

SENATE BILL No. 142

By Senator Holscher

2-3

1 AN ACT concerning education; relating to school districts; authorizing
2 each board of education to include a teacher representative as a
3 nonvoting member of such board; amending K.S.A. 25-2003, 72-1072
4 and 72-1091 and K.S.A. 2024 Supp. 72-1073, 72-1133 and 72-1137
5 and repealing the existing sections.
6

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

8 New Section 1. (a) Each school district board of education may
9 authorize a teacher representative to serve as a nonvoting member of such
10 board.

11 (b) The teacher representative shall be a licensed teacher employed
12 by the school district and elected by a vote of the teachers employed by
13 such school district in a manner determined by the board of education of
14 such school district. The teacher representative shall serve a term of two
15 years and may be reelected for one additional term. If a vacancy occurs in
16 the teacher representative position, an interim teacher representative may
17 be appointed by the board of education until the next teacher
18 representative election is held. The teacher representative shall not
19 participate as a board member in any teacher contract negotiations.

20 Sec. 2. K.S.A. 25-2003 is hereby amended to read as follows: 25-
21 2003. (a) "Board" means the board of education of any unified school
22 district.

23 (b) "Board member" and "member" mean a *voting* member of a board
24 of education of any unified school district.

25 (c) "Holdover member" means a *voting* member, or an appointed
26 successor to such member, whose term extends for any period before and
27 two years after the July 1 following a change in method of election under
28 this act.

29 (d) "Member position" means one of the seven positions of members
30 of the board of education when a district method is used, each member
31 position, except the at-large member position, is numbered.

32 Sec. 3. K.S.A. 72-1072 is hereby amended to read as follows: 72-
33 1072. The governing body of a unified school district is and shall be a
34 board of education composed of seven ~~(7)~~ *voting* members, except as is
35 specifically otherwise provided in K.S.A. 72-1210, *and amendments*
36 *thereto, and may include one nonvoting representative member as*

1 *provided in section 1, and amendments thereto.* The voting members may
2 be elected by any combination of method of election and voting plan
3 authorized by law; and shall serve for a term of four-~~(4)~~ years.

4 Sec. 4. K.S.A. 2024 Supp. 72-1073 is hereby amended to read as
5 follows: 72-1073. The provisions of law relating to the term of office of
6 *voting* members of boards of education, including method and time of
7 qualification and of taking office, shall apply to every school district in
8 this state. In the event no candidate is elected to a position on the board of
9 education of a school district in a regular election, or if an elected member
10 moves out of the school district after such member is elected and before
11 such member takes office the second Monday in January following the
12 election, or if such member becomes ineligible to serve for any other
13 reason during that period of time, the holdover member shall continue to
14 sit as a voting member of the board of education of such school district
15 until an eligible successor is appointed by the board of education to fill the
16 position.

17 Sec. 5. K.S.A. 72-1091 is hereby amended to read as follows: 72-
18 1091. (a) The board of education of any unified school district established
19 under the provisions of this act shall have seven-~~(7)~~ *voting* members as
20 ~~herein~~ *provided in this section.* Subject to K.S.A. 72-1093, *and*
21 *amendments thereto*, two members of the board of education shall be
22 nominated and elected by the electors in all of the territory of the unified
23 school district, and one member of the board of education shall be
24 nominated and elected by the electors in each of the five member districts
25 of the unified school district. The members of the board of education shall
26 each have a position number such that the board member from each
27 member district shall have the same number that ~~his~~ *such* member district
28 bears. Subject to ~~said~~ K.S.A. 72-1093, *and amendments thereto*, each
29 member district shall be given one of the numbers one, two, three, four or
30 five and board member positions of members elected in the entire unified
31 school district shall be given position-~~number~~ *numbers* six-~~(6)~~ and seven
32 ~~(7)~~.

33 (b) Candidates for *voting* member of the board of education shall be
34 qualified electors and reside in the member district bearing the same
35 number as the member position for which the candidate files, except that
36 candidates for position numbers six-~~(6)~~ and seven-~~(7)~~, or the position-at-
37 large only if ~~said~~ K.S.A. 72-1093, *and amendments thereto*, becomes
38 operative, shall reside at any place in the unified school district. Upon the
39 death or resignation of a board member, or upon the removal of ~~his~~ *such*
40 *member's* residence from a member district, a vacancy shall occur in the
41 board member position of such board member.

42 (c) *One nonvoting representative member may be authorized as*
43 *provided in section 1, and amendments thereto.*

1 Sec. 6. K.S.A. 2024 Supp. 72-1133 is hereby amended to read as
2 follows: 72-1133. (a) At the first meeting of the board of education on or
3 after the second Monday in January of each year, or at a later meeting
4 during that calendar year if so determined by the board at the first meeting,
5 the board shall elect a president and ~~vice-president~~ *vice president*, both of
6 whom shall be members of the board. The president and ~~vice-president~~
7 *vice president* shall each serve for a term of one year and until a successor
8 is elected and qualified.

9 (b) The president shall preside at meetings of the board and perform
10 such other duties as are provided by law.

11 (c) In the absence or inability to act of the president, the ~~vice-~~
12 ~~president~~ *vice president* shall perform the duties of the president. In the
13 absence or inability to act of both the president and ~~vice-president~~ *vice*
14 *president*, the remaining *voting* members shall select a member to act in
15 the capacity of president.

16 Sec. 7. K.S.A. 2024 Supp. 72-1137 is hereby amended to read as
17 follows: 72-1137. (a) In addition to the officers provided for in this act, the
18 board of education of any school district may appoint other officers and
19 employees to serve at the pleasure of the board. Such officers and
20 employees shall receive compensation fixed by the board. Members of a
21 board of education of a school district may receive compensation from the
22 school district for the work and duties performed by such board members.

23 (b) *Any teacher representative serving as a member of a board of*
24 *education pursuant to section 1, and amendments thereto, may receive*
25 *compensation from the school district in such teacher representative's*
26 *capacity as a teacher and for any work or duties performed as a*
27 *representative member of such board. The teacher representative shall not*
28 *participate as a board member in any teacher contract negotiations.*

29 Sec. 8. K.S.A. 25-2003, 72-1072 and 72-1091 and K.S.A. 2024 Supp.
30 72-1073, 72-1133 and 72-1137 are hereby repealed.

31 Sec. 9. This act shall take effect and be in force from and after its
32 publication in the statute book.