



Oral testimony in opposition before the

Senate Select Committee on Education Finance

on

SB 424, establishing the office of education inspector general

by

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Madam Chairwoman and Members of the Committee,

Thank you for the opportunity today to appear in opposition to [SB 424](#), which would establish the office of education inspector general in the State Treasurer’s Office. The State Treasurer would nominate the inspector general, who would “assist” the state department of education with school “efficiencies” (which are not defined in the bill) and “increase accountability and oversight of elementary and secondary public education” in Kansas.

KASB members have not taken a specific position on this proposal, which had not been presented in time to be considered by our Delegate Assembly. It appears contrary to at least the spirit of our policy positions.

Our points of opposition to this bill are many:

KASB policy, reaffirmed in December 2017 by our Delegate Assembly, states the supervision of all schools — preschool, elementary, and secondary — should be vested in the State Board of Education. KASB supports the constitutional powers of the State Board.

Second, the state constitution makes the Legislature responsible for suitable provision of finance of the education interests of the state. The Legislature has its own audit agency that for over decade had a team specifically dedicated to school audits. KASB believes LPA has carried out its duties professionally and effectively, even if we have not always agreed with every recommendation; in fact, KASB specifically supported the statute providing for school efficiency audits.

Finally, the state constitution gives local boards the duty to “maintain, develop and operate” public schools. It makes no provision, however, for the State Treasurer to have authority over public education.

The additional layer of oversight dictated by SB 424 is redundant. Local school district budget and spending decisions are already subject to annual audits by local accounting firms and by the State Department of Education. In addition, the Legislative Post Audit Division can and frequently does examine local and state-level education spending. The state Department of Education is also subject to government oversight of numerous federal education and food service programs and funds.

Furthermore, the State Board is accountable to voters who can replace board members at the next election if they are unhappy with the Board's supervision; the Commissioner of Education has recently announced new steps for financial oversight and auditing. Locally-elected boards of education that approve school district budgets and spending can also be ousted every two years at the ballot box.

In addition to adding a layer to the state's bureaucracy, SB 424 could cause the Legislature to incur costs that are difficult to support in light of current budget concerns.

The bill gives the education inspector general access to "all pertinent information, confidential or otherwise," of all local school districts, state agencies or local governments "that are necessary to perform the duties of the office." It also gives the inspector general the power to "compel by subpoena the attendance and testimony of witnesses and the production of documents, electronic records and papers directly related to any audit, investigation or performance review."

It's hard to imagine a single executive staff position, even one that pays \$86,000, accurately and efficiently handling all of this information from the state's 286 school districts in a way that would support the bill's purported goal.

We suggest, therefore, that the state would likely need to hire additional staff to carry out the education inspector general's responsibilities as envisioned in SB 424. It's difficult to see how the Legislature could support hiring additional employees when it already has a robust and respected staff that includes the Legislative Post Audit Division, the Legislative Research Department and the state Revisor of Statutes. In addition, Gov. Jeff Colyer's new education council is slated to discuss new measures for school efficiency and accountability and the Kansas State Department of Education has commissioned an audit of its operations.

For all of these reasons, KASB stands in opposition to SB 424. I'm happy to take questions at the appropriate time.