



**Oral Opponent Testimony on
SB 314, relating to the use of public assets for campaign finance
Senate Committee on State and Federal Affairs**

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Chair Thompson and Members of the Committee,

Thank you for the opportunity to testify in opposition to SB 314.

KASB's member-adopted policies are grounded in the Kansas Constitution, which grants local boards of education the authority to manage and govern their 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.

To fulfill these constitutional responsibilities, local boards—working closely with district staff—must be able to provide factual, timely information to their communities. This includes communicating about district needs, facilities planning, and bond proposals designed to support safe, effective learning environments for students. Families and voters expect this transparency from their elected school leaders.

Unfortunately, the new language proposed in SB 314 is both broad and vague and, as written, it could be interpreted to restrict board members and staff from sharing essential information about district operations, needs assessments, or bond-related planning with students, families, employees, and voters. The threat of a Class C misdemeanor for violating this provision heightens the risk of inconsistent or targeted enforcement. For school officials and employees, this risk may function as a prior restraint on otherwise lawful communication, chilling speech and reducing transparency around issues of vital concern to school communities.

Kansas already has a robust body of Attorney General guidance interpreting the existing provisions of K.S.A. 25-4169a as they apply to school district bond elections and other ballot issues. This guidance provides clear, workable guardrails that distinguish between factual



communication and advocacy.¹ Adding the suggested language to this section of statute raises concerns that the law will be misinterpreted or weaponized against board members and district staff simply for sharing information about student needs, facilities, or district operations.

SB 314 would disrupt the long-standing, balanced framework that already protects public assets and guides school districts on bond issues and other district-related ballot issues. By increasing the risk of significant legal liability for school district officers and employees as they carry out their constitutional duties to conduct the public's business and provide voters with essential information, the bill could hinder transparency and responsible governance. For these reasons, KASB respectfully urges the committee to reject SB 314.

Thank you for your consideration.

***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.***

¹ See, e.g., Op. Att'y Gen. Kan. No. 93-33 (Mar. 15, 1993) ("In review, a unified school district is under an obligation to educate the electorate regarding issues pertaining to schools which are to be voted on by the electorate. However, officials of the school district must maintain a semblance of neutrality, and information provided by the school district may not advocate a particular stance on the issue."); Op. Att'y Gen. Kan. No. 93-125 (Sept. 22, 1993) ("[S]chool districts have an obligation to educate regarding school district issues to be voted on by the electors. However, a school district does not have the authority to advocate a position on issues to be voted on by electors and the officers and staff of the school district must maintain a semblance of neutrality.).