

SESSION OF 2021

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 235**

As Recommended by Senate Committee on  
Education

**Brief\***

SB 235 would require all unified school districts in the State provide a full-time, in-person attendance option for all students enrolled in kindergarten through grade 12 beginning on March 26, 2021, for school year 2020-2021 and every school year thereafter.

The bill would be in effect upon publication in the *Kansas Register*.

**Background**

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Masterson.

***Senate Committee on Education***

In the Senate Committee hearing, **proponent** testimony was provided by Senator Masterson and a private citizen. Written-only **proponent** testimony was provided by seven private citizens. The proponents generally stated remote and hybrid learning models have negatively impacted students, including learning loss and increased anxiety and other mental health issues. Further, the proponents noted concerns about spreading COVID-19 were overstated and school districts are capable of providing in-person learning with preventative measures in place. The proponents also stated

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

this bill does not infringe upon the constitutional powers of the local school boards regarding the operation of schools because it only requires an in-person option; school boards may continue to offer remote and hybrid learning models.

Neutral testimony was provided by a private citizen. The conferee generally stated in-person learning is optimal, but ensuring the safety of teachers and students is also important. Written-only neutral testimony was also provided by a representative of the American Heart Association.

**Opponent** testimony was provided by representatives of the Garden City School Board (USD 457), Kansas Association of School Boards, and Kansas National Education Association. Written-only opponent testimony was provided by representatives of the Kansas Chapter of American Academy of Pediatrics and the State Board of Education. The opponents generally stated in-person learning is the goal of every school district, but concerns about the health of teachers and students, the inability of every school to provide social distancing and other preventative measures, and the remaining unknowns about the vaccine's effectiveness against spread of COVID-19 are valid reasons to maintain hybrid and remote learning. The opponents also noted that constitutionally, the power to open and close schools is a power granted to local school boards and this bill would infringe on that power.

### **Fiscal Note**

According to the fiscal note prepared by the Division of the Budget on the bill, enactment of the bill would have no fiscal effect.

Education; in-person learning; remote learning