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DOUG SHANE
37TH DISTRICT

SB 47

School Board Member Rights and Responsibilities

Proponent – Oral In-Person

March 10th, 2025

Madam Chair Estes and Esteemed Committee Members,

My name is Senator Doug Shane from District 37 and I am a proponent of Senate Bill 47. This bill takes important strides to recognize the dignity of each individual school board member on a board of education, as well as ensure that boards of education are transparent to the public.

It is unfortunate that our State finds itself in the circumstances where a bill like SB 47 is necessary, but I can speak about its importance with firsthand experience and knowledge. For brevity, I will speak only to aspects of this bill that have seemed to cause some amount of controversy and opposition.

Adding Agenda Items

The bill would authorize any member of a local school board to add one item of discussion to the agenda per school board meeting. Opponents of this bill have likened a board of education meeting to legislative committee meetings, pointing to the fact that no individual member of a committee can compel the committee chair to add an agenda item. It should be noted there are significant differences between a legislative committee and board of education. Most obvious, a board of education is an administrative body whose role and function is quite different from the legislature.

One might wonder why the ability to add a discussion item is important. For most boards of education, the Superintendent and the Board President are solely responsible for determining what will be on the school board's meeting agenda. Some districts have policies that allow for a board member to request an agenda item be added but there is no guarantee. For many board members who find themselves in the minority, they are controlled by the tyranny of the majority and the board president. This leads to suppression of alternate ideas, gives insurmountable blockade power to the Superintendent or the President to avoid issues, and disregards the individual contributions a board of education member might make for their community. SB 47, as amended, simply gives each board member the ability to add

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one item to the agenda at a meeting to help ensure they can fully represent their citizens and issues important to them.

Public Comment

SB 47 would allow school board members to ask questions or engage in discussion with members of the public who are addressing the school board during a school board meeting, in addition to requiring time for public comments at each regularly scheduled local board of education meeting. The public comment period is a vital part of community engagement and often serves as the only time the public feels they can be heard by the board. There are multiple districts who have elected to stop the public comment period because they find it burdensome or inconvenient. While unfortunate, that is not a suitable reason to eliminate public comment altogether. Requiring public comments helps to ensure the board hears the interests of the public and is given the opportunity to obtain information that otherwise may be omitted.

In addition, there are times when interaction with a member of the public addressing the board is warranted and appropriate, such as asking clarifying questions that may help the board determine if it would be appropriate to add an item to the agenda. School boards should not have policies in place that prohibit a duly elected board of education member from speaking to a member of the public who is addressing the board.

Opponents of this bill will say that this will introduce chaos and loss of decorum in the school board meetings. There is nothing in this bill that restricts and school district from having controls in place to help maintain decorum in public comment periods and to control their meeting. For this reason, the provisions do not create undue burden on school boards and should be seen as beneficial to the general public.

Board Member Property Access

One might wonder why a bill to allow school board members access to any school buildings and attendance centers during school hours or during school or community activities on the property would be needed. It is important to note that current law grants the school board control of these properties. Would you be surprised to learn that some districts have prohibited sitting board members from entering school district buildings? This is completely unacceptable, even if on a limited basis.

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Opponents of the bill will say that this provision creates too much risk for the schools. Nothing in this bill prohibits the school district from putting controls in place and requiring school board members to schedule time to be in a school building.

Conclusions

I ask you to think about the importance of each individual voice is in this legislature. Now contemplate the importance of each individual board member on a board of education. These leaders were elected by the community to have a vital role and voice in public education leadership. It is critical that we help ensure each board member has their individual dignity and authority respected, and that boards of education be transparent to the public. Please vote SB 47 out of committee favorably.

Regards,

A handwritten signature in blue ink, appearing to be 'DS' with a large flourish underneath.

Doug Shane

Kansas Senator, District 37