

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

---

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

---

**MEMORANDUM**

To: Senate Committee on Education  
From: Kansas Office of Revisor of Statutes  
Date: March 16, 2023  
Subject: SB 304—Establishment of new school district and judicial review of resolutions to close schools

---

Senate Bill 304 would authorize the state board of education to establish a new school district for the purpose of attachment of territory of a disorganized school district and provide for administrative and judicial review of resolutions to permanently close a school building.

Section 1 of SB 304 would amend K.S.A. 72-635, which provides for the disorganization of school districts. The bill would authorize the state board to establish one or more school districts and attach the territory of a school district being disorganized to one or more adjacent school districts, including any newly established school district.

Section 2 of SB 304 would amend K.S.A. 72-1431, which provides that a local board of education may close a school building by adoption of a resolution at any time the board determines the building should be closed. The bill would provide that not later than 90 days after the adoption of such resolution, any resident of the school district may request administrative review of the resolution by the state board. Within 60 days of receiving such request, the state board would issue an advisory determination to the school district that states whether the resolution is reasonable under the totality of the circumstances and may include recommendations on modification or rescission of the resolution. After receiving the advisory determination, the local board would have to hold a public hearing to reconsider the resolution and may approve, modify and approve or rescind the resolution at the conclusion of such hearing. If the school board approves the resolution at such hearing, a resident of the school district may bring an action in the district court to determine the reasonableness of such resolution within 30 days. No resolution adopted by a school board to close a school building would be effective until the appropriate timeframe has passed for a request for administrative or judicial review to be filed.

Additionally, SB 304 contains other technical amendments and would take effect upon publication in the Kansas register.