



**Oral Neutral Testimony on
SB 288, prohibiting certain sex offenders from entering school property, etc.
Senate Judiciary Committee**

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Chair Warren and Members of the Committee,

Thank you for the opportunity to submit KASB's neutral testimony on SB 288. KASB's members are the nearly 2000 locally elected school board members in 285 public school districts across Kansas. Local control of school district governance and management decisions is a foundational principle throughout KASB's member-adopted permanent and annual legislative policies:

Local Control of Public Schools

In addition, Article 6, Section 5 states, "Local public schools under the general supervision of the state board of education shall be maintained, developed and operated under locally elected boards."

- We support management of public schools under locally elected boards of education, including setting curriculum, staffing, financial management and policies, so that such schools can progress and meet State Board standards.

Protecting Local Board Authority and Respecting Local Control of Governance Decisions

We support local boards' constitutional governing authority and generally oppose unfunded mandates and mandates that create clear conflicts between state and federal requirements and laws, such as mandates that would require a school district to promote a specific religious faith. Such conflicting mandates have negative unintended consequences for public schools, including causing districts to divert resources from their core mission of educating students.

Concurrently, it is one of our members' highest priorities to ensure the safety and security of the students entrusted in their care each school day:

School Safety and Security

KASB supports evidence-based, cost-effective steps to foster safe and secure school environments.

Student and Staff Safety, Security, Health, and Well-Being

We support legislative action that will improve student safety, security, health, and well-being, including . . . [a]ddressing other identified student health and safety issues.

By adding a new section of law to the Kansas offender registration act, SB 288 would prohibit adult sex offenders whose crimes were committed against minor victims from entering onto school property or attending a school activity. The bill also amends definitions in the act to define both school property and school activities.

The bill adds provisions to state law that would support school districts' efforts to "foster safe and secure school environments" for students of all ages. Further, in its current form, the bill does so without creating unfunded mandates or placing added administrative burdens on school districts about screening of visitors on school property or at school activities. These aspects of the bill align with KASB's member-adopted legislative policies supporting student safety and opposing unfunded mandates.

KASB is neutral on the bill because, to an extent, the bill may create situations that place school districts in the middle of "mandates that create clear conflicts between state and federal requirements and laws." We ask that the committee consider the following scenarios:

- USDs serve students who turn 18 before their regular high school graduation; also, some USDs provide adult diploma completion and GED programs. Moreover, under federal law, USDs provide special education services to students with qualifying IEPs through age 21. A student entitled by law to these educational services may also fall under SB 288's provisions. This could result in barriers to students' completing their K-12 education.
- Particularly under IDEA, the federal special education law, parents have explicit rights to participate in meetings related to their child's individual education plans. The bill does not address such circumstances where a parent's state or federal rights to participate in the education of their minor child may conflict with the bill's provisions banning certain adult offenders, without exceptions, from district property and activities.

We ask the committee to consider these scenarios so that all stakeholders have a clear understanding of the bill's impacts on an affected student's right to a free, appropriate public education, and on an affected parent's rights to involvement in their child's education.

We appreciate the opportunity to provide feedback on SB 288. 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.