

## MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:40 p.m. on March 16, 2005, in Room 123-S of the Capitol.

Committee members absent: Barbara Allen- excused

Committee staff present: Carolyn Rampey, Kansas Legislative Research Department  
Theresa Kiernan, Revisor of Statutes  
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: None

Discussion and action on previously heard bill:

**HB 2252—Concerning boundaries of member districts of school boards**

Theresa Kiernan, Revisor of Statutes Office, distributed a copy of a balloon of the bill with proposed amendments. (Attachment 1) She explained that the amendments simply make the language consistent. She noted that new paragraph 2 to be inserted on page one was suggested by Senator Vratil. The language directs that, if the population of any board member district is at least 5% above or 5% below the mean population of all board member districts within the school district, based upon the most recently published federal decennial census or upon population estimates as determined by the county election officer, the board would have the duty to change the boundaries so that those districts will not vary by 5% above or 5% below the mean population of all the board member districts. If the board does not change the boundaries, the county or district attorney of the home county of the school district would notify the board of its duties to make those changes. If the board fails to change the boundaries as required, the county or the district attorney would have to file an action in district court requesting an order to compel the board to change the boundaries as required. Ms. Kiernan noted that paragraph (3) is the exception, and provides that no boundary changes shall be made during the ninety-day period preceding any regular election of the school district.

Senator Steineger moved to amend **HB 2252** as shown on the balloon, seconded by Senator Vratil. The motion carried.

Senator Apple asked who would trigger an action against the board. Senator Vratil replied, “This will be triggered most likely by a peer guide review of the population of the board member districts by the superintendent of schools. A conscientious superintendent will look at that from time to time to make sure they don’t get out of whack. If the superintendent determines that they need to be adjusted, then he or she will bring that to the attention of the board and ask them to make changes. If that doesn’t happen, then it’s most likely to be triggered by a concerned citizen who makes a complaint to the county or district attorney. Realistically, I don’t expect the county or district attorney to monitor every school district, but I do think that there are some citizens who keep track of those things, especially if there’s reason to believe that they’re pretty far out of balance.”

Senator McGinn commented, “I go back to the small school districts. I don’t care if you’re small or not, you may not hire an attorney that you use often, but once in a while, you have to hire an attorney. And I don’t know why the school district’s attorney cannot look at this.” Senator Vratil responded, “They could do it, and the superintendent may say to the school district’s attorney, I want you to keep track of this to make sure we don’t get out of whack.”

Senator Vratil moved to recommend **HB 2252** favorably for passage as amended, seconded by Senator Steineger. The motion carried.

Senator Schodorf called attention to the minutes of the February 22 and the March 1, 2, and 3 meetings.

Senator Steineger moved to approve the minutes of the February 22, 2005, meeting and the March 1, 2, and 3, 2005, meetings, seconded by Senator Teichman. The motion carried.

The meeting was adjourned at 1:50 p.m. The next meeting is scheduled for March 21, 2005.

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:40 P.M. on March 16, 2005, in Room 123-S of the Capitol.