

KASB LEGISLATIVE COMMITTEE 2023 - 2024

Members appointed by KASB president for three-year terms. Term ending dates listed by region.

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ONE YEAR RESOLUTIONS

DRAFT KASB 2024 State Resolutions

Changes from 2023 noted in red.

Motion 1: Adopt the following resolution.

Resolution on State Issues for 2024

Section 1 – Introduction

KASB supports the Kansas State Board of Education’s Kansans Can vision and outcomes, with the goal of leading the world in the success of each student.

Section 2 - Section 2 – Constitutional Responsibilities

We support that goal under the Kansas constitution’s charge for intellectual, educational, vocational, and scientific improvement and its balance of responsibilities in Article 6 to entities, each accountable directly to the voters. 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 general supervision of public schools under the State Board of Education, including setting standards for accreditation, learning standards, graduation, and licensure.
- 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.
- We support repeal or clarification of the provisions of SB 113 of 2023 regarding the disposition of district property.
- We support suitable finance provided by the Kansas Legislature, including continued implementation of the constitutionally suitable school funding and inflationary adjustments approved by the Legislature, the Governor, and the Kansas Supreme Court. Increased funding that compensates for rising costs will help districts pay suitable wages to recruit and retain highly qualified staff to continue to

promote student success. We oppose arbitrary limits on taxes and valuations because of the long-term impact on revenues for schools and other public services. We urge caution and due deliberation in the consideration of tax policy. Any reduction in the statewide mill levy for K-12 schools must be offset by other state funds.

- We support the state legislature meeting its statutory obligation to reimburse special education service costs at the mandatory rate of 92 percent of excess costs to ensure student success. If special education is not fully funded by the legislature, school districts must shift funds away from the general student population to pay for mandated special education services.
- We support the development of relationships among local teachers, students and families without additional, restrictive legislative oversight resulting in the diversion of time and money from the classroom to bureaucratic tasks. We support the legislature amending Sen. Sub to HB 2567 of the 2022 session to allow teachers, counselors, and other district employees to administer questionnaires, surveys, and screening tools to ensure student mental health and school safety and to support professional classroom management practices without undue legislative oversight.
- We support the amendment or elimination of the open enrollment provisions prescribed in Sen. Sub. to HB 2567 of the 2022 session because the required timelines and procedures are not practical to determine short and long-term district and building capacity. Mandatory open enrollment will increase the property tax burden in the receiving district with no impact on the transferring family. Mandatory open enrollment has also led to concerns about student safety in the receiving district. Districts should have the authority to prioritize out-of-district enrollment of employees’ children to aid in the recruitment and retention of a high-quality staff.
- We support allowing school districts to use either current year enrollment or the greater of the past two years’ enrollment to calculate state aid.
- We support the elimination of the mandatory transfer from the Supplemental General Fund

(LOB) to the At-Risk Fund. Current law interferes with districts' ability to use the funds to best address local needs. Restoring LOB flexibility would better serve all students, reduce the numbers of students who need extra help, and contribute to improved employee recruitment and retention.

- We support the KSHSAA's responsibility for the oversight of student interscholastic activities, which enhance students' academic achievement and postsecondary success. **In order to best serve students, school districts should have local control over expectations of student engagement that exceed KSHSAA minimums.**

Section 3 – Public funding for public education

To ensure all students have the opportunity to succeed, all schools supported by public funds must serve all children on the same basis as public schools. We oppose programs including but not limited to vouchers, education savings accounts and tuition tax credits because such programs divert public funding from public education to schools which are not required to serve all students, including those who are disadvantaged, disabled, or those with the greatest needs.

We support school districts and students engaging in entrepreneurial pursuits for educational purposes and not being deemed in competition with privately-owned businesses.

New Section 4: Transparency in the Legislative Process

We oppose the practice of "bundling" K-12 appropriations with unrelated policies, especially proposals that have not received a committee hearing.

Section 5– Goals for Improving Education

We support improving teacher recruitment and retention through local control of classroom content, respect for the teaching profession, and increased funding for salaries, including the inflationary adjustments approved by the legislature and state Supreme Court.

We support the following Kansans Can Outcomes and these policies to promote them:

Postsecondary Success

- Efforts to expand access to postsecondary education, both in high school and after graduation.

High School Graduation

- Efforts of the State Board to consider revising high school graduation requirements to better reflect student preparation for postsecondary education and the workforce, including more "real world" experience.

Academically Prepared for Postsecondary

- Access to affordable broadband service for all Kansas students, families, and schools.
- At-risk funding necessary to meet diverse needs of students.

Social Emotional Growth

- Increased support for the mental health needs of students and staff.
- Improved collaboration across agencies and with the Legislature to support educational outcomes for students in foster care or experiencing homelessness.
- Efforts to address other identified student health and safety issues.
- Efforts to address the issue of youth vaping and other drug use.
- Legislative recommendations of the School Bus Stop Arm Violation Committee.

Kindergarten Readiness

- Expand early childhood education programs to improve student outcomes and support families.

Grade level retention

We support local educators and families making decisions on grade level retention. The legislature should not interfere with parental rights by mandating a statewide retention policy. Additionally, research shows that grade level retention rarely if ever improves student achievement.

Individual Plan of Study

- Adequate support to allow more personalized educational experiences for each student.

Civic Engagement

- Efforts by the State Board to include civic engagement in the accreditation system.

Section 6 – Foundational Support for Improving Education

We support the following foundational requirements for schools to achieve these outcomes:

- Adjusting statutes to include more flexibility to respond to disasters and public health emergencies such as required hours and/or days of instruction.
- Exploring ways to address staff shortages, including:
 - Improving teacher recruitment and retention through local control of classroom content, respect for the teaching profession, and increased funding for salaries;
 - Supporting the State Board of Education’s professional licensing standards for teachers and substitute teachers;
 - Supporting efforts to create flexibility within KPERS to enhance the recruitment and retention of school district staff.
- Ensuring equitable and adequate funding for school district capital costs by revising the capital improvement aid formula and allow districts to provide appropriate facilities. The legislature should eliminate the statute prohibiting the State Board of Education from approving a bond issue if the cap on bond and interest state aid has been reached.

- Study state transportation aid to include students living less than 2.5 miles from their assigned school, including but not limited to funding to transport students who live in hazard areas. The legislature should also examine the effect of HB 2567 of 2022 which will result in school districts paying the transportation costs of non-resident special education students transferring into their districts.
- Because local school boards are elected to determine educational policies in the best interests of the community, they should have the authority to make decisions concerning health emergencies and should not be required to have special hearings or judicial appeal requirements in these areas that are different from other board actions.
- Because school boards are legally required to publish their budget documents, property tax rates and budget hearing notices in local media, the legislature should exempt school districts from the “revenue neutral rate” hearing law which has caused needless confusion and discontent and will cause districts to incur future costs to mail notices to taxpayers. We support flexibility for school districts to avoid legal penalties if budget documents and hearing notices are not published in a timely manner or contain errors due to factors beyond the districts’ control.

Motion 2: Adopt the following resolution.
PRIORITY FEDERAL ISSUES 2024

DRAFT 2024 KASB RESOLUTION ON FEDERAL ISSUES

Individuals with Disabilities Education Act (IDEA)

~~KASB supports reauthorization of the Individuals with Disabilities Education Act in a way that maintains a balance between the student, family, and the school district in determining the appropriate services to be provided. KASB opposes changes that would unduly increase costs and requirements that do not directly impact educational outcomes for students.~~

KASB supports phased-in, full funding of IDEA to allow school districts to access the statutorily promised **goal of Congress providing up to 40 percent** federal funding of the excess costs of the education of students with disabilities. Full federal funding of IDEA would relieve pressure on the State General Fund and local property taxes.

KASB urges consideration of the recommendations of the National School Boards Association regarding funding of IDEA.

Title Funds

We oppose the reduction of federal Title funds. Title funds support important programs for student achievement.

Use of public funding for private education

KASB opposes federal action to use public funding, directly or through tax credits or any other means, to support schools that are not required to accept all students on the same basis as public schools; are not required to meet the academic, performance and financial accountability standards of public schools; and are outside of the system of both local and state oversight. KASB further opposes federal action that would require states to adopt, or disproportionately provide benefits to, programs to aid such schools.

Every Student Succeeds Act Implementation

KASB supports full funding of ESSA to achieve the goals of the program under strong local governance, and continuation of funding of Title II to support effective teaching; and supports federal assistance for the development of appropriate student assessments.

Early Learning

KASB supports federal aid to state and local early learning programs and opposes federal mandates on state and school districts for pre-K programs.

Educational Opportunity

School districts are required to provide educational services to, and are held accountable for, the education of all students, regardless of their legal status. KASB supports amending federal law to provide legal status to undocumented students who are long-term residents of the United States.

KASB further supports full funding of the Migrant Education Program and amending that program to make funding available to educate children of migrant workers, regardless of their immigration status.

KASB supports efforts to provide safe, secure treatment and to minimize trauma for immigrant children, whether in detention or in public schools.

E-Rate and Education Technology Gaps

KASB supports continuation and modernization of the E-rate program to ensure equitable access to telecommunications, broadband and high-speed learning options for schools, students, and their families.

Childhood Nutrition

KASB supports reauthorization of the Healthy, Hunger-Free Kids Act in a way that increases flexibility for local districts in providing healthy meals to children and families. KASB urges consideration of the recommendations of the National School Boards Association regarding childhood nutrition.

Medicaid Services and Health Care

KASB opposes changes in the federal Medicaid program that would reduce funding or eligibility for school-based special education services. KASB further supports state and federal efforts to ensure all children have access to health care services that allow them to receive education for lifelong success.

Student Data Privacy

KASB supports revision of the Family Educational Rights and Privacy Act (FERPA) to address the 21st century needs of students, school districts, parents, state education agencies, and federal education policies without compromising the protection of stakeholders. KASB urges consideration of the recommendations of the National School Boards Association regarding student data privacy.

Student and staff safety

KASB supports federal assistance for locally determined efforts to improve the safety of students and school staff, such as personnel and training; community resources for mental health and related services; and support for student social and emotional needs, including trauma-informed practices.

KASB PERMANENT POLICIES

PREAMBLE

Kansas public education is governed by locally elected, non-partisan boards of education, citizens from varied backgrounds serving their district without pay and accountable to their district's voters for their actions. The constitution of the Kansas Association of School Boards provides the cooperative framework for school boards to work together in areas of mutual concern and for the best interests of Kansas school children.

The members of KASB believe that the system of local and state control of public education by boards is superior to other forms of central or national control, or to control vested in professionals. We believe that our system is a cornerstone of American democracy. Essential to that democracy and to the public nature of public education is the separation of church and state set forth in the Constitution of the United States, and we oppose any attempt to erode that separation through the public schools.

We believe that universal public education is a fundamental right that does and should provide for each person the opportunity to reach his/her potential. We are therefore committed to policies that promote continuous academic growth for each individual student. In Kansas, we will support these beliefs without exception for, as Kansas school boards, we know that the rights and responsibilities of citizenship in a democracy may become available to none unless they are used by all.

A. Definition of Suitable Funding

The Kansas Constitution states: "The legislature shall provide for intellectual, educational, vocational and scientific improvement by establishing and maintaining public schools, educational institutions and related activities which may be organized and changed in such manner as may be provided by law," and "shall make suitable provision for finance of the educational interests of the state."

The Kansas Supreme Court has established that suitable funding must be reasonably calculated to have all public education students meet or exceed the Rose capacities. A definition of "suitable provision" must reflect the changing needs of the individual and society. It must provide the resources necessary to:

Disaster Relief

KASB supports federal aid to school districts dealing with natural disasters through infrastructure aid, emergency funding and regulatory relief. KASB urges consideration of the recommendations of the National School Boards Association regarding public health pandemic relief.

Postsecondary aid for high school students

Support efforts to address financial barriers for high school students in approved post-secondary programs.

Recruitment and Retention

KASB supports programs to recruit a diverse and well-prepared workforce. Support efforts to preserve and improve the initiatives to support students who plan to become teachers in high-need fields or geographic areas. Support federal efforts to address teacher and principal shortages by encouraging partnerships, such as "Grow Your Own," with local teacher-education institutions

Federal Budget and Tax Policy

Funding for education is a critical national economic development imperative. KASB opposes federal tax changes that would require reductions in federal education aid. KASB supports efforts to restore advanced refunding of tax-exempt bonds to the federal tax code.

Federal Impact Aid

KASB supports authorization and full funding of Impact Aid to local districts.

Expansion of Executive Authority

KASB opposes expansion of executive authority through federal agencies in the absence of authorizing legislation.

Census

KASB urges Congress and the Administration to ensure that all persons are accurately counted in the federal census as required by the U.S. Constitution. KASB urges consideration of the recommendations of the National School Boards Association regarding the Census.

Permanent policies unchanged from 2023

- (1) Meet state and federal law, state accreditation standards and other relevant regulations;
- (2) Deliver programs and services required for students to meet state and federal performance standards; and
- (3) Support the education of all students to become well-rounded citizens and successfully participate in the modern world, including such areas as health and safety, technical and vocational education, fine arts and student activities and other relevant public expectations.

B. State School Finance

A school finance system should have the following components:

1. Accountability

The school finance formula must support the State Board of Education's vision that an excellent school system must focus on helping each student succeed and setting accountable outcomes to measure that goal.

- a. The formula must allow districts to meet or exceed the Rose capacities identified by the Kansas Supreme Court and adopted by the Kansas Legislature. To do so, it should also assist districts in improving district outcomes under the State Board of Education's Kansans Can vision: kindergarten readiness, higher graduation rates, more postsecondary participation, individual plans of study and social and emotional indicators.
- b. The formula must be monitored regularly to ensure the state is meeting its responsibility to provide adequate and equitable funding.

2. Adequacy

A school finance formula must provide each student an equal opportunity to be college and career ready and recognize the additional needs of students who require special services. Adequacy should include the following:

- a. A foundational amount per pupil, which should recognize the effect of inflation and mandatory costs that have been shifted to the local option budget.
- b. Foundational funding should include additional funding for the full cost of full-time kindergarten students and expanded funding for early childhood programs. It should also support additional staff if

necessary, to effectively implement individual career plans and meet the social and emotional needs of each student.

- c. The foundational amount should be adjusted annually based on changes in the consumer price index. In addition, this increase should be supplemented if necessary, based on employment costs and other costs imposed by state requirements.
- d. No district should lose funding on a per pupil basis. If any district loses budget authority under the school finance system, the reduction should be phased in through some mechanism.

3. Equity

A school finance formula must provide adequate and equitable funding as required by the Kansas Constitution. Such a formula should provide equalization to allow similar funding based on similar local effort.

- a. The foundational amount should be adjusted to address differences in district student populations, programs or other factors based on evidence that demonstrates an impact on the cost of each student reaching educational outcomes as defined by the State Board of Education. At a minimum, these should include:
 - Full funding of the costs of special education services required by federal and state law.
 - The impact of poverty and other student risk factors, including concentration of poverty.
 - The additional costs of teaching English as a Second Language.
 - The additional costs of student transportation.
 - The additional costs of career and technical education programs.
 - Additional costs based on density and district size.
 - Other adjustments as necessary based on evidence of cost differences.
- b. Funding for the foundation level and adjustments should be fully funded by the state.
- c. Capital costs should continue to be the responsibility of local districts through local bond issues and capital outlay levies, provided both receive state

equalization aid that meets constitutional standards of equity. Arbitrary limits on the amount of school district bond issues should not be imposed.

- d. An adequate foundation level should reduce the need for local funding, the cost of equalization and challenges of fluctuating local tax bases.

4. Efficiency

A school finance formula must give local districts the responsibility to respond to unique community needs while encouraging efficiencies through cooperation among districts. Efficiency should include:

- a. Locally elected boards should determine the most efficient way to spend resources to meet their specific student and community needs. The state should focus on results, not process.
- b. Both school districts and the state would have greater predictability by using the previous year's enrollment or a three-year average for determining foundation aid, with the ability to appeal to the State Board of Education for funding for extraordinary costs.
- c. Districts should be able to carry reasonable operating funds reserves for cash flow, enrollment changes, revenue shortfalls or delays and savings for large projects without incurring debt. If new limits on balances are imposed, districts should be given time to spend down to that level.
- d. The system should provide incentives for sharing high-cost programs on a regional basis and for voluntary district cooperation and consolidation.

5. Excellence

A school finance formula must allow flexibility for districts to go beyond state requirements, foster innovation and promote improvement. Many communities want more freedom and flexibility to enhance their public schools.

- a. Local boards of education should be able to authorize additional funding beyond the foundation level, provided such authority includes equalization that meets constitutional standards of equity.
- b. The system should provide incentives for accomplishment of student outcomes or other policy goals, provided that foundational aid and equalization aid are fully funded and all districts have the ability to meet such outcomes.

C. Revenue Sources and Tax Policy

1. State Tax Policy

The state should strive to achieve from the major revenue sources, sales, income and property taxes, a balanced and equitable mix of revenues that are suitable to support public services, including funding for quality education. Taxes should be broadly based to ensure all Kansans share fairly in the cost of public services.

2. Tax Limitation

Arbitrary limits on state or local taxes should not be imposed.

3. School District Tax Exemptions

As political subdivisions, districts should pay no local, state or federal tax. A tax refund should be provided when contracted services such as student transportation would indirectly impose such taxes.

4. Property Tax Abatement

KASB supports current law on property tax abatement with the following exception: local school boards should be able to grant approval for abatements to the capital outlay levy if the board supports the project receiving the abatement. Economic development projects should include a notice to local school boards and consideration of the impact on local school districts, including enrollment growth, impact on facilities and funding.

D. State Responsibility for Mandated Costs

KASB believes that whenever costs are incurred by local school districts that can be attributed to actions of any agency acting under state authority, those costs should be reimbursed to the school district by the State of Kansas. New curriculum and program requirements should not be imposed unless the change has received an independent cost study and additional funding is provided by the state or the change endorsed by KASB.

E. Tuition Tax Credits, Voucher Systems and Choice Plans

1. Public accountability for public funding

KASB supports voluntary efforts to experiment with public school choice plans, such as charter and magnet schools, provided those plans are approved by the local school board. However, KASB opposes legislation that would use tuition tax credits, voucher systems or

choice plans to aid private elementary or secondary schools which are not subject to the same legal requirements as public-school districts.

2. Tuition for out-of-district students

KASB opposes requiring districts to pay tuition for students to attend regular public schools outside of the district, charter schools not approved by the district, or private schools (except for special education services).

MANAGING SCHOOLS

A. School Board Authority and Accountability

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.

B. Employment Practice

1. Discrimination in Employment

KASB endorses equal opportunity in employment, regardless of race, religion, color, national origin, ancestry, age, creed, disability or sex.

2. "Fair Share" Fees

KASB opposes requiring any employee to pay a fee to a bargaining unit representative as a condition of employment.

3. Kansas Public Employees Retirement System

The employers' cost of any retirement program or benefits mandated by the state should be fully and directly funded by the state. KASB opposes making KPERS a non-contributory system. KASB believes the Legislature should consider changes in the KPERS system to reduce the need for state general fund support, provided that benefits remain appropriate to attract and retain qualified employees.

4. Unemployment Compensation

KASB supports legislation preventing temporary and part-time employees and employees with reasonable expectations of future employment from being eligible to collect unemployment compensation benefits from the school district.

C. Professional Personnel

1. Administrator Due Process

KASB believes the final decision on administrator due process procedures should be made by the local school board, subject to constitutional protections.

2. Teacher Due Process

KASB believes the final decision on teacher due process procedures should be made by the local board, subject to constitutional protections. KASB supports a cooperative effort with representatives of teachers and administrators to develop a due process system that protects the interests of all parties.

3. Employee Evaluation

KASB believes that the evaluation statute should include criteria based on the outcomes a district is accredited by, including student outcomes. Because school boards are held responsible for the development of district goals and objectives, the board must determine any additional criteria to be used in evaluating the performance of school district employees. KASB supports amending the statutory deadlines for employee evaluation in the first year to allow more time for evaluation process to be completed.

D. Professional Negotiations

1. Professional Negotiations Act

KASB supports the current professional negotiations act as amended by the 2015 Legislature. In the event legislation is introduced covering other school district employees that is satisfactory to KASB's Board of Directors, professional employees should be added to the coverage of such legislation so that all non-administrative employees would be covered by the same act. KASB further supports maintaining voluntary application of the PEER Act.

2. Performance Criteria for Teacher Compensation

Boards of education should have authority to deal with issues such as merit pay and differentiated staffing outside the professional negotiations process. Any plans for merit pay and differentiated staffing should be locally devised and not mandated by state legislation as part of the school finance plan or otherwise.

E. Cost Reduction

KASB supports legislation to allow school districts to reduce operating costs and increase operational flexibility.

F. Enrollment of Non-Resident Students

KASB believes that the decision to enroll students who are not residents of a school district should be made by the board of education of that district. If non-resident students are enrolled, they should be counted for funding purposes as if they were residents of the district. These provisions should apply to students who are not residents of Kansas.

G. School Construction Codes

Schools should have to meet and comply with standards approved by the Legislature involving uniform construction codes. In addition, school districts should use the standards in force at the date of selection of the design professional.

IMPROVING SCHOOLS

A. Accountability for Student Success

1. Accreditation and Assessments

KASB supports an accreditation and accountability system based on meeting or exceeding the Rose capacities as identified by the Kansas Supreme Court. State assessments should be used to identify students who need additional support and as indicators of school and student success, not as outcomes. Districts that fail to meet standards should receive support, and if performance fails to improve, state intervention.

2. Transition to Postsecondary Education

KASB supports the State Board of Education's Kansas Can vision for improving preparation for postsecondary education through a system of individual plans of study. We also support including recognition of additional requirements for postsecondary admission. KASB supports a standardized system for determining needs for remedial or developmental courses. School districts should not be held responsible for students who choose not to take high school course work to prepare for postsecondary programs.

B. Public Schools and the Community

KASB supports the authority of public schools to assist in providing educational opportunities before and after grades kindergarten through grade 12. We support public schools developing collaborative efforts with business, social services, and governmental agencies to promote learning; and to provide services and resources to the community.

C. Instruction and Services

1. Special Education Services

KASB supports the provision of special education services to exceptional children, as well as continuing to include education for gifted children in the special education mandate. State requirements and regulations for the provision of services to disabled students should not exceed federal requirements.

2. At-Risk Students

KASB supports comprehensive programs to deal with students who are at risk of failing regular education programs, regardless of why the child is at-risk. Our support extends from definition, identification and counseling to the development of cost-effective remedial and prevention programs. KASB supports programs to assist students who have dropped out or been suspended or expelled from school.

3. Early Childhood Education

KASB supports the State Board of Education's Kansas Can goal of increasing kindergarten readiness through expanded school district early childhood programs. We support development of quality standards for early childhood programs.

4. Virtual Schools

School districts and interlocals should be authorized to provide virtual schools and programs. All such programs should meet the same accountability requirements as traditional schools.

D. Teacher Issues

1. Licensure

- a. KASB supports a licensure system for teachers and administrators based on the demonstration of outcomes, including subject matter and communications skills assessments.
- b. KASB supports licensure endorsements based on the developmental stages of students and an integrated curriculum with emphasis on the major disciplines. Administrative, school service and specialized endorsements should be granted for all levels of students served by the districts.
- c. KASB supports an initial, conditional license for the first three years of service. License renewal should be based on performance, professional development and college-based programs.

2. Professional Development Training

KASB supports the promotion of professional development activities for school employees.

3. Alternative Licensure

KASB supports alternative routes to teacher and administrator licensure for those who have not received traditional pedagogical training in a college of education.

E. Student Issues

1. Student Health and Wellness

KASB supports providing school districts authority to address the health and wellness needs of students, and to help students meet and exceed the Rose capacity of student self-knowledge of physical and mental health.

2. In-State Higher Education Tuition for Undocumented Immigrant Children

KASB supports legislation that would allow students who have attended Kansas high schools for a reasonable period of time and successfully completed a high school program and other requirements for college admission to pay resident tuition rates, regardless of whether these students are citizens of the United States.

3. Extra-Curricular Activities

- a. KASB believes extracurricular and co-curricular activities should be supported as an integral part of education under the Rose capacities to prepare students for success and should be available to all students.
- b. KASB supports the authority of the Kansas State High School Activities Association and local boards of education to establish and enforce academic standards of participation for all students.

F. School Safety and Security

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

GOVERNING SCHOOLS

A. State Board of Education

1. State Structure for Supervising Education

KASB believes the following constitutional provisions are critical:

- a. The State Board of Education shall be elected.
- b. The State Commissioner of Education should be appointed by the State Board of Education.
- c. The supervision of all schools - preschool, elementary, and secondary schools – should be vested in the State Board of Education. KASB supports the constitutional powers of the

State Board.

2. Election of State Board Members

KASB believes that there should be an odd number of state board members to prevent tie votes; that board members should be elected on a non-partisan basis; and that elections for state board members should be held in conjunction with elections for local board members.

3. Powers and Duties

KASB believes the constitutional responsibility of the state board for general supervision of public schools includes: school accreditation, state standards and assessments, professional licensure and enforcement of professional standards.

B. Local Boards of Education

1. School Board Powers

The State constitution requires that public schools be operated, managed and developed by locally elected school boards. KASB supports providing school boards with the general authority to take action in the best interest of the district, unless such action is prohibited by law.

2. Curriculum Authority

A district's curriculum should be established by the local board of education, not by state statute, as long as the district meets state accreditation requirements. KASB opposes efforts to directly or indirectly limit the board's ability to determine curriculum, library and other instructional materials.

3. School Board Advocacy

KASB opposes limitations on the ability of school boards and their employees to advocate on behalf of their district's interests. Reporting requirements and restrictions should be the same as non-governmental entities and state agencies.

4. School Board Member In-service

KASB Supports in-service training for school board members.

5. Site Councils

KASB supports the use of site councils to provide a formal advisory structure involving parents, business, community leaders and staff in the school improvement process, provided these unelected bodies do not supersede the authority of the elected school board.

C. School District Impact

KASB believes school board representatives should be included in any state-initiated planning, advisory or decision-making process that affects public education.

D. School District Organization

1. Structure and Boundaries

KASB believes that changes in school district structure or boundaries should be determined by local communities through the local political process and opposes legislation that would directly or indirectly result in state mandated consolidation of school districts.

2. Cooperation and Consolidation

Because of the impact of school closing and consolidation, the state should provide incentives and remove impediments to these actions when local boards determine it to be in the best interest of the district.

3. Interlocal Cooperation

KASB supports incentives for expanding cooperative agreements and programs among school districts and providing districts greater flexibility to establish governing bodies for interlocal cooperatives. Districts participating in interlocal cooperatives should be represented by board members on any governing body.

E. Elections, Meetings and Records

1. School Board Elections

- a. KASB supports electing school board members in odd-numbered years.
- b. KASB supports non-partisan school board elections with primaries held when more than twice the numbers of candidates file for the same seat or seats to be filled.
- c. KASB supports bringing school board candidates under the State Campaign Finance Act, so long as filing requirements may be waived if campaign income and expenditures are under a minimum amount.
- d. KASB opposes limiting the number of terms a school board member may serve.

2. Employees Serving on School Boards

KASB supports the current prohibition on school district employees serving on the board of the district in which they are employed.

3. Open Meetings and Records

KASB supports the current requirements and exceptions in the Kansas Open Meetings and Kansas Open Records Acts.

F. Non-public Schools

1. Accreditation

KASB believes that all non-public schools should have to meet the same accreditation requirements as public schools.

2. Physical Examinations

KASB believes that students enrolling in non-public schools should have to meet the same physical examination requirements as public-school students.

3. Participation in Public School Programs

Boards of education should determine the extent to which students who are attending non-public schools are allowed to participate in public school programs. The cost of participation by such students should be fully funded through the school finance formula.

G. Compulsory Attendance

KASB supports enforcement of compulsory attendance of Kansas school children, and seeks cooperative efforts among schools, law enforcement and state agencies.

H. Initiative and Referendum

KASB opposes a constitutional amendment providing initiative and referendum procedures to amend the state constitution and statutes.

I. Role of the Courts

KASB supports the role of an independent judiciary in enforcing constitutional provisions. We oppose either changing the selection process for judges or limiting the ability of the courts to enforce those provisions, which would weaken the traditional separation of powers in Kansas.

FEDERAL ISSUES

A. Federal Aid to Education

1. Funding for federal programs

KASB supports increased federal funding for all federal programs that require improvements in student achievement. KASB believes the federal government should fully fund federally mandated education programs. Full funding of special education requirements should be the first priority for new federal spending.

2. Distribution of federal funding

KASB believes all general assistance federal funds should be channeled to local districts through the Kansas State Board of Education. Targeted incentive and grant program money should be distributed directly to local districts. Any advisory committee that determines distribution formulas for federal funds should have school board representation. KASB supports efforts to increase the share of federal aid to Kansas, which currently ranks very low in federal aid per pupil.

3. Accountability

Accountability for federal programs should be based on student performance. The federal government should not regulate curriculum, employment, discipline or other management decisions of local school boards.

B. Federal Collective Bargaining Law

KASB opposes any federal legislation concerning public employee collective bargaining.

C. Federal Tuition Tax Credits and Voucher Systems

KASB opposes legislation that would use tax credits or voucher systems to aid private elementary or secondary schools.

Motion 3: Allow KASB staff to make technical and grammatical amendments and formatting changes for the final document.

Please contact any member of the KASB Advocacy Team if you have questions about this report:

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Kansas Association of School Boards, 1420 SW Arrowhead Road, Topeka, KS, 66604

Delegate Assembly Rules

1. Each school board holding membership in the Kansas Association of School Boards shall be entitled to elect one delegate, and as many alternates as it may desire, to the Delegate Assembly.
2. Each delegate and alternate shall be a school board member.
3. Discussion in the Delegate Assembly shall be limited to delegates, association officers, committee members and association staff.
4. Each delegate wishing to offer a motion, second a motion, or speak on a motion shall identify himself/herself by giving his/her name and the school district he/she represents as a delegate. All motions and amendments must be in writing on the prescribed form.
5. No delegate may speak more than twice on the same motion, until all other delegates have had an opportunity to speak.
6. There shall be a three-minute time limit on each speech or comment.
7. A roll call vote of the Delegate Assembly may be called by a show of hands of thirty (30) members of the Delegate Assembly.
8. All KASB legislative policies shall remain in effect until changed by action of the KASB Delegate Assembly. All resolutions shall lapse after one year.
9. The following motions will be allowed: original motions, motions to amend, substitute motions, motions to table, motions to reconsider and motion to adjourn.
10. A two-thirds majority of those delegates present and voting shall be required in order to consider any policy or resolution which is submitted after the deadline established by the Board of Directors for such purpose. In the event that the motion to consider a late resolution or policy shall prevail, then a simple majority of those present and voting shall be required to adopt such policy or resolution, and any such policy or resolution shall be subject to debate and amendment in the same manner as policies or resolutions submitted prior to the deadline.

In the event of an emergency, the KASB Board of Directors, upon proper motion, second and majority vote, may submit resolutions to the Delegate Assembly for its consideration. Such declaration of an emergency and subsequent approval by the KASB Board of Directors shall not be bound by this rule.

11. Any amendment to policies and resolutions submitted prior to the deadline established under Rule 10 shall be presented to the KASB Legislative Committee in an electronic format at least 48 hours prior to the meeting of the Delegate Assembly. An amendment offered after this deadline shall require a two-thirds vote for consideration. If an amendment is submitted at least 48 hours prior to the meeting or if an amendment received a two-thirds vote, secondary amendments shall require a simple majority to be adopted.

12. Rules for the nomination and election of a KASB President-Elect Designee:
 - a. The Nominating Committee shall be appointed by the president and shall consist of one school board member from each region. (Art. V, Sec. 2)
 - b. The Nominating Committee shall report one or more nominees to the Delegate Assembly held in conjunction with the annual convention. (Art. V, Sec. 2)
 - c. The Nominating Committee shall report to the Board of Directors at least 60 days prior to the Delegate Assembly. (Art. V, Sec. 2) The Board of Directors shall report in writing the nominee or nominees to the basic units at least 30 days prior to the Delegate Assembly.
 - d. Nominations from the floor are in order, and each such nomination shall be supported in writing by at least 10 delegates of the basic units of the association.
 - e. Nominations from the floor shall be made and written notice given to the board of directors at least 45 days prior to the delegate assembly.
 - f. In the event there are two or more nominees, the president shall appoint a Credentials/Balloting Committee consisting of three or more members to certify delegates, conduct the election and count ballots.
 - g. Each candidate for the office of KASB President-Elect Designee will be allowed two three-minute seconding speeches. Each candidate will be allowed to speak with speaking order determined by drawing lots.
 - h. The voting shall be by secret ballot.
 - i. In the event there is more than one candidate for President-Elect Designee, balloting shall take place during the Delegate Assembly. In the event of a tie or if no candidate receives a majority, additional balloting will be held as soon after the first ballot as is possible and in the same manner as the first ballot.
 - j. The President-Elect Designee must receive a majority vote of those present and voting. (Art. V, Sec. 1) Comment: A plurality will not suffice. In the event there are three or more nominees, balloting shall continue among the top two vote getters on the last ballot until a nominee receives a majority.
 - k. The President-Elect Designee assumes office the second Monday of the calendar year.

- I. The President-Elect Designee serves as an ex-officio, non-voting member of the board of directors until assuming the office of president-elect on the second Monday of the calendar year.

FINAL DRAFT