

2018 Kansas Statutes

72-1086. Petition for change of method of election or voting plan; procedure and requirements; approval by state board of education. (a) Ten or more electors of any school district may prepare a plan of change showing the information required by K.S.A. 72-1082, and amendments thereto. Copies of such plan shall be submitted to the state board and to the clerk of the board of education of the school district. If any such plan of change is so submitted and filed, the state board may consider the same, and if it finds such plan of change is complete, sufficient and timely, and that such plan of change is in compliance with the provisions of K.S.A. 72-1084, it shall promptly so certify to the county election officer of the home county of the school district, to the board of education of the school district and to the first person listed as having submitted such plan, but it shall not consider or certify a plan of change under this section if another plan of change is pending determination by election. The certification of the state board shall show the name of the first person listed as having submitted such plan of change. Whenever the state board certifies a plan of change, it shall transmit at the same time a copy of its certification to the clerk of the board of education of the school district affected.

(b) Upon receipt of a plan of change with the certified approval of the state board, the county election officer shall notify the first person listed as having submitted such plan of change of such approval. Upon receiving such notice, the person so notified may cause petitions to be prepared which set out in full the plan of change approved, and if such petitions are then approved as to form by the county election officer, such petitions may be distributed among interested electors of the unified school district in as many copies as seem suitable to the person preparing the same as provided in this section. Any elector residing in the unified school district may sign any such petition, and one elector signing each petition shall subscribe a certificate thereto that he or she personally observed each of the signers place his or her signature thereon, and that such petition is valid as he or she verily believes. Only electors who are duly registered to vote may sign such a petition.

(c) If such petitions are filed with the county election officer and he or she determines that such petitions are validly signed by the number of electors provided in subsection (d) of this section, the county election officer shall upon making such determination call an election for approval of the plan of change in the manner provided by K.S.A. 72-1087, and amendments thereto.

(d) The number of valid signatures on petitions filed as provided in subsection (c) of this section shall be determined as follows:

(1) The county election officer of any such school district which had the election at large method at the last preceding election of members shall determine the total number of ballots cast and counted in such general school election. In any such school district, a number equal to twenty percent (20%) of the number of ballots cast and counted at such preceding general election determined as provided in this subpart (1), shall be the number of signatures required for a valid petition.

(2) In school districts in which the last preceding election of members was by a member district method, the number of signatures required for a valid petition shall be computed as provided in subpart (1) of this subsection, if one or more members were elected in each of the member districts of the school district, or if voting plan-B was in effect. In school districts in which the last preceding election of members was by a member district method, if members were not elected in all the member districts of the school district and if voting plan-C was in effect at such preceding election, the number of valid signatures required shall be computed as follows: Divide the total number of ballots cast and counted in the general school election by the number of member districts in which members were elected and multiply the result by number of member districts in the school district; then, multiply the amount so determined by twenty-hundredths (.20).

(3) Within ten (10) days after the filing of petitions as provided in this subsection, the county election officer shall determine the validity thereof.

History: L. 1968, ch. 59, § 18; L. 1971, ch. 239, § 4; L. 1977, ch. 256, § 4; July 1.