AN ACT concerning education; relating to school districts; authorizing a teacher and a student to serve as non-voting members of boards of education; amending K.S.A. 72-1072, 72-1091 and 72-1137 and K.S.A. 2022 Supp. 72-1073 and 72-1133 and repealing the existing sections.

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

New Section 1. (a) Each school district board of education may authorize a teacher representative and a student representative to serve as non-voting members of such board.

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

(c) The student representative shall be a student enrolled in and attending high school in the school district and selected in a manner determined by the board of education of such school district. The student representative shall serve a one-year term. If a vacancy occurs in the student representative position, an interim student representative may be appointed by the board of education.

Sec. 2. K.S.A. 72-1072 is hereby amended to read as follows: 72-1072. The governing body of a unified school district is and shall be a board of education composed of seven voting members, except as is specifically otherwise provided in K.S.A. 72-1210, and amendments thereto, and may include two non-voting representative members as provided in section 1, and amendments thereto. The voting members may be elected by any combination of method of election and voting plan authorized by law, and shall serve for a term of four (4) years.

Sec. 3. K.S.A. 2022 Supp. 72-1073 is hereby amended to read as follows: 72-1073. The provisions of law relating to the term of office of voting members of boards of education, including method and time of qualification and of taking office, shall apply to every school district in
this state. In the event no candidate is elected to a position on the board of
education of a school district in a regular election, or if an elected member
moves out of the school district after such member is elected and before
such member takes office the second Monday in January following the
election, or if such member becomes ineligible to serve for any other
reason during that period of time, the holdover member shall continue to
sit as a voting member of the board of education of such school district
until an eligible successor is appointed by the board of education to fill the
position.

Sec. 4. K.S.A. 72-1091 is hereby amended to read as follows: 72-
1091. (a) The board of education of any unified school district established
under the provisions of this act shall have seven-(7) voting members as
herein provided. Subject to K.S.A. 72-1093, and amendments thereto, two
members of the board of education shall be nominated and elected by the
electors in all of the territory of the unified school district, and one
member of the board of education shall be nominated and elected by the
electors in each of the five member districts of the unified school district.
The members of the board of education shall each have a position number
such that the board member from each member district shall have the same
number that his such member district bears. Subject to said K.S.A. 72-
1093, and amendments thereto, each member district shall be given one of
the numbers one, two, three, four or five and board member positions of
members elected in the entire unified school district shall be given position
number numbers six-(6) and seven-(7).

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

(c) Two non-voting representative members may be authorized as
provided in section 1, and amendments thereto.

Sec. 5. K.S.A. 2022 Supp. 72-1133 is hereby amended to read as
follows: 72-1133. (a) At the first meeting of the board of education on or
after the second Monday in January of each year, or at a later meeting
during that calendar year if so determined by the board at the first meeting,
the board shall elect a president and vice-president, both of whom shall be
members of the board. The president and vice-president shall each serve
for a term of one year and until a successor is elected and qualified.

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

(c) In the absence or inability to act of the president, the vice-

president shall perform the duties of the president. In the absence or

inability to act of both the president and vice-president, the remaining

voting members shall select a member to act in the capacity of president.

Sec. 6. K.S.A. 72-1137 is hereby amended to read as follows: 72-

1137. (a) In addition to the officers provided for in this act, the board of

education of any school district may appoint other officers and employees

to serve at the pleasure of the board. Such officers and employees shall

receive compensation fixed by the board. Except as provided in subsection

(b), no member of a board of education shall receive compensation from

the school district for any work or duties performed by him such member.

(b) Any teacher representative serving as a member of a board of

education pursuant to section 1, and amendments thereto, may receive

compensation from the school district in such teacher representative's

capacity as a teacher but shall not receive any compensation for any work

or duties performed as a representative member of such board. The

teacher representative shall not participate as a board member in any

teacher contract negotiations.

Sec. 7. K.S.A. 72-1072, 72-1091, 72-1137 and K.S.A. 2022 Supp. 72-

1073 and 72-1133 are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its

publication in the statute book.