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**Michelle Schroeder  
On behalf of the Kansas Attorney General's Office  
Written-Only Proponent Testimony for SB 246  
Senate Judiciary  
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Chairman Warren and Members of the Committee:

Thank you for the opportunity to testify today in strong support of Senate Bill 246. The Kansas Attorney General's Office is committed to protecting our state's most vulnerable citizens—particularly our children. This bill represents a critical step forward in ensuring the safety of students in Kansas public schools by mandating comprehensive, regular criminal history record checks for all school employees who have direct contact with students.

In November 2023, following a performance audit by the Office of the Medicaid Inspector General—housed within the Attorney General's Office—we uncovered a significant gap in current practices. The audit revealed that approximately 31% of school district employees providing Medicaid-related services to students lacked documented background investigations. While licensed educators undergo checks during initial licensure or renewal, many non-licensed employees—such as paraprofessionals, aides, coaches, custodians, and others with direct student contact—may go years, or even decades, without screening. This is unacceptable when children's safety is at stake.

Explicit instances of a school employee being hired despite a known prior child-related criminal record are rare in public reporting, likely due to background check requirements catching such histories at hiring. However, audits like the 2023 Medicaid Inspector General report highlight gaps where some non-licensed staff may go years without updated checks, increasing risks of offenses occurring post-hire.

Senate Bill 246 directly addresses this vulnerability by:

- Requiring all applicants for teaching licenses or certificates to submit to state and national fingerprint-based criminal history record checks.

- Mandating that all school district employees (and those in public innovative districts) with direct student contact undergo these checks prior to commencing work and every five years thereafter.
- Allowing school districts to cover the costs or pass them to employees and applicants, ensuring flexibility while prioritizing compliance.
- Requiring self-reporting of certain convictions or diversions, with penalties for non-compliance.
- Extending similar protections to public innovative districts.

These measures align precisely with the recommendations our office issued in 2023: that the Legislature adopt a law requiring fingerprint-based criminal history background investigations for all school employees on a documented five-year cycle. By closing these gaps, SB 246 will help prevent individuals with disqualifying criminal histories from having unsupervised access to students, reducing risks of harm and enhancing trust in our public education system.

Child protection is not a partisan issue—it is a fundamental duty. Kansas already requires rigorous background checks for child care providers and others working with vulnerable populations. Our schools, where children spend much of their day, deserve no less. This bill builds on existing frameworks.

To be consistent and to remove the fiscal note, we recommend removing new Section 2.