreement shall be
29 eligible for membership on the board of directors. The terms of office of
30 members of the board of directors shall expire concurrently with their
31 terms as board of education members. Vacancies in the membership of
32 the board of directors shall be filled within 30 days from the date of the
33 vacancy in the manner specified in the agreement.

34 (2) An interlocal cooperation agreement for shared schools shall pro-
35 vide for a certified school administrator to administer the shared schools
36 and be responsible to perform or oversee all administrative functions.
37 The school administrator shall be employed by and report to the interlocal
38 school board of directors. The shared interlocal schools shall operate as
39 public schools and shall be subject to the same statutes, regulations and
40 requirements as other accredited public schools of school districts.

41 (3) A school district interlocal cooperation agreement for shared
42 schools shall be effective only after approval by the state board of
43 education.

- 1 (4) A school district interlocal cooperation agreement for shared
2 schools shall be subject to change or termination by the legislature.
- 3 (5) The duration of a school district interlocal cooperation agreement
4 for shared schools shall be stated in the agreement and may be perpetual.
- 5 (6) A school district interlocal cooperation agreement for shared
6 schools shall specify the method or methods to be employed for disposing
7 of property upon partial or complete termination.
- 8 (7) Within the limitations provided by law, a school district interlocal
9 cooperation agreement for shared schools may be changed or modified
10 by affirmative vote of not less than $\frac{2}{3}$ of the contracting school districts.
- 11 (b) Except as otherwise specifically provided in this subsection, any
12 power or powers, privileges or authority exercised or capable of exercise
13 by any school district of this state, or by any board of education thereof,
14 may be jointly exercised pursuant to the provisions of a school district
15 interlocal cooperation agreement for shared schools. Except as provided
16 in this act, no power or powers, privileges or authority with respect to the
17 levy and collection of taxes, the issuance of bonds, or the purposes and
18 provisions of the school district finance and quality performance act or
19 title I of public law 874 shall be created or effectuated for joint exercise
20 pursuant to the provisions of a school district interlocal cooperation agree-
21 ment for shared schools.
- 22 (c) Payments from the general fund of each school district which
23 enters into any school district interlocal cooperation agreement for shared
24 schools for the purpose of financing the joint or cooperative undertaking
25 provided for by the agreement shall be operating expenses.
- 26 (d) Upon partial termination of a school district interlocal cooperation
27 agreement for shared schools, the board of directors established under a
28 renegotiated agreement thereof shall be the successor in every respect to
29 the board of directors established under the former agreement.
- 30 (e) Nothing contained in this section shall be construed to abrogate,
31 interfere with, impair, qualify or affect in any manner the exercise and
32 enjoyment of all of the powers, privileges and authority conferred upon
33 school districts and boards of education thereof by the provisions of the
34 interlocal cooperation act, except that boards of education and school
35 districts are required to comply with the provisions of this section when
36 entering into an interlocal cooperation agreement that meets the defini-
37 tion of school district interlocal cooperation agreement for shared schools.
- 38 (f) As used in this section:
- 39 (1) "School district interlocal cooperation agreement for shared
40 schools" means an agreement which is entered into by the boards of
41 education of two or more school districts pursuant to the provisions of
42 this act.
- 43 (2) "State board" means the state board of education.

1 the school district, as is specified by the interlocal school board of directors.

2 CERTIFICATE

3 This is to certify that the above resolution was duly adopted by the board of education of
4 Unified School District No. _____, _____ County, Kansas, on the ____
5 day of _____, (year)_____.

6 _____
7 Clerk of the board of education.

8 All of the blanks in the resolution shall be filled. If no petition as spec-
9 ified above is filed in accordance with the provisions of the resolution,
10 the resolution authorizing the bond issue shall become effective. If pe-
11 titions are filed as provided in the resolution, the interlocal board of di-
12 rectors may notify the county election officer of each participating school
13 district to submit the question of whether such bond issue shall be au-
14 thorized. If the board fails to notify each county election officer within
15 30 days after a petition is filed, the resolution shall be deemed abandoned
16 and of no force and effect and no like resolution shall be adopted by the
17 board within the nine months following publication of the resolution. If
18 a majority of the votes cast are not in favor of the resolution, the resolution
19 shall be deemed of no effect and no like resolution shall be adopted by
20 the board within the nine months following such election.

21 Sec. 6. (a) Participating school districts shall have the authority to
22 make fund transfers from the general fund to the bond and interest fund,
23 from the supplemental general fund to the bond and interest fund or
24 from capital outlay fund to the bond and interest fund to be used to pay
25 the district's contribution to the interlocal school building fund.

26 (b) Participating districts shall make their contribution to the inter-
27 local school facilities fund from the bond and interest fund.

28 Sec. 7. School districts that participate in an interlocal agreement for
29 shared schools that opens a new facility shall receive a 25% new facilities
30 weighting on the district's computed general fund for the budget for the
31 year the new facility opens, as well as the following two years.

32 Sec. 8. This act shall take effect and be in force from and after its
33 publication in the statute book.