

House Federal and State Affairs Committee

HB 2104

Opponent, In-person testimony

Thursday, February 6, 2025

Mr. Chairman and Committee:

Thank you for the opportunity to testify in opposition to HB 2104. This bill requires the State Board of Education to establish curriculum guidelines for a standardized firearm safety education program for grades K through 12 in Kansas.

I am pleased to see that the importance of local control is recognized in the first sentence of the bill when it states “the board of education of a school district **may** provide firearm safety education programs”. The fact is school districts may already do that, and many already do. They can even offer the training as an elective course if they wish. They do not need legislative permission to do so; and they can choose the curriculum that works for their students.

It is the purview of the Kansas State Board of Education (KSBOE) to set curricular standards. It is the purview of local boards of education to determine the curriculum to be used to meet those standards. What is needed for elective firearm safety training across the state does not have a “one-size-fits-all” answer. Local districts are already welcome to do firearm safety training and can choose the curriculum that best fits their community needs. I am not aware of any requests from local school districts for standards on firearm safety training from either KSBOE or the Legislature during the eight years I spent on the KSBOE. Further, it may very well be that there are any number of firearm safety training programs besides those mandated in the bill that will meet a school district’s needs.

Just as textbook companies provide information to school districts in other curricular areas, the program providers listed in the bill have the same opportunity. The decision is then up to locally elected board members if they wish to implement those programs. Since locally elected board members are already able to implement elective firearm safety education programs, there is no need for legislation.

But the biggest reason that this bill is unnecessary is that the KSBOE has already addressed the issue. In 2018, SB 109 laid out guidelines for the Safe and Secure Schools Act. Included in the guidelines were those for firearm safety education programs. The KSBOE adopted those guidelines. Even though the Safe and Secure Schools legislation has changed every year, and guidelines for firearm safety have been removed from the law, the KSBOE kept those guidelines. Here is what is on the KSDE Safe and Secure Schools Standards web page:

“Standard 9. If school districts choose to implement a firearm safety program, the program curriculum must meet the following criteria; kindergarten through fifth grade, the program must be Eddie Eagle, or other evidence-based youth firearm safety program. For grades sixth through eighth, Eddie Eagle, or other evidence-based youth firearm safety program, or “Hunters Education in our Schools Program” offered by the Kansas Department of Wildlife, Parks, and Tourism, or any other evidence-based program. For students enrolled in grades nine through 12, “Hunters Education in our Schools Program” offered by the Kansas Department of Wildlife, Parks and Tourism or any other evidence-based program shall be taught.”

Even though the KSBOE could have dropped the issue altogether, the standard remains. The KSBOE requested a survey of schools in 2023 about their offering firearm safety education. 44 districts were offering some kind of firearms safety education, a majority using the “Hunter’s Education in Our Schools” program. The KSBOE kept the standard in place. It gives districts the maximum flexibility in selecting firearms safety curriculum. If this committee approves HB 2104, it will be passing legislation that is in conflict with the KSBOE standard.

It is clear from case law that while the legislature may pass laws about education policy, those laws must be in harmony with the KSBOE’s policies. This bill clearly is not as it is more restrictive than the current board standard.

This bill is unnecessary, an example of legislative overreach, and violates the constitutional authority of the Kansas State Board of Education. Further, this bill would not provide firearm safety training to a single child who does not already have access to that training. I urge the committee to reject this bill.

Respectfully submitted by:

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