

February 15, 2023

The Honorable Kristey Williams, Chairperson  
House Committee on K-12 Education Budget  
300 SW 10th Avenue, Room 546-S  
Topeka, Kansas 66612

Dear Representative Williams:

**SUBJECT:** Fiscal Note for HB 2382 by Committee on K-12 Education Budget

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2382 is respectfully submitted to your committee.

HB 2382 would establish the School District Board of Education Member Free Speech and Transparency Act. The bill would require school districts to publicly list current members and associated email addresses on the district website. The Department of Education would also be required to maintain a public database of all current members of the boards of education of all school districts, and associated email addresses. The Department would be required to post the database on the Department's website.

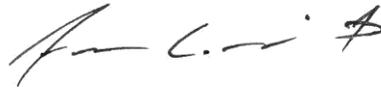
The bill would require all records kept on any private email account or private electronic device by a member of a local board of education concerning the business of the board be open records available for public inspection in accordance with the Open Records Act.

In addition, the bill would provide that a member of a board of education would have the authority to add or place new items for discussion on the board meeting agenda prior to any meeting conducted by the board and at the beginning of any meeting that has commenced. No member of a board of education of a school district would be allowed to restrict, limit, or prohibit any other board member from engaging with questioning any person who presents public comment or testimony during any board of education of the school district meeting. Each local board of education meeting would be required to include a public comment portion, including meetings held virtually. If any member of a local board of education were to request information regarding the school district, the appropriate school district staff would be required to fulfill such request in a timely manner.

Additionally, for any communication received by a member of a local board of education intended to be a communication for the entire board, or that addresses the entire board, the communication must be promptly disclosed to all members of the board. Finally, any policies adopted by a local board of education that would contradict the bill would be null and void.

According to the Department of Education, any fiscal effect for local boards of education would be negligible.

Sincerely,

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

Adam Proffitt  
Director of the Budget

cc: Craig Neuenswander, Department of Education