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**Kansas PTA**

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**Testimony to House Judiciary Committee**

Honorable Chair, Representative John Barker

Connie Bahner, Committee Assistant, 785-296-5805

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Hearing, 3:30 pm, Tues, Feb 2, 2016

**Testimony Kansas PTA**

**Opposed to SB56 – Removing Teachers’ Affirmative Defense**

Chairman Barker and Committee Members,

Thank you for the opportunity to provide input on SB56 – removing teachers’ affirmative defense. The Kansas PTA is submitting written testimony in **opposition to this proposed policy change**.

Kansas PTA shares the same concerns expressed last February, when we pushed out an Action Alert in opposition to this bill. The legislative platform of the PTA “recognizing that quality education for children is directly related to the effectiveness and efficiency of school personnel, the Kansas PTA will recommend, initiate and support legislation and appropriations to encourage, recognize and provide incentives for school personnel that will improve and benefit the education of children and youth in Kansas” ([KS PTA Platform](#)).

This bill removes the affirmative defense for K12 teachers and permits educators to be prosecuted by a grand jury if a parent complains that school district approved materials and content used in class are inappropriate. The teacher would be denied the right to us as defense that the material was part of the district’s adopted curriculum and has educational merit - displaying the Statue of David, reading Tom Sawyer, reviewing how to prevent STDs, teaching evolution and such. Schools could be hit with expensive legal procedures every time a parent had an objection to some material used in class, funds that would otherwise be used to reduce class sizes and other operational expenses.

This proposed repeal of current policy is not only unnecessary with other safeguards in place, but the proposed policy diminishes the capacity to recruit and retain quality educators and creates a high stakes disincentive for partisan ideologies to threaten the curriculum and instruction integrity of Kansas K12 classrooms. Kansas educators, whom as of last year have no due process rights, could be fired without cause and criminally prosecuted for doing their job.

On behalf of the parents, teachers, and patrons of the Kansas PTA, we oppose this bill and we thank you for your time and consideration.

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Cc: Josh Halperin, VP of Advocacy  
Devin Wilson, State Legislative Chair  
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***THE PTA POSITION***

*Kansas PTA is a [nonpartisan](#) association that promotes the welfare of children and youth. The PTA does not endorse any candidate or political party. Rather, we advocate for policies and legislation that affect Kansas youth in alignment with our legislative platform and priorities. Our mission and values have remained the same since our inception over 100 years ago: to facilitate every child's potential by engaging and empowering families and communities to advocate for all children.*