

SESSION OF 2008

SUPPLEMENTAL NOTE ON SENATE BILL NO. 492

As Amended by Senate Committee of the Whole

Brief*

SB 492, as amended, would repeal current law that makes any person who has been convicted of driving under the influence of alcohol or drugs when the violation is punishable as a misdemeanor ineligible to acquire a teaching license in Kansas.

The bill also would amend current law to make a conviction of (or entering into a criminal diversion agreement for) the crime of endangering a child result in a five-year ban from the teaching profession, a conviction of the crime of aggravated endangering a child result in a lifetime ban from teaching profession, and a conviction of the crime of sexual battery when the victim was under 18 or a student of the person committing the crime result in a lifetime ban from the teaching profession.

The bill also would prohibit teachers from using, reading, or displaying, and principals from allowing individuals to use, read, or display, any obscene material without approval of the local school board.

Background

The bill was supported by Senator Vratil. No opponents presented testimony at the time of the Senate Education Committee hearing.

The Senate Education Committee amended the bill to clarify existing law by listing all offenses for which a person

*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>

would never be eligible to acquire a teaching license and those offenses for which a person would only be eligible to acquire a teaching license only five years or longer after the conviction date.

The Senate Committee of the Whole made four amendments to the bill to:

- Make a conviction of (or entering into a criminal diversion agreement for) the crime of endangering a child result in a five-year ban from the teaching profession;
- Make a conviction of the crime of aggravated endangering a child result in a lifetime ban from the teaching profession;
- Make a conviction of the crime of sexual battery when the victim was under 18 or a student of the person committing the crime result in a lifetime ban from the teaching profession and delete a similar provision that was duplicated under the five-year ban; and
- Prohibit use of obscene material in schools without approval of the local school board.

The bill would have no fiscal impact on the Department of Education.