

#### **160.041 Merger of independent district with county district.**

- (1) When a board of education of an independent school district desires to have its district become a part of the county school district, it shall by motion so record its desire in the minutes of the board. The board, or its executive officer, shall convey this request to the county board of education. At its next regular meeting, or at a special meeting held prior thereto, the county board of education shall pass upon this request.
- (2) If the county board of education refuses, or the two (2) boards of education cannot agree upon such a proposition of merger of the independent district with the county district, the question of merger shall be submitted to the qualified voters of the two (2) districts at the next regular election if the question is filed with the county clerk not later than the second Tuesday in August preceding the regular election.
  - (a) If a majority of those voting on the question favor merger, the school boards of the two (2) school districts shall jointly develop a plan for adoption of the merger.
  - (b) If the two (2) school boards cannot agree to the terms of merger within sixty (60) days following the date of the regular election, the chief state school officer shall develop the terms of the adoption of merger.
  - (c) Notwithstanding subsection (2)(a) of this section, if the independent school district cannot meet its current operating expenses from projected revenue and if the two (2) school boards cannot agree to the terms of a merger, the proposition of merger shall be submitted to the Kentucky Board of Education, and the Kentucky Board of Education shall determine whether the two (2) districts should be merged and if merged the terms thereto.
  - (d) Upon completion of the plan for adoption of the merger, whether prepared by the school boards or the superintendent, it shall become effective and the independent district shall become a part of the county school district as set out in the plan.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 195, sec. 56, effective July 15, 1996; and ch. 362, sec. 6, effective July 15, 1996. -- Amended 1990 Ky. Acts ch. 476, Pt. IV, sec. 225, effective July 13, 1990. -- Amended 1978 Ky. Acts ch. 155, sec. 82, effective June 17, 1978. -- Amended 1976 Ky. Acts ch. 212, sec. 1. -- Created 1948 Ky. Acts ch. 238, sec. 1.