



**Written Opponent Testimony on  
HB 2451, relating to the use of public assets for campaign finance  
House Committee on Elections**

**By  
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Chair Proctor and Members of the Committee,

Thank you for the opportunity to testify in opposition to HB 2451. KASB's member-adopted policies are grounded in the Kansas Constitution's grant of authority to local boards of education for the management and governance of local public schools. "As the constitutional authority charged with the management of local schools, the school board is accountable to district patrons through the electoral process and must be the final authority on local management decisions for expenditures, personnel, facilities, and programs."

As the accountable decision makers on these very important issues, local boards of education, working with the staff in their districts, should not be prohibited from providing factual information to the voters in their communities regarding, e.g., plans to provide safe, supportive learning environments for students through bond issues.

Regrettably, the new language proposed in HB 2451 is so broad and vague that it would infringe upon board members' and staff's ability to communicate factual information about district business to staff, students, families, and voters. School families expect board members to communicate transparently on issues of vital concern and to do so through the *voters'* preferred methods of communication (which is quite often not a *website*). Those methods include the most common communication tools and strategies, including hosting public meetings, sending newsletters, and digital communication by email and on social media. The bill prohibits "directed mass communications," which on its face appears to prohibit each of these commonly used and widely expected methods of providing information to parents and voters. We fear that such a prohibition will have the regrettable but predictable effect of decreasing transparency around issues of vital concern to school communities and increasing distrust in decision making processes.

Deciding neutrality becomes subjective, potentially chilling legitimate public education efforts out of fear of violating the law. Combined with the threat of a Class C misdemeanor for violating this provision, the bill creates risk for school district employees, potentially functions as a prior restraint on otherwise legal and permissible speech, and raises the risk of targeted and/or inconsistent enforcement across the state.



Because HB 2451 limits the ability of government bodies to share factual information in their efforts to conduct the public's business, limits their ability to fully educate voters on issues of vital concern, creates grey areas around what counts as advocacy, and exposes school district employees to legal liability, KASB urges the committee to reject this bill.

Thank you.

*KASB is a non-profit service organization built on an abiding belief in Kansas public schools. We have put the needs of students and K-12 leaders first since 1917.*