

## SENATE BILL No. 348

By Committee on Education

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9 AN ACT concerning schools and school districts; relating to boards of  
10 education; amending K.S.A. 2005 Supp. 72-8205 and repealing the  
11 existing section.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2005 Supp. 72-8205 is hereby amended to read as  
15 follows: 72-8205. (a) The board shall meet at least once each month.  
16 During the month of July of each year, the board shall adopt a resolution  
17 specifying ~~a regular meeting time of the board and the regular hour of~~  
18 ~~commencement of the meeting, as well as the day of the week and the~~  
19 ~~week of the month. Such resolution also shall specify the alternative date~~  
20 ~~and time of any meeting if the regular meeting date occurs on a Sunday~~  
21 ~~or on a legal holiday or on a holiday specified by the board~~ *the yearly*  
22 *schedule of regular meetings of the board.* Such resolution also shall spec-  
23 ify the regular meeting place of the board and *the time of commencement*  
24 *of such meetings.* Such resolution may specify that any regular meeting  
25 may be adjourned to another time and place. If the board cancels a reg-  
26 ularly-scheduled meeting because of an emergency, within 24 hours of  
27 such cancellation, the board shall establish and give notice of the new  
28 meeting date and time. Special meetings may be called at any time by  
29 the president of the board or by joint action of any three members of the  
30 board. Unless waived, written notice, stating the time and place of any  
31 special meeting and the purpose for which called shall be given each  
32 member of the board at least two days in advance of the special meeting  
33 and no business other than that stated in the notice shall be transacted  
34 at such meeting. A majority of the full membership of the board shall  
35 constitute a quorum for the purpose of conducting any business of the  
36 school district, and the vote of a majority of the full membership of the  
37 board shall be required for the passage of any motion or resolution. Any  
38 member who abstains from voting shall be counted as having voted  
39 against the motion or resolution. If a member announces a conflict of  
40 interest with regard to the issue, the member may leave the meeting until  
41 the voting on the issue is concluded and the member who abstains from  
42 voting thereby shall not be counted as having voted.

43 (b) Except as otherwise provided by law, the board shall have and

1 may exercise the same powers and authorities as were immediately prior  
2 to this act conferred uniformly upon boards of education in cities of the  
3 first class, and, in addition thereto, the powers and authority expressly  
4 conferred by law.

5 (c) The board shall have authority to prescribe courses of study for  
6 each year of the school program and to adopt rules and regulations for  
7 teaching in the school district and general government thereof, and to  
8 approve and adopt suitable textbooks and study material for use therein  
9 subject to the plans, methods, rules and regulations of the state board of  
10 education.

11 (d) The board may provide legal counsel at district expense to any  
12 members of the board of education, or school district officers or employ-  
13 ees who are sued in situations relating to and arising out of the perform-  
14 ance of their office or employment. No teacher or other employment  
15 contract shall make reference to or incorporate the provisions of this  
16 subsection, nor shall the provisions of this subsection be construed as any  
17 part of the consideration of employment of any teacher, officer or other  
18 employee of the board.

19 (e) (1) The board may transact all school district business and adopt  
20 policies that the board deems appropriate to perform its constitutional  
21 duty to maintain, develop and operate local public schools.

22 (2) The power granted by this subsection shall not be construed to  
23 relieve a board from compliance with state law.

24 The power granted by this subsection shall not be construed to relieve  
25 any other unit of government of its duties and responsibilities which are  
26 prescribed by law, nor to create any responsibility on the part of a school  
27 district to assume the duties or responsibilities which are required of  
28 another unit of government.

29 (3) The board shall exercise the power granted by this subsection by  
30 resolution of the board of education.

31 Sec. 2. K.S.A. 2005 Supp. 72-8205 is hereby repealed.

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