



**KANSAS ASSOCIATION
OF SCHOOL BOARDS**

Serving Educational Leaders, Inspiring Student Success

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Testimony before the
House Committee on Federal and State Affairs

on
HB 2468 - Authorizing possession of air guns on school property

by
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Madam Chair, Members of the Committee:

Thank you for the opportunity to testify on **HB 2468** on behalf of the Kansas Association of School Boards. For those of you who may not be familiar with our organization, KASB is a voluntary association of local boards of education and other local education agencies. The Kansas Constitution establishes that “Local public schools under the general supervision of the state board of education shall be maintained, developed and operated by locally elected boards.” (Article 6, Section 5)

Our purpose is: “to secure the best possible educational opportunity for all the children of the State of Kansas; to support and promote legislation and educational policies approved by the membership; to keep its members informed and aware of important issues facing education through publications, workshops and seminars; to seek the cooperation and assistance of all organizations with the same goal; to study the problems of school organization and administration and work for the most efficient and economical organization of Kansas Schools consistent with our primary purpose.”

Our policy positions on legislation are adopted annually by a Delegate Assembly representing our members. We do not have a position on air gun policies, but we have adopted the following statement:

***Limit State Intervention.** We believe state policies should address outcomes to be achieved, not methods to achieve them. State intervention should be focused on schools or districts that fail to meet ambitious but reasonable standards.*

HB 2468 does not address student educational outcomes, but instead concerns local school board policies regarding school facilities, student activities and district safety and liability. The bill seeks to prohibit local school boards from adopting policies that “prohibits an organization from conducting

activities on school property solely because such activities include the possession and use of airguns by the participants.”

First, we question the wisdom of adopting state laws to determine what kinds of organizations and which activities must be allowed on school properties. We think most Legislators and Kansans support the concept of local control of public schools, and suggest this kind of decision is best made by local officials who know their community best and are accountable to the voters. There are certainly times when there is a compelling state interest in local intervention, such as the overriding interests of students, voters and taxpayers. However, this bill seems focused only a particular type of organization and activity.

Second, this bill would prohibit local boards from blocking organizational activities solely because such activities involve airguns. If the board may prohibit such organizational activities for any other reason, we are not sure what the bill is designed to accomplish.

Third, the bill would prohibit requiring such organizations to carry or pay for liability insurance for activities conducted on school property. It also says the school may require participants to sign waivers of liability “to relieve the school district, the school and all school personnel from liability for any claims arising out of the acts or omissions of any individual or any school personnel relating to activities conducted by an organization.” However, while these waivers might prevent the individuals signing the waiver from taking action against the school district, we do not believe that it would protect the school district in case of damages to property or injuries to other individuals who did not sign such waivers.

For all these reasons, KASB opposes **HB 2468** and urges the committee to allow these issues to be addressed at the local level by district officials, constituents and voters.

Thank you for your consideration.