



**K-STATE**  
Research and Extension

*Handbook for*

# County Extension Councils and District Governing Bodies

*Includes 1991 enabling legislation for Extension Districts and amendments*

*Includes information on alternative organizational arrangements*





## Foreword

K-State Research and Extension provides practical education you can trust — to help people, businesses, and communities solve problems, develop skills, and build a better future. Our focus in Kansas is on solving our state's grand challenges revolving around global food systems, water, health, developing tomorrow's leaders, and community vitality. We are Kansas State University in your local community. We have numerous opportunities for local citizens to become involved in making serious progress on each of these grand challenges.

Our job is twofold. The first is to bring current, science-based information from the university to Kansas communities through educational programming in agriculture, natural resources, family and consumer sciences, 4-H Youth Development, and community vitality. The second is to listen and understand local issues, problems, and opportunities that we can bring back to Kansas State University to seek careful study and research to provide options and solutions.

The Cooperative Extension System in Kansas is a partnership among the United States Department of Agriculture; Kansas State University, the state's land-grant institution; and the local extension governing body/council, which represents residents. Extension's effectiveness can be credited to the part played by Kansans who plan educational programs, making it a true local, state, and federal partnership.

The grand challenges and associated forces of change on families and youth, communities, businesses, and agriculture have created new educational opportunities and demands. If K-State Research and Extension is to be helpful in improving the quality of life and economic well-being of the people of Kansas, its educational programs must be carefully planned and aggressively implemented. The time and talents of the governing body/board members are needed to successfully accomplish that goal.

This handbook is prepared to give all parties officially involved in the functioning of Kansas Cooperative Extension a mutual understanding of the roles, responsibilities, and procedures outlined in state and federal laws. Each individual associated with this effort is charged with thinking beyond personal issues to those on a local, state, national, and global level. It is hoped that familiarity with this handbook will help each of us successfully complete our responsibilities.

Thank you for all your time, efforts, and talents.

Gregg Hadley  
Associate Director for Extension





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# Development of the Cooperative Extension Service

During the early development of our country, farms were established mostly around and near villages. Farm families in those early days were largely self-sufficient. The farm was primarily a producing unit, producing most of the items needed for food and clothing. Farm and home practices were similar to those that had been followed for centuries. The democratic climate of our republic — with its freedoms of assembly, speech, and press — favored the establishment of organizations to exchange ideas about agriculture.

It was in such an environment that societies were formed to improve agriculture and the lives of the people associated with it. In 1785, the Philadelphia Society was probably the beginning of such an organized effort. Many similar groups formed during the next 70 years. These were the beginnings of a movement to improve agriculture through study and education. These agricultural societies not only benefitted their members but spread their ideas via the town crier, who would publicly read the societies' circulars about farm practices. Later, agricultural societies spread news of their improved farm practices with newspaper articles and lectures.

Individual groups joined together to form state societies and, eventually, the National Agricultural Society. The state societies strongly promoted the concept of state agricultural colleges, and three states had established such colleges even before enactment of the federal Land-Grant Act.

The Kansas State Agricultural College at Manhattan seems to have been the first college of agriculture to organize farmers' institutes, beginning in 1868. By 1890, 26 states were holding two- to five-day institutes. More than 2,000 institutes — attended by more than 50,000 farmers — were held in 1899.

Despite the divided state of the nation during the Civil War, Congress passed several laws that had great effect upon the agricultural segment of the population.

The United States Department of Agriculture was established in 1862, an outgrowth of the Agriculture Division of the Patent Office. The Department of Agriculture immediately became important in promoting agricultural education and research.

The Homestead Act of 1862 was passed by Congress as a result of the concern about the control of western lands. As a result of this act, about 65 million acres of mostly unsettled land west of the Mississippi was settled by 1880. Soldiers from both the Union and Confederate armies helped settle these lands after the war.

A Land-Grant Act to establish colleges of agriculture and the mechanical arts was passed in 1862, under President Lincoln, just five months after the Battle of Bull Run. The first such bill was passed by Congress by 1857, but was vetoed by President Buchanan. Kansas Agricultural College, now Kansas State University, was the first college established under the act when it opened in 1863.

Congress passed the Smith-Lever Act on May 8, 1914, creating the Extension Service. Federal funds were appropriated, and each state was required to match certain funds to participate in the new educational program. Each state also was responsible for developing a legal plan of cooperation between the United States Department of Agriculture and its citizens.

## National Legislation

As the Extension Service program grew, congressional action provided additional appropriations and further defined the program. Because of the piecemeal legislation that had become necessary to keep pace with the ever-growing program and to provide adequate appropriations, these laws were rewritten in 1953 into a single law known as the Smith-Lever Act, Amended. Minor amendments were made in 1955 and 1977.

The Smith-Lever Act defines the Extension Service in Section 2: “Cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture, uses of solar energy with respect to agriculture, and home economics and subjects relating thereto to persons not attending or resident in said colleges in the several communities, and imparting information on said subjects through demonstrations, publications, and otherwise and for the necessary printing and distribution of information in connection with the foregoing; and this work shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges or Territory or possession receiving the benefits of this Act.”

## State Legislation

In 1915, the Kansas Legislature passed the County Farm Bureau Law. A county farm bureau, after meeting certain membership requirements, was entitled to county appropriations and state funds for use in implementing the county extension program, which was the organization's purpose under its constitution. County extension programs were conducted by this means for 36 years.

The 1951 session of the Kansas Legislature revised the law, making the county extension program the cooperative responsibility of the county agricultural extension council and Kansas State University. The current County Extension Council Law, as amended, appears on pages 18-26.\*\*

In 1991, the Kansas Legislature passed the Kansas Extension District Law, which allows two or more county extension councils to enter into an agreement to combine extension programs from each county into one program that serves the district. The agreement is subject to the approval of each county's board of county commissioners, each extension council's executive board, the Kansas State University director of K-State Research and Extension, and the Kansas attorney general. The current District Extension Law appears on pages 27-33.

## Organization of the County Extension Council

The County Extension Council is composed of 24 members. They may be elected either by county commission districts or at large, as determined by the county extension council executive board. When elected by county commission districts, eight are elected from each such district. Each year, one of the four members from a commission district is elected to represent agricultural pursuits, one to represent family and consumer sciences, one to represent 4-H Youth Development work, and one to represent community development. When elected at large, the composition of the council will be the same as if the elections were by commission districts. All citizens of voting age are eligible to vote in the commission districts or at-large elections. These are public meetings or mail elections held not earlier than September 1, but not later than ten days before the annual meeting of the council. (2-611) In Leavenworth County, such election shall be held at the time of the annual Leavenworth County Fair. (2-611)

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\*\* Refers to sections in the County Extension Council Law, pages 18-26.



At the annual meeting, the council elects from its own members nine people to serve on an executive board consisting of a chair, a vice chair, a secretary, a treasurer, and five other members. When elected by county commission districts, not more than three members of the board are elected from any such district, and at least one member must be elected from each program development committee (agriculture, family and consumer sciences, 4-H Youth Development, and community development). When elected at large, the rule of not more than three members for each commission district does not apply. The executive board has responsibility for the extension program in agriculture, marketing, family and consumer sciences, 4-H Youth Development, and community development. The time and place of the council's annual meeting is determined by the executive board, but must be held no earlier than October 1, nor later than December 20.

## **Organization of the Extension District**

The Extension District Governing Body is composed of four members from each county in the district. When a new district forms, county commissioners initially appoint new members. Subsequently, members are elected on the general election ballot on the first Tuesday in April of each odd-numbered year. Each candidate must file a declaration of candidacy with the county election officer by the filing deadline to serve a four-year term, beginning upon election to office. (2-624)

The Extension District Governing Body appoints six members from each county in the district to serve on program development committees. Program development committees create and maintain educational program plans for extension work in agriculture, family and consumer sciences, 4-H Youth Development, and community development. A member of the district's governing body chairs each program development committee, which meets as needed to plan educational programs to meet the district's needs. (2-625)

## **Duties of Extension Boards**

1. Conduct a yearly review of the district operational agreement and/or the memorandum of understanding between Kansas State University and the local unit. (2-611 and 2-623)
2. Transact all business of the local unit. (2-611 and 2-625)
3. Control all property of the local unit. (2-611 and 2-623)
4. In cooperation with the director of K-State Research and Extension, select and appoint extension agents. (2-615 and 2-623)
5. In cooperation with the director of K-State Research and Extension, determine extension agent compensation. (2-615 and 2-625)
6. In cooperation with the director of K-State Research and Extension, supervise extension agents. (2-615 and 2-625)
7. Approve, in cooperation with the director of K-State Research and Extension, all of the local unit's accounts and expenditures. (2-615 and 2-625)
8. Fill vacancies on the local unit's extension boards and program development committees. (2-611 and 2-624)

9. Take and sign an oath of public office. (2-611 and 2-624)
10. Approve program plans prepared by program development committees. (2-611 and 2-625)
11. Extension councils fix the date, time, and place for each election in county commission districts or the county at large, and the annual meeting of the council. (2-611)

### **Duties of the Director of K-State Research and Extension (as Related to Local Extension Units)**

1. Allocate funds toward the salary of each extension agent, only after local units have met all requirements of the extension council or district laws. (2-611 and 2-623)
2. Certify that the local extension unit is properly functioning. (2-610 and 2-625)
- 3.\*\* Cooperate in the preparation of an annual budget. (2-610 and 2-625)
- 4.\*\* In cooperation with the local board, appoint, determine the amount of compensation, and supervise extension agents. (2-615 and 2-625)
- 5.\*\* Determine the qualifications of local extension agents. (2-615 and 2-625)
- 6.\*\* Approve all accounts and expenditures of funds by the local unit. (2-615 2-625)

### **Extension Educational Programming**

The local extension program is a partnership of K-State Research and Extension and residents of the county or district. Program Development Committee (PDC) members provide input to local and statewide efforts to identify information needed to address social, economic, and environmental concerns. Local agents with K-State Research and Extension furnish university expertise and work as partners with program development committees to meet those responsibilities.

Program plans are developed to specify the efforts that will be made to address local concerns and needs. All program plans must be approved by the extension board. Planning is reviewed regularly (at least annually) by the local board and by K-State Research and Extension. Plans are updated as needed.

Program Development Committees: Kansas county and district extension laws require program development committees focused on four areas:

- Agriculture and Natural Resources
- Community Development
- Family and Consumer Sciences
- 4-H Youth Development

Program development committees meet, jointly or individually, to plan the local extension program. Committees may be appointed in other areas of program focus, for example: horticulture, family resource management, livestock production, or nutrition.

PDC members are encouraged to identify additional representatives from the community who can expand committee efforts. This will help ensure that PDC membership reflects the potential audience.

\*\* May be performed by the director's duly authorized representative.

## **Responsibilities of Program Development Committee**

1. Meet jointly or individually to plan the local extension educational program.
2. Partner with the agent to plan, prioritize, implement, and evaluate a comprehensive educational program that addresses local needs.
3. Expand membership to ensure PDCs represent important constituencies of the local population (considering geographic distribution, age, gender, race, etc.).
4. Examine local demographics and identify audiences not currently served through extension educational programs. Develop strategies for reaching new audiences.
5. Coordinate local educational program planning with K-State Research and Extension Program Focus Teams as well as local public and private groups, agencies, and organizations.
6. Submit educational program plans to the board and to K-State Research and Extension for review and approval.
7. Report educational program progress and outcomes regularly to the board and K-State Research and Extension.
8. Share insight and knowledge of extension educational programs with decision-makers, funders, and other residents.

## **Local Extension Unit Finances: Budget Adoption**

### ***Extension Councils***

On or before July 15, file with the county commission, in the office of the county clerk: (2-610)

- a. List of the current council and board members.
- b. Certification of election of officers.
- c. Certification by the director of K-State Research and Extension that the council is properly functioning and entitled to receive the appropriations provided by law.
- d. A proposed budget prepared in cooperation with the authorized representative of the director of K-State Research and Extension.

## **Duties of the Board of County Commissioners**

### ***(as Related to County Extension Councils)***

1. Approve, amend, or modify and approve as amended or modified, the budget proposed by the executive board of the county extension council and the director of K-State Research and Extension. (2-610)
2. Adopt the proposed budget, as approved. (2-610)
3. Make an appropriation and certify to the county clerk the amount of tax necessary to be levied on all tangible taxable property of the county, sufficient to provide a program of county extension work. (2-610)

**District Governing Bodies:** Meet with an authorized representative of the director of K-State Research and Extension to adopt the district's annual budget. The governing body shall certify to the home county clerk the amount of taxes to be levied to conduct the extension district educational programs.

### **Local Extension Unit Finances: Budget Management**

Local extension units are financed by federal, state, and local funds. Occasionally there may be additional resources for the program through grants and contracts, and contributions from private or other sources. As provided in the County Extension Council and Extension District Law, a budget will be prepared each year by the board in cooperation with the director of K-State Research and Extension. (2-610 and 2-625)\*\*

All expenditures of funds, from whatever source derived, must have the approval of the extension board and the director of K-State Research and Extension. (2-615 and 2-627) The treasurer of the local unit pays only by a combination warrant check signed by the board chair, secretary, and treasurer. The treasurer shall keep a record of all receipts and expenditures, together with the purpose of such expenditures. (2-612 and 2-627)

Congress prescribes formulas, appropriates, and allocates funds to the states for the extension program. The Kansas Legislature also appropriates funds to Kansas State University for K-State Research and Extension. The funds are used for the university portion of the extension agents' salaries and benefits, salaries and benefits for state personnel, travel, clerical assistance, publications, press service, radio and television programs, and other relevant expenses.

Kansas State University provides state and federal funds as part of the total budget of County Extension Councils and District Governing Bodies. The funds are paid as a portion of the salary of each agent employed in the local unit. The amount is dependent upon the funds available and authorized by the Kansas Board of Regents.

Public funds are appropriated for specific purposes. Extension appropriations provide instruction in agriculture, marketing, family and consumer sciences, 4-H Youth Development work, and community development for Kansans through practical demonstrations and other means. Funds are also used to employ one or more extension agents in each county and district. A guide for the extension board in expending public funds is the degree to which the expenditure will aid in carrying out the K-State Research and Extension program in the county.

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\*\* Refers to sections in the County Extension Council and Extension District Laws, pages 18-33.

# Memorandum of Understanding

## between Kansas State University on behalf of the Division of Extension and the \_\_\_\_\_ Extension District / Extension Council

On this the \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above-named parties enter the following Memorandum of Understanding as follows:

### I. Preamble

The Division of Extension within Kansas State University (K-State Research and Extension) is a community-based education unit serving the state of Kansas — engaging citizens with the research, educational, and technological resources of Kansas State University. K-State Research and Extension provides access to education to serve the public good.

- 1) K-State Research and Extension builds collaborations to provide public goods and services that deliver on the land-grant university commitment to Kansas residents.
- 2) Extension boards and councils, and K-State Research and Extension enter into additional collaborative arrangements that drive significant opportunities for leveraging and pooling resources. Our activities promote efficiency and economic diversity, and result in a fiscally stable system.
- 3) K-State Research and Extension provides a mechanism for individuals to join together to address common concerns and creates an organized, research-based environment in which they can make decisions and act.

Kansas State University provides educational goods and services for the benefit of Kansas residents and communities, available because we work together as a system – K-State Research and Extension. This unique system has the potential to nurture democracy through engaging residents in common aspirations, concerns, and purpose.

### II. Introduction

K-State Research and Extension hereinafter referred to as KSRE, and the Extension Council or Extension District, hereinafter referred to as local Extension unit, enter into this Memorandum of Understanding in order to cooperate in a collaboration:

- 1) To deliver on the land-grant mission of
  - a. providing access to high-quality education;
  - b. applying research to the needs of Kansas, the nation, and the world;
  - c. extending knowledge to strengthen Kansas's economy and citizens' quality of life.
- 2) To extend the land-grant university beyond the campus borders and provide a mix of core educational programs consistent with the provisions of the Smith-Lever Act of May 8, 1914, as amended, and the Memorandum of Understanding between Kansas State University and the U. S. Department of Agriculture.
- 3) In meeting local needs as authorized by the Kansas County Extension Council Law Sec. 2-608 through 2-622, Kansas Statutes Annotated as amended, and the Kansas Extension District Law Sec. 2-623 through 2-628, Kansas Statutes Annotated as amended,.... to provide for the purpose of giving instruction in agriculture, marketing, family and consumer sciences, 4-H youth development, community and resource development, and economic development to the people of the .... local Extension unit.

### III. Agreement of Basic Principles

- 1) The collaboration between KSRE and the local Extension unit unites many perspectives, understandings, experiences, and relationships to function as one system – K-State Research and Extension – across the university, the state, and within districts and counties.
  - a. The collaboration is inclusive of the diversity of Kansas’s residents.
  - b. The collaboration supports work across Kansas State University colleges and campus units to build capacity that supports efforts across the state.
  - c. Entrepreneurial collaborations with other community, county, and state agencies/ organizations are encouraged, often resulting in mutual benefits.
- 2) The core purpose of the relationship is to provide research-based educational programs. To ensure that educational programs (defined as a planned series of educational events intended to meet a public need) are of the highest quality and audience appropriate:
  - a. KSRE and the local Extension units will share the responsibility for assessing needs and providing curriculum-based educational programs.
  - b. Curriculum development at all levels of the organization will follow a process based on science and appropriate methodologies.
  - c. Equal access to Extension programs and facilities is consistent with state and federal laws and regulations, and KSRE and the local Extension units shall regularly review, report, and update their policies and procedures to ensure compliance with such laws.
- 3) Because proficient employees and volunteers are crucial for success, all KSRE faculty, educators, staff, local Extension unit board members, and volunteers will be provided opportunities to participate in position-related professional development.
- 4) To deliver on the mission of the organization, all parties embrace the collaboration as a system functioning simultaneously and congruently statewide and within districts and counties. For the good of the collaboration:
  - a. KSRE shall permit its branding (attached as Exhibit \_\_, and as modified from time to time) to be used on the local Extension unit’s offices and buildings as well as on the local Extension unit’s informational and educational materials associated with educational programs;
  - b. KSRE shall provide strategies to the local Extension unit, and the local Extension unit shall make its best efforts to use such strategies, to promote and advance KSRE to external partners (including private, public, and non-profit partners) about our educational mission and program impact;
  - c. KSRE shall provide to the local Extension unit resources and tools (i.e. templates, worksheets) related to local Extension unit programming, finance, human resources, and policies. The local Extension unit agrees to use such resources and tools to the extent practicable.
- 5) KSRE and local Extension units will establish policies that comply with Kansas State University and State of Kansas applicable policies, including non-discrimination within our programming.
- 6) In the event of a dispute regarding the terms and/or conditions of this agreement, KSRE and the local Extension unit will work cooperatively to address such dispute.

## IV. Division of Responsibility

KSRE and the U.S. Department of Agriculture have signed a separate memorandum defining national and state partner relationships. To clearly establish and define relationships and responsibilities for conducting Extension work in Kansas, KSRE and the local Extension unit agree to the following.

<b>K-State Research and Extension agrees to:</b>	<b>The Local Extension Unit agrees to:</b>
1) Follow the Memorandum of Understanding Basic Principles to form a unified system.	1) Follow the Memorandum of Understanding Basic Principles to form a unified system.
2) Build collaborations across Kansas State University in order to facilitate and broker outreach from colleges and other units that encourage engagement with the local Extension unit field office.	2) Engage in collaborations with Kansas State University to build capacity to deliver local/regional outreach throughout the area served by the Local Extension Unit.
3) Establish relationships with state agencies and departments that increase capacity for local partners and are based on meaningful, shared priorities and resources, and capitalize on local collaborations.	3) Engage local affiliates as partners within the Local Extension Unit based on meaningful, shared priorities and resources, and capitalize on collaborations with state agencies and departments.
4) Establish a needs assessment process to identify emerging issues and incorporate findings into development of educational programs that meet the needs of Kansas residents.	4) Engage with local program development committees, and other stakeholders, to identify local needs and emerging issues, and share findings/understanding of those needs with KSRE program leaders and KSRE Program Focus Teams.
5) Provide statewide support to KSRE Program Focus Teams that will develop statewide action plans, provide in-depth and basic training, and identify professional development opportunities to support the action plan implementation.	5) Each local Extension unit extension agent (referred to herein as “educator”) will identify an area of specialization for program focus, actively participate in a Program Focus Team and participate in professional development opportunities to increase capacity to deliver strong educational programming. Educators help identify and/or develop programs and other resources to address local needs.
6) Statewide action plans developed by the KSRE Program Focus Teams will fit within the scope of KSRE mission and current Grand Challenge areas.	6) Local Extension units will use their local needs assessment to localize the statewide action plans. Locally developed programs must fit within the scope of the KSRE mission and the current KSRE Grand Challenge areas.
7) Provide professional development opportunities related to reaching underserved audiences.	7) Local Extension units will support each local unit employee to participate in KSRE’s professional development opportunities related to reaching underserved audiences. Each local unit will engage with local underserved audiences to address educational needs.

<b>K-State Research and Extension agrees to:</b>	<b>The Local Extension Unit agrees to:</b>
8) Review statewide action plans for effectiveness and meeting identified needs. Program Focus Teams will assist with development of evaluation tools and will develop appropriate “Making a Difference” report(s).	8) Review and report program effectiveness using KSRE evaluation tools. This includes sharing outcomes and impacts of educational programs with local stakeholders and in the KSRE on-line evaluation system.
9) Authorize 4-H youth development educational programs – the youth outreach programs for Kansas State University – use of the federally protected 4-H name and emblem. Use of name and emblem represents the ideals of these educational programs.	9) Agree to adhere to Federal guidelines ( <a href="http://www.kansas4-h.org/about/docs/4H_Name_and_Emblem_Policy_Guide_2014.pdf">www.kansas4-h.org/about/docs/4H_Name_and_Emblem_Policy_Guide_2014.pdf</a> ) for use of 4-H name and emblem to carry out core 4-H Youth Development educational programs.
10) Provide professional development for working with volunteers and a process for volunteer screening and management.	10) Involve and support volunteers, if appropriate, including volunteer screening and management.
11) Require and conduct background checks of all Extension educators, staff and volunteers associated with state programs involving work with youth or other vulnerable audiences, and not previously checked by the local Extension unit, as steps toward providing a safe and secure environment for all staff and those we serve.	11) Require and conduct background checks of all local Extension unit staff, and all volunteers who are involved in work with youth or other vulnerable audiences as steps toward providing a safe and secure environment for all staff and those we serve.
12) Employ and appoint an area director to provide administrative leadership for Local Extension Units in decision-making and matters affecting the KSRE system. The area director shall serve as communication channel between KSRE and the Local Extension Unit; and represent the Director for KSRE.	12) Establish personnel needs to meet programming goals based on budget allowances. Work with area director for decision-making and system matters affecting the Local Extension Unit.
13) Employ and appoint program specialists. Program specialists participate in Program Focus Teams to help coordinate, deliver and provide feedback on KSRE educational programs; and are responsible for engaging with Local Extension Unit educators to identify statewide needs, develop statewide action and evaluation plans, and deliver and/or identify related professional development opportunities.	13) Support local unit educators to work with program specialists in Program Focus Teams to provide local input into statewide action plans and support for local delivery of those plans as appropriate; budget funds for programs and services to ensure effective Local Extension Unit programs in all four general program areas (agriculture, family and consumer sciences, 4-H youth development and community vitality).
14) Provide resources to assist local Extension units in developing plans and goals, and assist in selection and/or provide training opportunities for local Extension unit employees that align with those goals.	14) Have staff and volunteers identify position-related plans and goals, and take advantage of opportunities provided or seek opportunities to meet those goals.



<b>K-State Research and Extension agrees to:</b>	<b>The Local Extension Unit agrees to:</b>
15) Prepare an annual budget in cooperation with the local Extension board or Council. Allocate funds toward the salary of each local unit extension educator, only after local units have met all requirements of Extension Council and District laws and the memorandum of understanding.	15) Prepare an annual budget in cooperation with the Director of K-State Research and Extension. Meet all requirements of the Federal and State Extension laws and this memorandum of understanding.
16) Determine qualifications of local Extension educators and present candidates to be interviewed by the local Extension unit. Appoint Extension educators, establish compensation, and supervise Extension educators in cooperation with the local Extension unit.	16) In cooperation with the Director of K-State Research and Extension, interview candidates, recommend appointment, provide established compensation to be channeled through KSRE, and provide supervision and performance evaluation of Extension educators.
17) Provide financial and accounting support services for local Extension units, including a system for statewide financial accounting.	17) Use state approved system for financial accounting and provide monthly financial records to KSRE for review and approval of all accounts and expenditure of funds by the local Extension unit.

**V. Effective Date, Termination, and Review of this Memorandum**

This memorandum shall be effective upon approval by the Local Unit Extension Council or Board, signature by the Chair of the Local Unit Extension Council or Board, and signature by the Director of KSRE, and shall remain in effect until terminated in writing by either party or by operation of law. This memorandum shall be reviewed jointly by both parties at least once every four years, with a review completed prior to July 1, 2020. The Memorandum of Understanding may be amended on the initiative of either party by submitting a proposed amendment in writing to the other party and agreement of that party to the amendment.

**VI. The parties agree that there are no intended or unintended third-party beneficiaries of the Memorandum of Understanding, and that the Memorandum of Understanding is solely for the benefit of the parties thereto. The parties further agree that they do not create a legal partnership or joint venture by agreeing to this Memorandum of Understanding.**

**VII. Approvals**

For K-State Research and Extension:

Director of K-State Research and Extension \_\_\_\_\_

For the \_\_\_\_\_  
 District Governing Body / County Extension Council:

Chair \_\_\_\_\_ Date \_\_\_\_\_

# Kansas County Extension Council Law

## SECTIONS 2-608 THROUGH 2-622, KANSAS STATUTES ANNOTATED AS AMENDED

<b>Areas of Instruction</b>	<b>2-608. Compensation of extension agents; contribution from federal and state funds.</b> If a county extension council has been organized as specified in K.S.A. 2-611 and amendments thereto or an extension district has been established under K.S.A. 2-623 and amendments thereto, for the purpose of giving instruction in agriculture, marketing, home economics, 4-H club and youth work, community and resource development, and economic development initiatives to the people of the county or extension district, as the case may be, through practical demonstrations, meetings, publications, and otherwise, and the employment of an extension agent or agents to prosecute such instructions, the Kansas State University of Agriculture and Applied Science shall contribute from federal and state funds granted for cooperative extension work an amount of not less than \$1,500, as far as such funds are available, towards the salary of each extension agent employed.
<b>Means of Instruction</b>	
<b>KSU Salary Contribution</b>	
<b>County Extension Council Requirements</b>	<b>2-609. Same; conditions; limitation regarding additional agents.</b> (a) Before allocations of funds are made by the director of extension of Kansas State University of Agriculture and Applied Science pursuant to K.S.A. 2-608 and amendments thereto, the county extension council shall present to the director of extension and to the board of county commissioners of its county, a list of members of the extension council and of its executive board and the officers of the governing body, with the statement signed by the chairperson of the board certifying that these members and officers have been duly elected as specified in K.S.A. 2-611 and amendments thereto.
<b>District Extension Governing Board Requirements</b>	(b) Before allocations of funds are made by the director of extension of Kansas State University of Agriculture and Applied Science pursuant to K.S.A. 2-608 and amendments thereto, the governing body of the extension district shall present to the director of extension a list of members of the governing body of the extension district and the officers of the governing body, with the statement signed by the chairperson of the governing body certifying that these members and officers have been duly elected as specified in K.S.A. 2-624 and amendments thereto.
<b>Director of Extension Requirements</b>	(c) No allocation of funds shall be made by the director of extension of Kansas State University of Agriculture and Applied Science pursuant to K.S.A. 2-608 and amendments thereto for funding for any additional extension agent for the county extension council of any county which currently employs four or more extension agents, unless funds have been allocated by the director of extension for an additional extension agent for each county extension council of each county which currently employs less than two extension agents and which requests funds for an additional extension agent.

**2-610. County appropriations; budgets, approval; tax levies, use of proceeds.**

(a) On or before July 15 each year, the executive board of the county extension council shall file with the county commissioners in the office of the county clerk:

(1) A list of current members of the county extension council and its executive board; (2) a certification of election of officers as provided in subsection (c) of Supp. 2-611, and amendments thereto; (3) a certification by the director of extension of Kansas State University of Agriculture and Applied Science that the county extension council is properly functioning and entitled to receive the appropriations provided by law; and (4) a proposed budget in cooperation with the director of extension of Kansas State University of Agriculture and Applied Science for the ensuing calendar year.

(b) If the commission does not approve the proposed budget within 10 days after receipt thereof, it shall return the budget to the board. Upon receipt of the returned budget, the board shall consider amendments or modifications and may consult with the commission concerning the budget. Within 10 days after receipt of the returned budget, the board shall resubmit its proposed budget, with or without amendment or modification, to the commission. Within 10 days after resubmission of the proposed budget, the commission shall approve, or amend or modify and approve as amended or modified, such proposed budget. The commission shall adopt the proposed budget as approved and shall make the same a part of the regular county budget. The board of county commissioners shall make an appropriation and certify to the county clerk the amount of tax necessary to be levied on all tangible taxable property of the county sufficient to provide a program of county extension work and to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county.

**2-611. County extension councils; election of members; meetings; development of programs; election, term of office, oath, powers and duties of executive board; bond of treasurer; expiration of terms; qualification of members.**

(a) Except as otherwise provided in this section, the citizens of voting age residing in each of the county commissioner districts in each county in this state are qualified to participate in the meeting which shall be held in each such district in each year not earlier than September 1, and at least 10 days before the annual meeting of the county extension council upon a date and at a time and place determined and fixed by the executive board of the county extension council and shall elect annually from among their number four members of the county extension council. In Leavenworth county, such election shall be held at the time of the annual Leavenworth county fair. Of the four members, one shall be elected to represent agriculture and shall be actively engaged in agricultural pursuits, one shall be elected to represent home economics work, one shall be elected to represent 4-H club and youth work, and one shall be elected to represent educational programs in economic development initiatives. The county extension council executive board members of each county may choose to hold a countywide election meeting in lieu of holding a meeting in each district. Prior to adjournment of the countywide meeting the citizens of each county commissioner district shall

**Budget  
Procedures****Budget  
Approval  
and  
Procedure****Annual  
Election  
Meetings****Countywide  
Meeting  
Option**

separate into groups for the purpose of electing the county extension council members who shall represent the district on the county extension council. The countywide meeting shall be subject to the same conditions hereinabove provided for county commissioner district election meetings.

**Mail  
Ballot  
Option**

(b) The executive board of the county extension council, as provided for in subsection (f), may choose, as an alternate method of electing county extension council members, to mail a ballot to each citizen of voting age residing in the county at least three weeks before the annual meeting of the county extension council. The ballots shall contain the names and resident addresses of all persons who are candidates for county extension council membership. The incumbent county extension council members shall select not less than two persons as candidates for each position to be filled. After the ballot has been marked, each voter shall mail or otherwise transmit the ballot to the county extension office of the county at least seven days prior to the annual meeting of the county extension council.

**At-Large  
Election  
Option**

(c) In any county having three county commissioner districts, the citizens may elect county extension council members at large or by county commissioner district as determined by the executive board of the county extension council for the county. In any county having other than three county commissioner districts, the citizens shall elect county extension council members at large. A county extension council elected at large shall also have a total elected membership of 24, with six members elected to represent agriculture who shall be actively engaged in agricultural pursuits, with six members elected to represent home economics, six members elected to represent 4-H club and youth work, and six members elected to represent educational programs in economic development initiatives. When county extension council members are elected at large, 12 shall be elected annually, three of whom shall represent agriculture, three of whom shall represent home economics, three of whom shall represent 4-H club and youth work, and three of whom shall represent educational programs in economic development initiatives. County extension council members elected at large shall serve under the same conditions as county extension council members elected by county commissioner districts, except the provision that three members of the executive board shall be elected from each county commissioner district shall not apply.

**County  
Program  
Responsibility**

(d) The 24 members so elected in the three county commissioner districts, or at large, in any county shall constitute and be the county extension council, and it shall be the duty of the council to plan the educational extension programs of the county.

**Annual  
Council  
Meeting**

(e) At the annual meeting of the county extension council, the council members elected to represent agricultural pursuits, home economics work, 4-H club and youth work or educational programs in economic development initiatives, may meet separately and elect a group chairperson. Each group shall meet as necessary for the purpose of developing educational program plans on extension work in agricultural pursuits, in home economics work, in 4-H club and youth work, or economic development initiatives. All program plans shall be subject to final approval by the executive board of the county extension council.

(f) The county extension council shall meet annually not earlier than October 1, and not later than December 20, and shall elect from among its own members an executive board consisting of a chairperson, a vice-chairperson, a secretary and a treasurer and five additional members. The date, time and place of the annual meeting shall be determined and fixed by the executive board. No more than three members of the executive board shall be elected from any county commissioner district, and at least one member shall be elected from each county extension council member group namely, agricultural pursuits, home economics, 4-H club and youth work, and educational programs in economic development initiatives. The executive board of the county extension council is authorized to transact all business of the council, shall have control of all the property of the council, and may employ and fix the compensation of such persons as are necessary for the conduct of the business of the council, except as herein otherwise expressly provided.

(g) Members of the county extension council and of the executive board shall receive no compensation for their services as members of the council or of the executive board. The members of the executive board, after their election and prior to entering upon the duties of their respective offices, shall take and sign the usual oath of public officers and the same shall be filed in the office of the county clerk.

(h) (1) The treasurer of the executive board after election as treasurer and before entering upon the duties of the office as treasurer shall execute to the council a corporate surety bond, of 100% of the amount as nearly as can be ascertained that shall be in the treasurer's hands at any one time. All the bonds shall be conditioned to the faithful discharge of the duties of the office of treasurer. The amount and sufficiency of all bonds shall be determined by the county clerk, and upon the county clerk's approval endorsed on the bond, shall be filed with the county clerk, who shall immediately notify the secretary of the executive board and the county treasurer of the approval and filing. The cost of any corporate surety bond so furnished shall be paid by the executive board. In the event of the breach of any condition thereof, the chairperson of the executive board shall, and if the chairperson does not, any member of the county may, cause a suit to be commenced thereon in the member's own name for the benefit of the council, in which suit it shall not be necessary to include the treasurer as a party to the suit and the money collected shall be applied to the use of the council, as the same should have been applied by the treasurer.

(2) Public notices of each annual election meeting or mail ballot election for county commissioner districts or at large, and the annual meeting of the county extension council provided for in this section shall be published once at least one week but not more than three weeks prior to the date fixed for such election or annual council meeting in a newspaper having general circulation in the county. The executive board shall call each of the annual election meetings and the annual meeting of the extension council and shall cause the notices of meetings to be published as herein required. The notices shall state the date, time and place of the meeting. The cost of publishing the notices shall be paid by the executive board of the county extension council.

## **Executive Board Election**

## **Treasurer's Bond**

## **Public Notices of Annual Election Meeting**

<p><b>Term of Office</b></p> <p><b>Filling Vacancies</b></p> <p><b>Joint Meeting of Old and New Executive Boards</b></p>	<p>(3) The elected officers and the members of the executive board shall hold office for one year and until their successors are elected and qualify. Vacancies in the membership of the executive board shall be filled for the unexpired term from the remaining members of the county extension council by the executive board. Vacancies among the officers of the executive board shall be filled for the unexpired term by election from the members of the executive board. Each year not earlier than January 2, and not later than January 15, the retiring executive board shall meet with the newly-elected executive board at a time and place designated by the chairperson of the retiring executive board. At the meeting the retiring executive board shall conclude all business of the past year and pay all lawful bills for the year in which it has served and provide the new executive board with all reports, records and other information which may be necessary to the operation of the county extension program during the ensuing year.</p>
<p><b>Term of Council Members</b></p> <p><b>Filling Vacancies</b></p>	<p>(4) Members of the county extension council shall hold office for a term of two years and until their successors are elected and qualify, and no member of the council shall hold office for more than two consecutive terms. Vacancies in the membership of the county extension council shall be filled by appointment by the executive board for the unexpired term of office.</p> <p>(i) Notwithstanding any other provision of this section, the terms of all members of any county extension council serving the effective date of this act shall expire in 1987, and 24 members shall be elected to constitute and be the county extension council by one of the election methods authorized by this section. Of the members elected to the county extension council in 1987, six members shall be elected to represent agriculture who shall be actively engaged in agricultural pursuits, six members shall be elected to represent home economics, six members shall be elected to represent 4-H club and youth work, and six members shall be elected to represent educational programs in economic development initiatives. Three of each of the six members elected to represent each county extension council member group shall hold office for a one-year term and until their successors are elected and qualify, and three of each six-member group shall hold office for a two-year term and until their successors are elected and qualify.</p>
<p><b>Financial Proceedings</b></p>	<p><b>2-612. Deposit of moneys; duties of treasurers.</b> All moneys received by the treasurer for the council or executive board shall be deposited by the treasurer in a bank designated by the executive board and authorized to receive public deposits. The treasurer shall pay out, on the warrant of the secretary of the executive board, or by a combination warrant check, in either case, signed by the chairperson of the executive board, all moneys which shall come to the treasurer's hands for the use of the council or executive board, and the treasurer shall not pay any sum from the funds of the council or executive board in any other manner. The treasurer shall keep a record of all the moneys received and disbursed, specifying the person or persons from whom received and to whom paid, and the object for which same has been paid out. The treasurer shall present to the executive board at each regular meeting of the board a report in writing containing a statement of all moneys received from the county treasurer and from any other source since the last regular meeting of the executive</p>

board; and of the disbursements made with the items of such disbursements, and exhibit the warrants or checks or combination warrants and checks therefor, which report shall be recorded by the secretary of the executive board; and at the close of the treasurer's term of office shall settle with the executive board; and shall hand over to the successor all records and papers received as treasurer, together with all moneys remaining in the hands of the treasurer.

**2-613. Duties of county treasurers.** The county treasurer shall pay to the treasurer of the executive board of the council of the county treasurer's county all moneys in the county treasury belonging to said council, upon the order of the treasurer of the executive board of the council countersigned by the secretary of the executive board: Provided, That the county treasurer shall not pay to said treasurer of the executive board any such moneys unless and until the county treasurer has been notified by the county clerk that said treasurer of the executive board has filed his or her bond and same has been approved by the county clerk.

**2-614. Duties of executive board secretary; records open to public.** The secretary of the executive board shall: (1) record the proceedings of all meetings of the executive board in books provided for that purpose within 20 days following the meeting; (2) prepare and submit to each meeting of the executive board a report on the work and activities of the county extension council since the last meeting of the board; and (3) perform such other duties as are usually performed by secretaries and as may be prescribed by the executive board. The records of the secretary shall be open to the public inspection at all reasonable times.

**2-615. County extension service agents; qualifications, appointment and compensation; jointly employed agents; approval of county council or district accounts and expenditures.** (a) Except as otherwise provided for jointly employed agents, the executive board of the county extension council or the governing body of the extension district, as the case may be, and the director of extension, or the director's authorized representative, shall appoint an extension agent and determine the amount of the extension agent's compensation. The extension agent shall be under the general supervision of the executive board or the governing body of the extension district, as the case may be, and the director of extension. The director of extension of Kansas State University of Agriculture and Applied Science shall determine the qualifications of each extension agent.

(b) The executive boards of two or more county extension councils and the director of extension, or the director's authorized representative, may enter into an agreement to jointly employ an extension agent or agents under like conditions as the executive board of a single county. Any such agreement may determine the amount of compensation to be paid for each such agent by each executive board of the county extension council and the director of extension, the program and service priorities that will be applicable to each such agent and the time each such agent is to spend in each county. In any case where one or more extension agents are to be jointly employed pursuant to such an agreement, each such agent may be employed and supervised by a multicounty extension governing board and the director of extension, or the director's authorized representative,

### **Duties of the Secretary of the Executive Board**

### **Appointment of Extension Agents**

### **Multicounty Employment of Extension Agents**

**Approval  
of Expenditures**

in accordance with the agreement entered into by the executive boards of the county extension councils of the respective counties. Any such multi-county extension governing board shall be composed of the chairperson, vice-chairperson, secretary and treasurer of each executive board entering into the agreement.

(c) All accounts and all expenditures of funds of the county extension council or the governing body of an extension district, as the case may be, from whatever source derived shall be subject to the approval of the executive board and the director of extension of Kansas State University of Agriculture and Applied Science.

**Responsibilities  
and Limitations  
of Extension  
Council and  
Extension Districts**

**2-616. Purpose of extension councils and districts; certain fees authorized; limitations.** (a) Each county extension council or extension district shall have for its sole purpose the giving of instruction and practical demonstrations in agriculture, marketing, home economics, 4-H club and youth work, community and resource development, and economic development initiatives to all persons in the county or extension district, as the case may be, and the imparting to such persons of information on those subjects through practical demonstrations, meetings, publications, or otherwise, in accordance with the program and service prescribed by the council or the governing body of the extension district, as the case may be. Extension councils and extension districts shall not engage in commercial or other private enterprises, legislative programs, or other activities not authorized by this act and shall not give preferred service to any individual, group or organization.

**Collection of Fees**

(b) County extension councils and the governing bodies of extension districts may collect fees for specific services which require special equipment or personnel, such as a soil testing laboratory, seed testing service or other educational service, but such councils and governing bodies shall not collect membership dues nor shall such councils and governing bodies collect dues for or pay dues to any local, state, or national organization or association. The furnishing of supplies or services deemed necessary by the director of extension and the executive board of the county extension council or the governing body of the extension district, as the case may be, to the conduct of any educational program authorized under this act shall not be considered private enterprise or commercial activity within the meaning of this act.

**Working with  
Other Groups**

(c) Nothing in this act or any act amendatory thereof shall prevent any county extension council, any multicounty extension governing board, or any extension district, or any extension agents employed by such council, board or district, from using or seeking opportunities to reach an audience of persons interested in extension work through the help of interested farm organizations, civic organizations, or any other group. In using or seeking such opportunities the county extension council, multicounty extension governing board, or extension district, or the agents employed by such council, board or district, shall make available to all groups and organizations in the county, multicounty area or extension district, as the case may be, equal opportunity to cooperate in the educational extension program. Extension agents shall not require uniform bylaws, rules, regulations and methods of procedure in groups, clubs or organizations wishing to do extension work. This prohibition shall



not prevent extension agents from suggesting bylaws, regulations and methods of procedure for such groups, clubs or organizations.

**2-617.** Repealed, 1972.

**2-618.** Repealed, 1972.

**2-619. Invalidity of part.** If any section, subsection, clause, sentence or phase of this act is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this act.

**2-620. Extension councils in certain counties; office facilities; tax levy, use of proceeds; protest petition and election.** In any county having a population of not less than sixty thousand (60,000) nor more than seventy-five thousand (75,000), the board of county commissioners may levy, for a period not to exceed two years, a tax on all taxable tangible property in such county not in excess of one-quarter (1/4) mill on each dollar of assessed valuation of such property for the purpose of creating and providing a special fund to be used for the purpose of real estate, including any buildings or structures thereon, and to make improvements on such real estate for the purpose of providing office and meeting room facilities for an extension council operating under article 6 of chapter 2 of the Kansas Statutes Annotated and acts amendatory thereof and to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county. No levy shall be made under the provisions of this act until a resolution authorizing the making of such a levy be passed by the board of county commissioners specifying the amount to be raised each year by such levy and published for three successive issues in the official county newspaper within the county, whereupon such a levy may be made unless a petition in opposition to the same, signed by not less than ten percent (10%) of the qualified electors of such county, as determined by the vote for secretary of state in the last preceding election, is filed with the county clerk of such county within thirty (30) days following the last publication of said resolution.

In the event such petition is filed it shall be the duty of the board of county commissioners to submit the question to the voters at an election called for such purpose at the next general election.

**2-621.** Repealed, 1981.

**2-622.** Repealed, 1981.

## Funds for Extension Offices and Meeting Rooms



# Kansas Extension District Law

## SECTIONS 2-623 THROUGH 2-628, KANSAS STATUTES ANNOTATED

**2-623. Extension districts, establishment or expansion; agreement therefor, terms, prior approval by attorney general; publication of notice of proposed new district or expansion, protest petition and election; district name, powers, personnel and property; governing body, appointment or election and terms of office of first members.** (a) Prior to July 1 of any year, any two or more county extension councils may establish an extension district composed of all of the counties of such councils by entering into an agreement in accordance with this section to combine the extension programs for each county involved into one extension program serving the extension district. No such agreement shall be effective unless such agreement has received the prior approval of: (1) The board of county commissioners of each county included in the proposed extension district, subject to the provisions of subsection (i); (2) the executive board of the extension council of each county included in the proposed extension district and the director of extension of Kansas state university of agriculture and applied science, or the director's authorized representative, acting together as a body; and (3) the attorney general in accordance with subsection (h).

(b) Prior to July 1 of any year, one or more county extension councils and the governing body of any existing extension district may establish a new extension district by entering into an agreement in accordance with this section to combine the extension programs for each such county and such district into one extension program serving a new extension district composed of all counties represented by such county extension councils and the area served by the existing extension district. No such agreement shall be effective unless such agreement has received the prior approval of: (1) The board of county commissioners of each county being added to the existing extension district, subject to the provisions of subsection (i); (2) the executive board of the county extension council of each county being added to the existing extension district, the governing body of the existing extension district and the director of extension of Kansas state university of agriculture and applied science, or the director's authorized representative, acting together as a body; and (3) the attorney general in accordance with subsection (h).

(c) On July 1 after the approval under subsection (a) or (b) of an agreement to establish an extension district, such extension district is hereby established and shall constitute a body corporate and politic possessing the usual powers of a corporation for public purposes under the name of "extension district no. \_\_\_\_\_ (the number designated by the director of extension), \_\_\_\_\_ counties (naming the counties included within the district), state of Kansas." Each extension district is a taxing subdivision and has the power to contract, sue and be sued and to acquire, hold and convey real and personal property in accordance with law.

### Establishment of Districts

### Adding a County to an Extension District

### Taxing Subdivision

**Transfer  
of Property**

(d) Upon the establishment of an extension district under subsection (a) or (b), all of the personnel and property of each of the extension programs which are combined into the new district extension programs shall be transferred to the new extension district and shall be subject to the authority of the governing body of the extension district in accordance with the agreement to establish the extension district.

**Establishment  
and  
Appointment  
of Governing  
Board**

(e) Upon the establishment of an extension district under subsection (a), the board of county commissioners of each county joining in the establishing of an extension district shall appoint four qualified electors to membership on the governing body of the district. The terms of all members so appointed shall commence on July 1 following their appointment. Of the members so appointed two members shall serve for terms ending upon the election and qualification of their successors at an election held on the Tuesday following the first Monday in November of the first odd-numbered year following their appointment and two members shall serve for terms ending upon the election and qualification of their successors at an election held on the Tuesday succeeding the first Monday in November of the second odd-numbered year following their appointment.

**Election  
of Governing  
Board**

**Appointment  
of Governing  
Board**

(f) In the case of one or more counties being included in an existing extension district under subsection (b), the board of county commissioners of each county being included in an existing extension district shall appoint four qualified electors of the county to membership on the governing body of the expanded district. The terms of all members so appointed shall commence on July 1 following their appointment. Of the members so appointed two members shall serve for terms ending upon the election and qualification of their successors at an election held on the Tuesday following the first Monday in November of the first odd-numbered year following their appointment and two members shall serve for terms ending upon the election and qualification of their successors at an election held on the Tuesday following the first Monday in November of the second odd-numbered year following their appointment. The offices of the members of the governing body of the existing extension district shall continue in existence and the persons in such offices shall be members of the governing body of the expanded extension district which is established on July 1 for the remainder of their existing terms of office.

**Election  
of Governing  
Board**

**Disposal  
of Assets**

(g) In addition to other required provisions, each agreement entered into under this section shall specify the permissible method or methods to be employed in disposing of the assets and liabilities of the extension district in the event that one or more counties withdraw from the extension district under K.S.A. 2-628, and amendments thereto.

**Attorney  
General  
Approval**

(h) Each agreement entered into under this section or under K.S.A. 2-628, and amendments thereto, prior to and as a condition precedent to its entry into force, shall be submitted to the attorney general who shall determine whether the agreement is in proper form and compatible with this act and the other laws of Kansas. The attorney general shall approve any agreement submitted for approval under this section or K.S.A. 2-628, and amendments thereto, unless the attorney general finds that the submitted agreement does not meet the requirements of this act. In such case, the attorney general shall specify in writing to the proposed

parties to the agreement and to each other entity required to approve the agreement, the specific respects in which the proposed agreement fails to meet the requirements of law. Failure by the attorney general to disapprove an agreement submitted pursuant to this subsection within 90 days of its submission shall constitute approval of the agreement by the attorney general.

(i) Prior to approving an agreement under this section, the board of county commissioners of each county to be included in a proposed extension district under subsection (a) or to be added to an existing extension district under subsection (b), as the case may be, shall adopt a resolution stating the intention of the board of county commissioners to approve such agreement and specifying the counties that are to be included in the extension district. Such resolution shall be published once each week for two consecutive weeks in the official county newspaper. If, within 60 days following the last publication of the resolution, a petition in opposition to the approval of the agreement and the inclusion of the county in the extension district is signed by not less than 5% of the qualified electors of the county and is filed with the county election officer, such board of county commissioners shall not approve such agreement and the county shall not be included in the extension district unless and until the same is approved by a majority of the qualified electors of the county voting thereon at a primary election or general election or at a special election called and held for such purpose. Any such special election shall be called, noticed and held in accordance with the provisions of K.S.A. 10-120, and amendments thereto.

**History:** L. 1991, ch. 2, § 1; L. 1994, ch. 225, § 1; L. 2015, ch. 88, § 17; July 1.

**2-624. Same; governing body, terms, filing fee, composition and election; vacancies; annual organization.** (a) The governing body of each extension district shall be composed of four representatives from each county included in the extension district. At the conclusion of the terms of the members first appointed to membership on the governing body of the district, the four members representing each county in an extension district shall be elected in a county-wide election by the qualified electors of the county.

(b) At the conclusion of the terms of the members first appointed to membership on the governing body of the district, each member of the governing body shall hold office for a term of four years and until such member's successor is elected and qualified. Each such term of office shall commence on the date of receipt of certification of election by the member elected and shall continue until the member's successor is elected and qualified.

(c) (1) The election to elect successors to members of the governing body whose terms are expiring shall be held on the Tuesday following the first Monday in November of each odd-numbered year.

## Publishing Resolution

## Governing Board Composition

## Governing Board Member Succession

## Date of Election

<b>Reporting of Election Results</b>	<p>(2) Elections to choose members of the governing body of an extension district shall be conducted, the returns made and the results ascertained in the manner provided by law for general county elections except as otherwise provided by this act. Any person desiring to be a candidate for election to the governing body shall file a candidate's declaration of intention with the county election officer of the county represented by the member of the governing body whose successor is to be elected. Such candidate's filing shall be made in the manner as provided in K.S.A. 2015 Supp. 25-21a03, and amendments thereto, and K.S.A. 25-205, and amendments thereto.</p>
<b>Declaration of Candidacy</b>	<p>(3) Notice of the time and place of holding each election, shall be published by the county election officer in a newspaper published in the county in accordance with K.S.A. 25-105 and 25-209, and amendments thereto.</p>
<b>Election Process</b>	<p>(4) All direct election expenses shall be paid by the extension district.</p>
<b>Payment of Election Expenses</b>	<p>(d) Any vacancy in the membership of the governing body of an extension district shall be filled by appointment by the governing body for the unexpired term of office. Each member so appointed shall be a resident of the county which was represented by the member creating the vacancy.</p>
<b>Filling of a Vacancy</b>	<p>(e) The governing body of each extension district shall organize annually in January by electing from among its members a chairperson, vice-chairperson, secretary and treasurer.</p>
<b>Organizing Governing Board</b>	<p><b>History:</b> L. 1991, ch. 2, § 2; L. 1994, ch. 225, § 2 ; L. 2011, ch. 47, § 2; L. 2011, ch. 112, § 5; L. 2012, ch. 122, § 1; L. 2015, ch. 88, § 18; July 1.</p>
<b>Appointment of Program Development Committee</b>	<p><b>2-625. Same; educational extension programs, subjects; program development committees and plans; annual budget and tax levy, limitations.</b> (a) The governing body of each extension district shall plan and conduct the educational extension programs for the extension district in accordance with this act. The governing body of the extension district shall appoint program development committees to develop educational program plans on extension work in agricultural pursuits, in home economics work, in 4-H club and youth work, and in economic development initiatives. Each program development committee shall consist of six or more members from each county. Each program development committee shall be chaired by a member of the governing body of the extension district and shall meet as needed to plan educational programs to meet the needs of the extension district. All program plans shall be subject to final approval of the governing body of the extension district.</p>
<b>Adoption of Budget</b>	<p>(b) The governing body of the extension district and the director of extension of Kansas state university of agriculture and applied science, or the director's authorized representative, shall meet and adopt the annual budget for the extension district to provide for the extension programs, acting together as a body, in accordance with and subject to the provisions of K.S.A. 79-2925 et seq., and amendments thereto, regarding the budgets of taxing subdivisions, except as otherwise specified by this act.</p>

(c) The governing body of the extension district, in the same manner as provided by law applying to other taxing subdivisions, may make an annual tax levy upon all the taxable tangible property of the extension district for the purpose of raising funds to be used to plan and conduct the educational extension programs of the extension district, to be levied and collected as other taxes, at a rate fixed in accordance with the approved budget and of not to exceed the greater of (1) the rate of 2.5 mills or (2) the rate determined to yield an amount equal to the product of \$75,000 multiplied by the number of counties within the extension district. The governing body shall certify the levy so fixed to the county clerk of each county in the extension district who is hereby authorized and required to place such levy on the tax rolls of the county to be collected by the county treasurer and paid by the county treasurer to the treasurer of the extension district.

**History:** L. 1991, ch. 2, § 3; July 1.

**2-626. Same; duties of secretary of governing body; open records.** (a) The secretary of the governing body of the extension district shall: (1) Record the proceedings of all meetings of the governing body in books provided for that purpose within 20 days following the meeting; (2) prepare and submit to each meeting of the governing body a report on the work and activities of the extension district since the last meeting of the governing body; and (3) perform such other duties as are usually performed by secretaries and as may be prescribed by the governing body.

(b) The records of the secretary shall be open to public inspection at all reasonable times.

**History:** L. 1991, ch. 2, § 4; July 1.

**2-627. Same; duties of treasurer of governing body; bond; disposition of district moneys.** (a) Upon taking office, the treasurer for an extension district shall give bond in an amount fixed and approved by the governing body of the extension district for the safekeeping and due disbursement of all funds of the extension district in the custody of the treasurer.

(b) All moneys received by the treasurer for an extension district shall be deposited by the treasurer in a bank designated by the governing body of the extension district and authorized to receive public deposits. The treasurer shall make all payments for the extension district on the warrant of the secretary of the governing body of the extension district or by a combination warrant check signed by the chairperson of the governing body. The treasurer shall not pay any sum from the funds of the extension district in any other manner.

(c) The treasurer shall keep a record of all the moneys received and disbursed which specify the person or persons from whom money was received and to whom money was paid and the object for which the money was paid. The treasurer shall present to the governing body of the extension district at each regular meeting a report in writing containing a statement of all moneys received from each county treasurer and from any other source since the last regular meeting of the governing body and a statement of the disbursements made with the items of

## Levying Taxes

## Duties of Secretary

## Approval of Expenditures

## Reporting of Expenditures

**Responsibility  
of Treasurer**

such disbursements, and exhibit the warrants or checks or combination warrants and checks therefor. This report shall be recorded by the secretary of the governing body.

(d) At the close of the treasurer's term of office, the treasurer shall settle with the governing body of the extension district and shall hand over to the treasurer's successor all records and papers received as treasurer, together with all moneys remaining in the hands of the treasurer.

**History:** L. 1991, ch. 2, § 5; July 1.

**Role of  
Commissioners  
in Withdrawing  
from District**

**2-628. Same; withdrawal of counties from extension districts; procedure; effect; disposition of property and obligations; supplemental agreements.** (a) (1) Prior to July 1 of any year, the board of county commissioners of any county included within an extension district, the governing body of the extension district and the director of extension or the director's authorized representative may agree to withdraw such county from the extension district by a majority voting in favor of the withdrawal. (2) The board of county commissioners in such county shall request such withdrawal by adopting a resolution therefor. No such resolution may be adopted by a board of county commissioners unless the proposed withdrawal request resolution is on the published agenda of the meeting at which it is to be considered for adoption and the governing body of the extension district and the board of county commissioners of each other county included within the extension district have received written notice of the proposed withdrawal request resolution prior to such meeting. (3) Immediately following notification, the chairperson of the governing body of the extension district shall call a meeting of the body to establish whether the governing body of the extension district is in favor of such county withdrawing from the extension district. (4) Any agreement to withdraw a county from an extension district shall be effective on the January 1 occurring after a majority has voted in favor of the agreement pursuant to subparagraph (a)(1).

**Dissolution  
of District**

(b) If one county withdraws from an extension district composed of two counties, the extension district is dissolved on the January 1 occurring after adoption of the withdrawal resolution. The property and obligations of the dissolved extension district shall be transferred to and assumed by the two counties in accordance with the agreement entered into to establish or expand the extension district under K.S.A. 2-623, and amendments thereto, as the case may be, or in accordance with a supplemental agreement which may be entered into by such counties for that purpose.

**Adjustments  
after County  
Withdraws  
from District**

(c) If a county withdraws on January 1 of any year from an extension district composed of three or more counties, the extension district shall continue in existence and shall be composed of all counties remaining within the extension district. On the January 1 that a county withdraws from an extension district, the governing body of the extension district shall be reconstituted and shall be composed of those persons who were members of the governing body prior to January 1 and who were elected by the electors of counties remaining within the extension district. The members of the reconstituted governing body shall continue to serve for the remainder of the terms to which they were elected and shall organize



as provided in K.S.A. 2-624, and amendments thereto. All property and obligations of the extension district prior to any such January 1 shall remain the property and obligations of the extension district unless otherwise agreed to under the agreement entered into to establish or expand the extension district under K.S.A. 2-623, and amendments thereto, as the case may be, or in accordance with a supplemental agreement which may be entered into by the board of county commissioners of the withdrawn county and the reconstituted governing body of the continued extension district for that purpose.

**History:** L. 1991, ch. 2, § 6; L. 1994, ch. 225, § 3; July 1.

**K.S.A. 2003 Supp. 79-5040** states: In 1999, and in each year thereafter, all existing statutory funding mill levy rate and aggregate levy rate limitations on taxing subdivisions are hereby suspended.

**Mill Levy Limit  
Suspension**

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# Kansas Open Meetings Act

## Guidelines for Extension Boards

To ensure that the proceedings of the extension boards are open to the public, the Kansas Open Meetings Act requires boards to:

1. Conduct affairs and transact business in meetings that are open to the public.
2. Refrain from taking any binding action by secret ballot.
3. Provide notice of the date, time, and place of any regular or special meetings to anyone requesting such notice.
4. Make the agenda for any meeting available to anyone requesting the agenda.
5. Recess into executive session only for those reasons stated in the statute, which are as follows:
  - a. Personnel matters of nonelected personnel.
  - b. Consultation with an attorney, which would be deemed privileged in attorney-client relationships.
  - c. Matters relating to employer-employee negotiations.
  - d. Preliminary discussion relating to the acquisition of real property (districts only).
  - e. Matters relating to actions adversely or favorably affecting a person as a student, patient, or resident of a public institution.
  - f. Confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, or individual proprietorships.

The motion for recessing into executive session must contain the following information:

1. The justification for executive session.
2. The time and place at which the open meeting will resume.
3. Any individual(s) invited to participate in the executive session.
4. Discussion shall be limited to subject stated in motion.
5. No binding action shall be taken during executive session.

The right of the public to view the workings of the board should not be confused with a right to speak at the board meetings. Visitors do not have the right to express their views or participate in the board meetings. The board may grant this right.

### Sample Motion

*I move that we go into executive session to discuss a matter involving nonelected personnel, in order to protect the privacy of the persons involved, and that we reconvene in open session in \_\_\_\_\_ minutes. Persons included shall be:*



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