



Making public schools great for every child

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Mark Desetti - Testimony
House Education Committee
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House Bill 2345

Mr. Chairman, members of the Committee, thank you for the opportunity to appear before you today in opposition to House Bill 2345.

Kansas law currently prohibits an employee of a school district from serving on his/her employing school board. This law was enacted specifically to address the issue of a potential conflict of interest. However, there is nothing in law that would prohibit a school employee from serving on a board of education providing it is not his/her employing district.

Lines 28 through 33 on page one of the bill are quite troubling. These lines read:

- (B) holds a position of administrator, teacher or employee of a school district or the state department of education;
- (C) resides in a home where an employee of a school district or the department of education also resides; or
- (D) has a spouse, sibling or parent who is an employee of a school district or the department of education.

The first prohibition in (B) would expand current law to prohibit a school employee or employee of the State Department of Education from serving on any school board whether or not he/she was employed by that board.

The second prohibition (C) prohibits anyone who might live with a school employee from serving on any school board. If my child is a beginning teacher and is living at my home, I would be ineligible from serving on any school board.

The third prohibition in (D) prohibits relatives of school employees from serving on any school board. Although it seems that the parent of a school employee might serve on the board providing the child does not live with the parent.

Essentially, these three prohibitions are intended to guarantee that any Kansan with any connection to any school district would be prohibited from serving on any school board. This bill goes far beyond conflicts of interest which are already covered in current law. It seeks to prohibit anyone with the slightest relationship to a school employee and educators generally from serving on school boards. It would prohibit a retired educator serving as an occasional substitute from serving on any school board.

We might be tempted to take this kind of proposal further. Would you consider a bill to prohibit physicians or nurses from serving on hospital boards? What about their spouses or siblings? Should a farmer or rancher elected to the Legislature be prohibited from serving on the Agriculture Committee?

Why is it that only in education do we seek to ban educators from having any voice in the education system?

Imagine, if you will, how this law might impact small rural communities. Is the pool of potential school board candidates in Jetmore so vast that banning relatives of school employees from serving on the board will still produce plenty of interested and qualified candidates?

One can understand that persons doing substantial amounts of business with the board might have a conflict of interest when approving purchases or contracts. One can even understand that employees might have a conflict of interest when approving salary agreements.

HB 2345 goes way beyond simple conflicts of interest. It is bad policy. We urge you to reject HB 2345.