

HOUSE BILL No. 2728

By Committee on Appropriations

3-3

9 AN ACT concerning school districts; relating to the reorganization
10 thereof; amending K.S.A. 75-1124 and K.S.A. 2009 Supp. 72-7536, 72-
11 8253 and 72-8254 and repealing the existing sections; also repealing
12 K.S.A. 2009 Supp. 72-6441, 72-6445a, 72-6451 and 72-6452.
13

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

15 New Section 1. This act shall be known and may be cited as the
16 school district reorganization act.

17 New Sec. 2. As used in the school district reorganization act, and
18 amendments thereto:

19 (a) "Regional education service center" means a provider of admin-
20 istrative, technical, training, purchasing and accounting services to school
21 districts.

22 (b) "School district" or "district" means a public school district which
23 provides instructional resource coordination to attendance centers lo-
24 cated in the district and which has a full-time equivalent enrollment of
25 at least 10,000 on September 20th of each school year.

26 (c) "Superintendent" means the person appointed by the board of
27 education of a school district pursuant to K.S.A. 72-8202b, and amend-
28 ments thereto, to manage the day-to-day operations of the school district.

29 (d) "Board of education" means the board of education of a school
30 district.

31 (e) "Attendance center" means a building or structure in which in-
32 struction is provided to pupils enrolled in the district.

33 (f) "Reorganization commission" or "commission" means the school
34 district reorganization commission established by section 3, and amend-
35 ments thereto.

36 (g) "State board" means the state board of education.

37 New Sec. 3. (a) There is hereby established the school district re-
38 organization commission. The commission shall consist of 11 members as
39 follows:

40 (1) One member appointed by the governor.

41 (2) One member appointed by the president of the senate.

42 (3) One member appointed by the speaker of the house of
43 representatives.

- 1 (4) One member appointed by the state board.
- 2 (5) Four members, one from each of the congressional districts of
3 the state, who are superintendents and who shall be appointed by the
4 united school administrators.
- 5 (6) Three members who are school board members and who are ap-
6 pointed by the Kansas association of school boards. Of such members,
7 one shall reside in the eastern region of the state, one shall reside in the
8 central region of the state and one shall reside in the western region of
9 the state.
- 10 (b) Members of the commission shall be citizens of the United States
11 and shall be residents of the state of Kansas.
- 12 (c) Members of the commission shall be appointed not later than 60
13 days after the effective date of this act.
- 14 (d) Members of the commission attending meetings of the commis-
15 sion, or attending a subcommittee meeting thereof authorized by the
16 commission, shall be paid compensation, subsistence allowances, mileage
17 and other expenses as provided in K.S.A. 75-3223, and amendments
18 thereto.
- 19 (e) Members of the commission shall serve at the pleasure of the
20 appointing authority.
- 21 New Sec. 4. (a) The commission shall select one member of the com-
22 mission to serve as chairperson of the commission.
- 23 (b) The commission shall meet upon call of the chairperson at least
24 once each month and may meet at any time and at any place within the
25 state, subject to provisions of appropriation acts.
- 26 (c) School districts and their officers and employees shall cooperate
27 fully with the commission in the discharge of the commission's duties.
- 28 (d) The staff of the state department of education shall provide such
29 assistance as requested by the commission. In addition, the staff of the
30 office of revisor of statutes, the Kansas legislative research department
31 and the division of legislative administrative services shall provide such
32 assistance as requested by the commission, to the extent authorized by
33 the legislative coordinating council.
- 34 New Sec. 5. (a) On or before January 1, 2011, and each 10 years
35 thereafter, school districts throughout Kansas shall be reorganized so that
36 each district has a full-time equivalent enrollment of at least 10,000.
- 37 (b) The boundaries of school districts shall be determined by the
38 school district reorganization commission.
- 39 (c) The full-time equivalent enrollment of districts shall be based on
40 the most current enrollment data available as certified by the state board.
41 In no case shall such enrollment data be more than two years old.
- 42 New Sec. 6. (a) (1) Notwithstanding any other provision of law to the
43 contrary, each school district shall be governed by a seven-member board

1 of education. Six members of the board shall be elected from equally
2 populated regions within each district and one member of the board shall
3 be elected from the district on an at-large basis. Except as otherwise
4 provided by law and this section, members of the board shall hold office
5 for a term of four years.

6 (2) The first reorganized school district board election shall be held
7 on or before April 15, 2011 and newly-elected board members shall take
8 office on July 1, 2011.

9 (3) Members elected to even-numbered board member positions
10 shall serve for terms of two years commencing on the July 1, 2011. Per-
11 sons elected to odd-numbered member positions and the at-large position
12 shall serve for terms of four years commencing on the July 1, 2011 fol-
13 lowing such election. Thereafter, school board members shall be elected
14 to serve for terms of four years.

15 (b) All electors, who are otherwise qualified according to law, and
16 who reside in a particular member district may vote in both the primary
17 and general election for the member positions of such member district
18 and for the at-large member position.

19 (c) The board of education of the school district shall be responsible
20 for budget adoption, policy review and development, strategic planning
21 and oversight of the curriculum to assure that students are achieving state
22 education standards.

23 (d) A superintendent shall be hired by the board of education of the
24 district and shall be responsible for the administration and supervision of
25 the instructional resources of the district.

26 (e) This section shall be effective on and after July 1, 2010.

27 New Sec. 7. (a) Upon the reorganization of school districts pursuant
28 to this act, the consolidated school district shall assume and agree to pay
29 all of the bonded indebtedness of the former school districts of which it
30 is comprised, unless the commission determines that the bonded indebt-
31 edness shall remain a charge upon the territory of the school districts
32 being disorganized. If the bonded indebtedness is to remain a charge
33 upon the territory of the school districts being disorganized, the provisions
34 of K.S.A. 10-119, and amendments thereto, shall apply with the date of
35 the disorganization of such school districts being the date to be used in
36 making such application.

37 (b) This section shall be effective on and after July 1, 2012.

38 New Sec. 8. (a) The assets of the school districts being consolidated
39 pursuant to this act shall be transferred to the consolidated school district
40 on a day determined by the commission but not sooner than the first day
41 of the first month after the reorganization takes effect. The property,
42 records and all funds on hand and to be collected of each of the school
43 districts being consolidated shall be turned over and paid to the consol-

1 idated school district and shall become the property of the consolidated
2 school district, and the consolidated school district shall thereupon be
3 entitled to possession thereof. The consolidated school district shall there-
4 upon become liable for and pay all lawful debts of the school districts
5 which were consolidated except as may be otherwise provided by the
6 commission for bonded indebtedness. It shall be the duty of all county
7 officers and officers of the school districts being consolidated to transfer
8 the funds (including state foundation finance funds and funds collected
9 from state aid, taxes, interests and penalties subsequent to such reorgan-
10 ization), records and property of the school districts being consolidated
11 in accordance with the provisions of this section. Any county treasurer or
12 school district officer or former officer having in the officer's or former
13 officer's possession any property, records or funds of any of the school
14 districts being consolidated who shall fail or refuse to turn over such
15 property, records or funds to the consolidated school district shall be
16 ordered to do so by the state board.

17 (b) This section shall be effective on and after July 1, 2012.

18 New Sec. 9. (a) In order to reduce unnecessary duplication within
19 and between school districts, improve coordination and reduce costs, each
20 regional education service center shall serve the school districts within
21 the service center's region. Service centers may also contract to provide
22 services to school districts outside their region.

23 (b) The powers and duties of each regional education service center
24 shall include, but not be limited to:

25 (1) Bulk purchasing of textbooks, supplies and equipment, furniture
26 and other items.

27 (2) Development of tests and other tools for student evaluation, co-
28 ordination, data analysis and reporting.

29 (3) Curriculum development to meet any state, federal or vocational
30 education certification standards.

31 (4) Professional development and other training.

32 (5) Administration, coordination and supervision of special education
33 and related services.

34 (6) Administration and supervision of Title I programs.

35 (7) Administration and supervision of English language learner
36 programs.

37 (8) Administration and supervision of student transportation and
38 scheduling thereof.

39 (9) Purchasing, preparation and delivery of food service to each at-
40 tendance center.

41 (10) Administration, purchasing and coordination of custodial
42 services.

43 (11) Provision of maintenance support and specialty services to at-

- 1 tendance centers or other school buildings located within the district.
- 2 (12) Payroll processing, benefits administration, accounting and
3 reporting.
- 4 (13) Group health insurance negotiation, administration and
5 reporting.
- 6 (14) Coordination of charter and diploma completion schools.
- 7 (15) Administration and coordination of human resources for li-
8 censed and nonlicensed personnel.
- 9 (16) Purchasing and providing for the sharing between attendance
10 centers, of specialty equipment.
- 11 (17) Administration, coordination and support of career and technical
12 education, computer networking and web services.
- 13 (18) Compilation, preparation and submission of state and federal
14 reports.
- 15 (19) Any other power or duty prescribed by the state board.
- 16 (c) Each regional education service center shall impose fees to pay
17 the cost of services provided.
- 18 (d) This section shall be effective on and after July 1, 2012.
- 19 New Sec. 10. (a) Between July 1, 2011 and July 1, 2012, the board
20 of education of each reorganized school district and the superintendent
21 shall develop and implement plans to optimize the use of attendance
22 centers, teachers, staff and other resources within their boundaries.
- 23 (b) These plans shall be developed after input from public meetings
24 with citizens, parents, teachers and administrators of the school districts
25 being reorganized.
- 26 (c) Cooperative and administrative responsibility agreements with
27 one or more regional educational service centers also shall be negotiated
28 and finalized on or before July 1, 2012.
- 29 (d) From and after July 1, 2012, the board of education of each school
30 district shall:
- 31 (1) Provide leadership, vision, planning and implementation of the
32 instructional programs for students attending schools within the district.
- 33 (2) Provide distance learning.
- 34 (3) Coordinate the administration of district-level instructional, eval-
35 uation and data collection.
- 36 (4) Implement a curriculum which meets the standards established
37 by the state board and coordinate instructional programs in the attend-
38 ance centers within the school district.
- 39 (5) Prepare the budget of the district and of each attendance center
40 plus coordinate district level budget administration and reporting.
- 41 (6) Provide for the central administration of the district.
- 42 (7) Administer, supervise and coordinate, intramural and inter-school
43 sports and other extracurricular activities.

- 1 (8) Perform any other duty required by the state board.
- 2 (9) Implement and adhere to a statewide uniform accounting and
3 reporting system prescribed by the state board.
- 4 (e) This section shall be effective on and after July 1, 2011.
- 5 New Sec. 11. (a) The principal or teacher assigned to administer
6 each attendance center shall:
- 7 (1) Provide staffing assignments as necessary to meet the curriculum
8 standards of the state board.
- 9 (2) Coordinate and make optimal use of the resources at the attend-
10 ance center to meet the instructional standards of the state board.
- 11 (3) Administer, supervise and evaluate the attendance center and
12 make reports relating to the attendance center.
- 13 (4) Provide for the operation of the attendance center.
- 14 (5) Provide for the participation in community events and any plan-
15 ning or organization related thereto.
- 16 (6) Supervise and coordinate intramural and inter-school sports plus
17 other extracurricular activities.
- 18 (7) Coordinate and supervise parent-teacher organizations.
- 19 (8) Plan and implement parent-student-teacher conferences.
- 20 (9) Prepare the budget of the attendance center and make any reports
21 relating thereto.
- 22 (10) Collect, manage and account for any activity fee imposed by the
23 attendance center and make any reports relating thereto.
- 24 (11) Provide for routine maintenance of the attendance center.
- 25 (b) This section shall be effective on and after July 1, 2012.
- 26 Sec. 12. K.S.A. 2009 Supp. 72-7536 is hereby amended to read as
27 follows: 72-7536. (a) The purpose of this section is to allow any person
28 desiring to obtain, analyze and compare financial and performance data
29 of school districts the ability to do so.
- 30 (b) ~~On or before December 31, 2005,~~ The state board of education
31 shall design and implement a uniform system of reporting of such data
32 by school districts. Such system shall be an internet-based data reporting
33 system which is freely available and accessible. Such system shall allow a
34 person to search and manipulate the data and allow for the comparison
35 of data on a district by district basis. Such system may be designed so
36 that school districts may input directly the district's financial and per-
37 formance data in lieu of reporting data to the state board.
- 38 (c) *On or before December 31, 2011, the state board shall modify the*
39 *system so that it includes detailed records of revenue and expenditure*
40 *transactions of school districts that conform to the uniform chart of ac-*
41 *counts prescribed by the state board under K.S.A. 2009 Supp. 72-8254,*
42 *and amendments thereto. The state board shall require school districts to*
43 *submit detailed revenue and expenditure records to the state board in an*

1 *electronic format that is prescribed by the state board.*

2 Sec. 13. K.S.A. 2009 Supp. 72-8253 is hereby amended to read as
3 follows: 72-8253. (a) Each school district shall compile and report ex-
4 penditures of the district in providing programs required by law and the
5 number of pupils enrolled in such programs. Such information shall be
6 ~~compiled and reported in the manner required by the department re-~~
7 *ported in accordance with the uniform chart of accounts prescribed by*
8 *the state board under K.S.A. 2009 Supp. 72-8254, and amendments*
9 *thereto.*

10 (b) ~~The department~~ *state board* shall verify, on an on-going basis,
11 expenditures of school districts in providing programs required by law
12 and the number of pupils enrolled in such programs. Such verification
13 may be conducted on a sample-basis of school districts.

14 Sec. 14. K.S.A. 2009 Supp. 72-8254 is hereby amended to read as
15 follows: 72-8254. (a) In order to achieve uniform reporting of *receipts*
16 *and* expenditures by school districts in school district budgets, ~~districts~~
17 ~~shall report expenditures in the manner required by the state board and~~
18 *in reports submitted to the state board, the state board shall develop and*
19 *maintain a uniform accounting and reporting system for the receipts and*
20 *expenditures of school districts.*

21 (b) *From and after July 1, 2012, the uniform accounting system de-*
22 *veloped by the state board shall be implemented and continually utilized*
23 *by school districts and the state board of education.*

24 Sec. 15. K.S.A. 75-1124 is hereby amended to read as follows: 75-
25 1124. (a) A copy of each audit report with recommendations, if any, ren-
26 dered by any licensed municipal public accountant or certified public
27 accountant upon the completion of any audits provided for by K.S.A. 10-
28 1208, 12-866, 13-1243, 13-14d12 or 75-1122, and any amendments to
29 such statutes, shall be filed with the director of accounts and reports
30 within one year after the end of the audit period of the audit unless an
31 extension of time is granted by the director of accounts and reports. Final
32 payment to any accountant performing a municipal audit shall not be
33 made until a copy of such report has been so filed as shown by a statement
34 of the director of accounts and reports.

35 (b) *The audit report prepared for a school district shall include a*
36 *statement of assurance that the school district has reported the receipts*
37 *and expenditures of the district in accordance with the uniform chart of*
38 *accounts prescribed by the state board under K.S.A. 2009 Supp. 72-8254,*
39 *and amendments thereto. A copy of such audit report also shall be filed*
40 *with the state board of education.*

41 New Sec. 16. The legislature shall appropriate sufficient funds to pay
42 the costs incurred by the state board of education and school districts
43 which are attributable to the implementation of, and compliance with,

1 the provisions of this act.

2 Sec. 17. K.S.A. 75-1124 and K.S.A. 2009 Supp. 72-7536, 72-8253 and
3 72-8254 are hereby repealed.

4 Sec. 18. On and after July 1, 2012, K.S.A. 2009 Supp. 72-6441, 72-
5 6445a, 72-6451 and 72-6452 are hereby repealed.

6 Sec. 19. This act shall take effect and be in force from and after its
7 publication in the statute book.