

**71-1103. Establishment; approval by state board; approval at election.** (a) Upon receiving any petition under K.S.A. 71-1101, the same shall be submitted to the advisory council for its advice and recommendations, which together with the petition shall be presented to the state board, which, after considering the same, may approve the establishment of the community college as proposed in the request, subject to the approval thereof by electors of the proposed community college district. In no event shall the state board give approval unless it finds that the establishment and operation of the proposed community college is consistent with the state plan as then in force, or unless the state board finds that special circumstances warrant an exception from the state plan and details reasons therefor. Such finding and the reasons of the state board in support thereof shall constitute an amendment of the state plan.

(b) Unless the writing by which the state board communicates approval specifically states otherwise, such approval of the request shall be in the terms contained in such request. The state board may condition approval upon the modification of the plan for the proposed community college, or upon modification of the plan of financing.

(c) No community college shall be established pursuant to this or any other act, nor shall any community college be entitled to or receive state aid unless its establishment has been approved as provided by law.

(d) Upon approval by the state board of any community college petition for establishment, the state board shall order an election for approval thereof to be held in the territory comprising the proposed community college district and shall specify the time of such election. The expenses of such election shall be paid by the county or counties in which territory of the proposed community college is located proportionately to the amount of territory in such counties. Election laws applying to elections for approval of a special question shall apply insofar as the same may be made applicable. The question submitted shall be: "Shall the proposed \_\_\_\_\_ community college be approved?," and the blank shall be filled with the name of such proposed community college as approved by the state board.

**History:** L. 1965, ch. 417, § 10; L. 1967, ch. 407, § 17; L. 1968, ch. 211, § 10; L. 1980, ch. 207, § 55; July 1.