

Testimony before Senate Education Committee
SB 47 – Rights of local school board members
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Written only testimony in SUPPORT

Madam Chair and members of the Committee

SB 47 is a product of numerous interactions with local school board members frustrated with impediments to their ability to represent their constituents and do their part in improving their local schools. Many of these interactions have come thanks to the Kansas School Board Resource Center, an organization created to address a void that currently exists for local school board members seeking information and advice on a myriad of topics.

It has been said that when you see one school district, you’ve seen one school district. The experiences of local school board members vary widely across the state. Many districts function well with regard to recognizing the proper role of boards and the school administrations that serve them. We have great former administrators in the legislative ranks and Education Committees generally only get to hear from the better ones.

But many district administrations, and even some local boards themselves, push back on individual board members seeking to maximize their ability to understand, participate and impact decisions they feel will have a positive effect on student outcomes and their communities as a whole. Many local board members report being made to feel unwelcome.

Art. 6, §5 of the Kansas Constitution makes it clear that “[l]ocal public schools under the general supervision of the state board of education shall be maintained, developed and operated by locally elected boards.” The Kansas Constitution places the authority to operate local schools with the locally elected boards, not school administrators, no matter how good they are. The latter serve at the pleasure of the local boards.

SB 47 addresses some of the most common concerns expressed by local school board members. The most startling feedback received involves school administrators forbidding local school board members from coming onto school grounds during school or activity hours, either not at all or not without being chaperoned.

Current law, K.S.A. 72-1416, clearly states that local school boards have control of the school district, including all school buildings. SB 47 contains language approved by this Committee last session that makes it clear that local board members may access school facilities. How else can local school board members be expected to make informed decisions based on their own observations and interactions? Local boards are not elected

as a slate. Each elected school board member has an equal stake in the success of their district. KASB would limit a board member's interactions to venues like the grocery store or church. (see exchange highlighted below) Why?

The public should be able to e-mail board members, but some districts object. The reasons have dubious merit. During the hearing on SB 49, the following exchange took place. The committee was discussing the importance of the local school board participating in the building needs assessment before building the budget.

“Sen. Shane: By directing school boards to take greater authority and involvement in this process, does that not actually ask for more local control by having locally elected officials have a deeper role in this process?”

Leah Fliter, KASB: Our position is they are already taking a very deep role in this process through their budget work, through their listening sessions with the site councils, through their conversations, you know their conversations at the grocery store or after church... ...you know people bend your ear about achievement all the time when you're a school board member. So, we feel that is in place. There is no need to require school board member Shane to go into the elementary school and do their needs assessment. That's our position.

Senator Shane: Would it not be better for school board members to have a direct—maybe even sometimes a private—interaction with the school employees, to try to insure that no stone is left unturned, or that—you know sometimes when folks get put into a meeting room with administrators, and other folks around them, they don't feel as free to say the things that are on their mind, or what they see as a need in their classroom. Do you think that private conversations facilitate more honest conversations as a staff member?”

Ms. Fliter: Well, you know, I would say, based on my interactions with folks as a former school board member, there are a lot of opportunities to give that private feedback—that people can email you directly, they can call you, you know your name and your address and your phone are usually, you know, your home phone number and home address are usually on the district's website. I also, you know, we teach in our leadership training that, you know, a single board member really is just a single board member. ... You act on behalf of the board only when you are a member of one of the seven. It's inappropriate. It can be very intimidating for me to walk into Senator Pettey's classroom...”

KASB claims to speak for all member boards, but we know for a fact that not all districts are transparent when it comes to making it convenient to reach their locally elected board members. That said, though, the KASB is apparently ok with making access to e-mail addresses for school board members available in ALL districts. Except, note what they said with regard to the Fiscal Note on this bill:

“The Kansas Association of School Boards (KASB) indicates that the bill may require school districts to incur additional administrative costs;

however, KASB cannot estimate these additional costs. Additional security upgrades and cybersecurity services, as well as additional insurance, may be necessary as a result of allowing additional individuals in schools and attendance centers, as well as sharing board member email addresses.”

Does this sound like an organization dedicated to serving all local school board members, or just the ones who agree with them? Having a local school board member visit a school would be a security threat? Really?

The Fiscal Note goes on to reflect the balance of KASB’s comments:

For membership dues made to not-for-profit organizations, school districts and community colleges may experience additional expenditures; however any additional expenditures for these dues would be optional.”

There should be options available to local boards. The current law singles out one group. The option would be there to join more than one organization or choose a single organization.