

SESSION OF 2005

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2252

As Amended by Senate Committee on
Education

Brief*

HB 2252, as amended, concerns changes in boundaries of local board of education member districts and would require local boards to change member districts if a district is more than 5 percent above or below the mean population of other member districts in the school district. Determination of population would be based upon the most recently published federal decennial census or upon population estimates determined by the county election officer of the school district's home county. Boards would be required to draw member districts as compactly and equally as possible and to include whole voting precincts, to the extent practical.

If a board determines that a change in member boundaries is necessary, the board would have to adopt a resolution proposing the change, except that boundaries could not be changed during the 90-day period preceding a regular school board election. Under HB 2252, county or district attorneys of the home county of the school district would be directed to notify a board that has failed to carry out its duty to make required changes in member district boundaries. If the board does not respond in 60 days, the county or district attorney would be required to file an action in district court compelling the school board to change member district boundaries.

Background

Current law (KSA 72-6769) requires the board of education of a school district to "make appropriate changes in the member districts of the school district by resolution duly adopted at a meeting of the board

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

. . . .” According to the State Department of Education, while the statute does not specifically specify that changes are to be made to make the member districts more equitable, local boards do make such changes periodically.

HB 2252 would make it mandatory that school board member districts be changed as necessary to ensure that population variance is no more than 5 percent above or below the mean population of all the member districts within a school district. The Senate Education Committee amended the original bill in several respects. First, it added population estimates as determined by the county election officer in the school district’s home county as an alternative to the federal decennial census as a basis for determining population variance and adjustments. It also added the required notice by the county or district attorney of the home county of any board that fails to fulfill its duties under the bill. Other changes by the Senate Education Committee were technical and clarifying.

There would be no fiscal impact to the state as the result of passage of HB 2252. Affected school districts would bear the cost to equalize school board member districts.