

Written Testimony in Opposition of House Bill No. 2345 – School Boards and Conflicts of Interest

House Standing Committee on Education

March 5, 2015 @ 1:30pm

Room 112-N

Testimony of: Jeffrey J. Quirin, PhD

Members of the House Committee on Education:

I am writing to provide written testimony in opposition to House Bill 2345 concerning portions of the conflict of interest language as contained within the current draft of the bill. In short, I believe the bill would seriously impede school districts' abilities to attract the most highly-committed and qualified board members. And, I fear this undesirable impact would be even more prevalent in smaller communities across the State where interest in public service is already insufficient. The following testimony should be construed to represent my personal opinions and not those of the USD 503 – Parsons Board of Education or those of my employer Wichita State University.

Personal Background

I reside in Parsons, KS, am a fifth generation Kansan, and native of Labette County. My great-great grandfather migrated from Germany and homesteaded land on the Neosho-Labette County line. I was educated for the first 23 years of my life in Kansas schools and universities and left our great State only briefly to pursue doctoral studies in my chosen field of accounting. I quickly returned to Kansas upon graduation from the University of Nebraska-Lincoln, worked as an assistant professor at Kansas State University, and then took a similar position with Wichita State University in 2000. I am currently a full professor within the WSU School of Accountancy and hold the W. Frank Barton Distinguished Chair in Business. I have resided in Parsons since accepting employment at WSU and commute back and forth daily. I am in the middle of my second term on the USD 503 - Parsons Board of Education. My wife, Dianna, who began her career as a middle school math teacher, is now a counselor at Parsons Middle School. We have four children two of which have already graduated from Parsons High School and two who currently attend Parsons elementary schools.

Society and Education

I have observed that society is comprised of three types of people as it pertains to education. One subset are those who do not value education and therefore have little interest in the education process for themselves or their family members. These individuals also exhibit little interest in public service related to education unless serving would provide them with a way to carry out an alternative personal agenda. For the most part, these individuals do not seek school board positions which is, quite honestly, not all that bad from the perspective of public education. It would be disastrous to have an elected school board member who did not personally value education but rather sought the position for some other unrelated reason. Unfortunately, I believe this first segment of the population is actually growing somewhat rapidly in many of the smaller towns in the State of Kansas especially those communities possessing increased poverty rates.

The second subset of society values education and clearly sees the benefits derived from same. This group of people also understand the importance of having high-quality elected officials in public education. However, due to other community, family, or service commitments, these people are also less likely to seek out school board positions unless they perceive a significant need is there and other members of the community encourage them to fill this void. For the most part, even though they agree that it is necessary that someone

capable does it, these people are not internally driven to commit the necessary time to public service directly related to education. I suspect a fairly significant portion of society falls into this second group.

The third subset of society not only values education and sees the benefits that a solid public education system can provide but is also personally committed to continually improving the educational process and system. As a result, these people consider education to be of utmost importance and are therefore most likely to seek school board positions. These individuals commit the necessary time to public service directly related to education because they believe they are capable of making a difference and understand the ramifications of not doing so. Like myself, many of these individuals are married or otherwise related to others who hold similar commitments and beliefs about education. Because of their unwavering commitments to education, spouses and family members have oftentimes even pursued careers in education and serve as educators within the local schools. I perceive that this portion of the population, especially in smaller communities, is relatively small. However, this segment of society holds a disproportionate number of school board positions due to the segment's overwhelming commitment to improving education.

Consequences of House Bill 2345

As written, House Bill 2345 would bar a large portion of the third subset of society as described above due to a "conflict of interest." It is very concerning that this bill disqualifies many members of the most committed and qualified portion of the population from seeking a school board position. This seems like an especially irrational change in light of the need to have intelligent and informed decision makers at the local government level. The resulting impact would further dictate that more members of the first and second subsets of society would need to fill school board positions. I would argue that members of the first subset lack the necessary qualifications and commitment levels to effectively perform their duties as a board member. Additionally, a majority of the people in the second subset would do an adequate job in fulfilling their board responsibilities, if elected, but these people are oftentimes already overextended with other community or public service obligations. This is especially true in smaller communities where there are oftentimes not enough public or community servants to fulfill the needs of the community.

It is clear that there are costs to the passage of House Bill 2345 as currently written. One cost, as I have delineated above, relates to disqualifying what is arguably the best suited portion of society from seeking a school board position. However, as an accounting professor, I commonly evaluate the benefit side of decisions before passing judgment. I must admit though that I am troubled because the benefits of this bill are not immediately clear. Does the author of this bill perceive that those that would be disqualified from serving due to the expanded "conflict of interest" guidelines are currently not performing their fiduciary duties as school board members? Does the author of this bill believe potential candidates falling under the expanded "conflict of interest" guidelines are somehow using their school board positions for personal gain? Does the author of this bill perceive that the voting public who elect the school board members are unable to effectively evaluate individual candidates and therefore the state government needs to further restrict the number of eligible candidates that local voters can consider? Quite frankly, the true motivation for this bill appears unclear at best.

As with any decision, I am asking you to critically evaluate the costs and benefits of House Bill 2345. It is not clear to me that the non-monetary conflict of interest sections of this bill lead to any benefits whatsoever. However, at least one cost of those sections is clear and that cost relates to significantly reducing the number of qualified and committed school board candidates. Within the smaller communities across the State, it is already difficult to attract sufficient numbers of people for public service positions. It seems irrational to further restrict members of our population from fulfilling this service if they are viewed by their local voters as capable elected officials. Just think if a similar restriction was placed on your own positions as State Representatives. That is, if someone in your family or a member of your household was employed within your District, you would have a "conflict of interest" and would therefore be disqualified from seeking the office you currently hold. How absurd.

In closing, for 17 years, I have dedicated my life to serving my students as an educator for the State of Kansas. I would like to continue my commitment to education through service as a local school board member. I ask that you seriously consider the contents of my testimony, reach the conclusion that the costs of House Bill 2345 overwhelmingly outweigh any potential, albeit unknown, benefits, and therefore deem the bill as an unnecessary change to our current public service conflict of interest criterion.

Sincerely,

A handwritten signature in black ink, appearing to read "Quirin", with a stylized flourish at the end.

Jeffrey J. Quirin, PhD