



Opponent Testimony on SB 47

Requiring school districts to publicly list the names and email addresses of current school board members, authorizing local school board members to add new items to board meeting discussions, ask questions or engage in discussion with members of the public and access school property, authorizing members of the public to address school boards at board meetings and authorizing payment of annual dues to any not-for-profit organization that provides services to member school districts.

February 11, 2025

Judith Deedy on behalf of Game On for Kansas Schools

Chair Erickson, members of the committee, thank you for the opportunity to testify in opposition to SB 47 on behalf of Game On for Kansas Schools, a grassroots public education advocacy organization. As Kansas parents and community members who support public education, we oppose SB 47 as a blatant attempt by a special interest group to change Kansas school board policy in ways that would make it easier to harass school board members, usurp local authority over school board policies and operations and override the will of local citizens by giving minority members the ability to hijack board operations.

This bill was requested by Mike O'Neal on behalf of the Kansas Policy Institute, a private special interest group, and is clearly designed to make it easier for them to market their School Board Resource Center to current school board members. The short title of the bill mentions listing names and email addresses of school board members, but the bill goes much further than that. It actually requires each school district to send the list of current members and the members' email addresses to the state department of education (KDSE) and requires KSDE to maintain a **public** database of all current members of the boards of education of all school districts and their email addresses and **post it on the KSDE website**. There is no reasonable state or citizen interest that is served by requiring a convenient statewide database of email addresses of all local school board members. If a citizen wants to reach out to their local school board members, they go to their local school district website and find how to reach board members. They have no need to contact every board member across the state. KPI may

want the convenience of going directly to a database created for them to make it easier for them to market their own school board entity, but they have paid staff and can go to the trouble of collecting that information themselves. The statewide publication of board member email addresses also makes it easier for people to harass board members who live outside their home communities. It's hard enough to get qualified people to serve as local board members. The legislature should not make it easier to harass them.

This bill also usurps local control by mandating certain board policies and procedures that appear to make it easier for individual board members to disrupt board meetings and hijack the agenda. As parents and community members, we respect the authority of local boards to determine how they set their own agendas and conduct their own meetings. We have multiple ways to engage with our local boards and we support boards maintaining rules that allow them to conduct their necessary business of overseeing our districts as they see fit. We are all too familiar with the ways individuals without a majority on the board have sought to impose their own agendas. We respect the fact that local boards are locally elected and create their own policies for conducting their business. The legislature should respect that and not cater to the whims of a special interest organization that is frustrated it hasn't been able to get more of its politically aligned candidates elected to school boards.

Supporters of the Kansas Policy Institute and its affiliated School Board Resource Center who don't like the policies of their local boards can reach out to their elected members to request they enact changes, elect different school board members, or run for the boards themselves, just like the rest of us Kansas citizens. They should not be entitled to create legislation as an end run around normal processes.

We urge you to oppose SB 47.



KANSANS FOR EXCELLENCE IN EDUCATION

Opponent Written Only Testimony on SB 47

Senate Committee on Education

Tuesday, February 11, 2025

By Ben Jones

Representative of Kansans for Excellence in Education

Chair Erickson, Vice-Chair Thomas, Ranking Minority Member Sykes and members of the Senate Education Committee,

Thank you for the opportunity to provide opponent testimony on SB 47.

Kansans for Excellence of Education stands for local control of public schools. This bill oversteps the balance of a local board and empowers a single member to essentially usurp an entire board meeting. Under this bill, one member can place a discussion item under new business with no prior clearance of the president and vice president whose responsibilities are to plan the meeting. A meeting that already runs 90 minutes can be doubled by adding 4 or 5 items that the 6 other members don't agree with or are prepared to discuss on the fly. We support the opportunity of all board members to be prepared ahead of the meeting for all discussion items. This prevents other members from doing their due diligence prior to the meeting.

We do encourage local boards having a public comment period during their meetings. However, we support local boards setting in policy how public comment is handled. This bill sets in a provision that requires that members may interact with individuals speaking during public comment. A locally elected board should decide for themselves what policy appropriately reflects their community.

We also have some concerns regarding Section 3 requiring full access to buildings by school board members to school district property during hours or when community activities are occurring utilizing the building. There are some security concerns that a board member may be in a facility without knowledge of building administration which is tasked with building security. We encourage board members to visit the buildings with prior notification of building administration. This is important in the event of an emergency that requires evacuation or taking shelter that way all individuals are accounted for. There are no provisions here that keeps board members from bringing

other people with them or scheduling to avoid some sensitive times of the year such as when state assessments are taking place when building administrators go to great lengths to provide a conducive environment for students to do well.

Thank you for the opportunity to testify on SB 47.



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District 7

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District 8

Jim Porter
District 9

Debby Potter
District 10

3/11/2025

Opponent Testimony for Senate Bill 47

House Committee on Education

Cathy Hopkins and Danny Zeck, Liaisons

Kansas State Board of Education

Chair Estes and members of the Committee,

Thank you for the opportunity to provide opponent testimony regarding Senate Bill 47 on behalf of the State Board of Education. The State Board of Education voted to prioritize the authority of local boards of education in the Board's 2025 Legislative Priorities. Senate Bill 47 is counter to this priority as it usurps local boards of education's authority to determine the best way to serve their local communities.

Thank you for your thoughtful consideration of our testimony,

Cathy Hopkins

Danny Zeck

Kansas leads the world in the success of each student.



Kansas PTA
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Opponent, Written Only Testimony of [Senate Bill 47](#)
for the Senate Education Committee
for Hearing on **February 11, 2025**
Denise Sultz
President, Kansas PTA

Cyndie Rexer, Committee Assistant
785-296-7476 s.Education@senate.ks.gov
Room 445-S, State Capitol Building

Opposed to [Senate Bill 47](#) – Requiring school districts to publicly list the names and email addresses of current school board members, authorizing local school board members to add new items to board meeting discussions, ask questions or engage in discussion with members of the public and access school property, authorizing members of the public to address school boards at board meetings and authorizing payment of annual dues to any not-for-profit organization that provides services to member school districts.
Hearing: Tuesday, February 11, 2025, 1:30 PM Room 144-S

Honorable Chair Erickson and Committee Members,

Thank you for the opportunity to provide written testimony in opposition to the proposed statutory changes noted in SB 47, overstepping on the local control of thousands of locally elected school board members.

Kansas PTA recognizes the unique roles and authority of the educational entities identified in the Kansas constitution. We find that this bill interferes with the interests and local control of freely elected school boards. The first legislative priority of the [Kansas PTA Legislative Platform](#) includes acknowledgment of local control. Kansas PTA supports efforts to preserve the wisdom of the Kansas Constitution.

- This includes Article VI, regarding public education, to protect non-partisan elections of local school board members and their local control, to hold legislators' accountable for their obligation to provide suitable finance for ongoing educational improvement, as well as State Board of Education oversight of state education standards and accreditations.

Kansas PTA has the following specific concerns, regarding proposed changed to current statute:

Section 1 (4). Each board shall list the current members of the board of education of such school district and an email address for each such board member on the website of the school district. Each school district shall send the list of current members and the members' email addresses to the state department of education and shall update such information each time a new board member takes office or when any change to such information occurs.

- Local school districts provide name and contact information for their district’s parents, staff, and patrons. Local districts may also choose to share this information with their preferred professional association(s). Does this proposed state mandate to gather municipal data extend to all locally elected city council members and county commissioners? Who is requesting this mandate? And why?

Section 1 (5). *Any member of a board may: (A) Add discussion items under the category of new business at any school board meeting; and (B) ask questions or otherwise engage in discussion with any member of the public addressing the board at a school board meeting.*

- Parents and patrons elect their local school board members to best meet the needs of their local school community. The process for running local school board meetings and developing meeting agenda is the sole responsibility of those locally elected members. Would members of this Senate Education Committee stand for our 6 U.S. elected members of Congress to dictate statehouse committee rules or to allow any member of the Senate Education Committee to engage in discussion with any conferee at any time during a meeting, without consent of the Committee Chair?

Section 1. (6) *Each meeting held by a board of education of a school district, including any meeting that is held virtually, shall include time for a public comment portion of the meeting. Members of the public may address the board at regular school board meetings.*

- Again, would this committee allow any member of the public to address the committee at any regular meeting, regardless of whether a hearing was on the agenda – just because they were in the room or requested a remote link?

Section 3. (b) *Members of the school board may access school district property, including any school buildings and attendance centers, during school hours or when there are school or community activities on such property.*

- Parents expect our educational professionals to prepare our children to be ready for college, career and civic engagement. Parents entrust our elected school board members to provide oversight. In other words, school boards govern and have one employee – the superintendent. The superintendent manages all district employees to implement the daily activities.

We urge the committee to vote NO on SB 47.

Denise Sultz
 Kansas PTA President
 @KsPTALeg

Cc: Mary Sinclair, PhD, Kansas PTA Advocate
 Devin Wilson, VP of Advocacy
 Rachel Russell, Legislative Liaison
 Kansas PTA Advocacy Team, KansasPTA@gmail.com

THE PTA POSITION

Kansas PTA is a nonpartisan association that promotes the welfare of children and youth. The PTA does not endorse any candidate or political party. Rather, we advocate for policies and legislation that affect Kansas youth in alignment with our legislative platform and priorities. [PTA mission and purpose](#) have remained the same since our inception over 100 years ago, focused on facilitating every child’s potential and empowering families and communities to advocate for all children.

To: The Honorable Susan Estes, Chair, And Members of the House Education Committee

From: Etta L. Walker

P. O. Box 203, Sharon Springs, KS 67758

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Re: Written Testimony in Opposition to SB 47

Date: March 7, 2025

To Chairman Estes and Members of the Committee:

Thank you for the opportunity to submit written testimony in opposition to SB 47. I write in my capacity as a citizen of small-town Kansas, and as a private practicing attorney serving the people of rural Kansas. I work with my local school board when and if needed. My children attended USD #241 Sharon Springs public schools (1A, Division II) and emerged well-prepared for later success. To be clear, I am writing in my individual capacity to share my insights based on my observations over many years in my community. As an attorney, of course I will advise any client to follow the law as adopted, but also as an attorney, I see problems with this bill.

I believe SB 47 will further increase districts' administrative and legal expenses. These matters should be left to the discretion of local boards. SB 47 will make the work of local school boards take longer and be harder. It is already challenging to get people to serve on our school boards (a recent vacancy has not been filled), and to get administrators and teachers to serve in our small districts. The bill will endanger the districts' duties to maintain student privacy, protect accounting systems, and more. These proposals in SB 47 are unnecessary, will make more work for board members, administrators, and lawyers, and should be left to the discretion of local boards.

The bill's mandatory public comment and questioning could lead to privacy issues, misinformation, and disruptions. The bill would also expand individual board members' access to school property, potentially violating privacy laws and requiring administrative supervision that our district cannot afford and does not have additional staff to perform (our school has a superintendent who also serves as the grade school principal, a high school principal who is also the activities director, and a clerk who does all of the school's bookkeeping/accounting).

Other provisions, such as listing board members' contact information, open agenda processes, and public discussion mandates, could create legal liabilities and inefficiencies. The bill creates opportunities to further politicize school governance and deter qualified individuals from serving. Ultimately, SB 47 would hinder effective school board operations rather than improve them.

Key Concerns with SB 47:

1. Mandatory Public Comment and Questioning
 - o Public comment should be handled carefully to avoid privacy violations, misinformation, and personal attacks.

- Schools already have policies establishing structured communication channels for parents and community members, ensuring concerns are addressed properly and privately before reaching the public board meeting. Those should be encouraged.
 - School boards are representative bodies, not open forums for on-demand discussions.
 - Many public commenters do not have children enrolled in the school and use board meetings for political statements or personal grievances. Comment periods are not typically content-restricted but expanding them could be time consuming and unrelated to the school's business and policy responsibilities.
2. Access to School Property
- The bill's vague language could allow board members to access anything from student lockers to teachers' drawers to sensitive areas such as student records, personnel files, and accounting and financial systems, creating practical problems and legal and security risks, and requiring professional staff supervision. Our small districts do not have enough personnel to provide this supervision.
 - Schools must comply with privacy laws such as FERPA that protects student information and other laws that protect personnel records, and unrestricted board member access could violate these protections.
3. Listing Board Members' Contact Information Online
- Board members' e-mail addresses on the school website could increase legal liability under Kansas Open Records Act (KORA) and making the district bear the cost of compliance.
 - This may expose board members to increased public scrutiny and potential legal challenges.
 - Many districts lack dedicated email systems for board members, further complicating this requirement.
4. Open Agenda Process
- Forcing boards to allow any member to add discussion items could lead to agenda manipulation by a minority of the board, which causes inefficiency.
 - Most governing bodies do not allow unrestricted agenda additions, for obvious efficiency reasons.
 - Boards follow a form of parliamentary procedure to ensure organized discussions. A more fair alternative than the proposed language would be to allow a board member to move to amend the agenda, but if a majority does not agree, the motion should be allowed to fail.
5. Open Exchanges During Public Comment
- Creating a statutory mandate for board members to engage directly with the public during public comment could lead to privacy violations and increase legal risks.

- Public comment often includes rumors about students or staff, personal attacks, misinformation, and off-topic political discussions, demanding responses from board members, which would be inappropriate.
 - Expanding this practice would make board meetings longer, less productive, and more contentious.
6. Mandatory Public Comment at All Meetings
- This requirement would require unnecessary time and technology investments (for virtual meetings), especially in small districts.
 - Many meetings focus on technical or administrative matters, making public comment irrelevant or impractical.
 - Schools already provide policies with multiple communication channels for public input.
7. Potential Politicization of School Board Memberships
- The bill allows districts to fund alternative organizations that may benefit political organizations that oppose public education policies and local control.
 - This move may be driven by political interests rather than educational benefits; who requested this?

Overall Effect on Public Service:

- Serving on a school board is already time-intensive and demanding. The bill's new requirements would make it even harder to find qualified individuals willing to serve.
- Expanding public comment rules would distract board members from their actual responsibilities and create an inefficient governance process.

Conclusion:

SB 47 is unnecessary and likely counterproductive. It weakens local control, increases legal and administrative burdens, and creates an environment where school board service is less appealing. The bill does not address academic standards or student performance but instead promotes public disruption, blurring of the lines between board members and administrators in terms of access to student and staff information, and further politicization of school governance. These matters should remain under the discretion of local school boards rather than being mandated by the state.



Opponent, Written Only Testimony on Senate Bill 47
House Education Committee,
March 11, 2025
Dr. Brent Yeager, Superintendent, Olathe Public Schools

Chair Estes and Members of the Committee:

We're providing testimony on SB 47 because many of the procedural proposals are requirements beyond the usual and customary procedures for all elected governing bodies in Kansas. Olathe Public Schools supports active and engaged Board leadership and participation in every aspect of our district. We conform to many of the provisions of the bill regarding Board activities and encourage all districts to do the same if are not already.

The bill's board procedure provisions allow any single board member to modify, change, expand, or remove agenda items is contrary to common procedure, and would be disruptive to business of any elected body, including the Legislature. The same provisions regarding public comment apply as well.

Finally, for a district of our size, given our number of students and schools, the bill requiring board members unlimited and even unknown access to any district property raises any number of issues, including legal and safety issues. This provision also highlights the contrasting requirement that all volunteers in schools are subject to background checks.

SB 47 appears to be instigated by the actions of one or two districts and a limited number of persons. Statewide policy is best set with our focus on the boarder issues that many districts may experience, not anecdotes.

We appreciate the opportunity to testify.

A handwritten signature in black ink, appearing to read "Brent Yeager", is positioned above the typed name.

Dr. Brent Yeager, Superintendent
Olathe Public Schools
byeagerec@olatheschools.org