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Opponent Testimony

HB 2382 - AN ACT concerning school district boards of education; establishing the school district board of education member free speech and transparency act; requiring school districts to publicly list current members and provide the email addresses for such members; requiring certain records made, maintained or kept on a member's private electronic device to be subject to disclosure under the open records act; authorizing members to add items to meeting agendas, question conferees and request information from the school district; amending K.S.A. 2022 Supp. 45-217 and repealing the existing section.

Provided by

Ann Mah and Dr. Deena Horst, Legislative Liaisons

Kansas State Board of Education

To

Committee on K-12 Education Budget

February 20, 2023

CHAIRWOMAN WILLIAMS AND COMMITTEE MEMBERS:

Thank you for allowing us to testify in opposition to HB 2382. This bill sets out several provisions that would lead to security risks for the district and board members, reveal correspondence from patrons intended to be private, and potentially create chaos at board meetings.

Our biggest objections, however, involve the legislative overreach into decisions that should be made locally about how to manage local board meetings and information. According to the Kansas Constitution, locally elected boards maintain, develop and operate local public schools under the general supervision of the Kansas State Board of Education. For local boards of education to carry out their constitutional responsibilities, we believe the entity best positioned

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to determine policy regarding the manner in which local board meetings will proceed is the local board, with input from patrons. Furthermore, patrons and board members are able to collaboratively develop policies that best fit their needs without legislative one-size-fits-all solutions.

Finally, this bill requires standards of “transparency” that the Legislature has not and would never require of its own members. Requiring another elected body to provide information to the public that you would never require of yourself as an elected official seems disingenuous. For these reasons we request the Committee not forward HB 2382 to the full House.