

Approved February 20, 1991  
Date

HOUSE EDUCATION  
MINUTES OF THE \_\_\_\_\_ COMMITTEE ON \_\_\_\_\_

The meeting was called to order by Representative Rick Bowden at  
Chairperson

3:30 ~~XXX~~ a.m./p.m. on February 11, 1991 in room 519-S of the Capitol.

All members were present except:

All Present

Committee staff present:

Avis Swartzman, Revisor of Statutes Office  
Ben Barrett, Legislative Research  
Dale Dennis, State Board of Education  
Donna Luttjohann, Secretary to the Committee

Conferees appearing before the committee:

Rep. Michael O'Neal  
Jerry Baumgardner, President KSHSAA  
Nelson Hartman, KSHSAA  
Jim Lewis, Newton, Athletic Director  
Gerald Henderson, Executive Director, USA  
Pat Baker, KASB  
Craig Grand, KNEA

The meeting was called to order by Chairman Bowden and hearings were opened on HB 2085, concerning the participation of students in extracurricular activities.

Rep. O'Neal, the author of the bill, was called upon as the first conferee. He spoke of why the bill is needed and compared the bill with other states that are doing this and those states who are not. (Attachment 1)

The second conferee, opponent Jerry Baumgardner President of KSHSAA, and a principal at an Emporia high school, said the purpose of this bill was to improve the academics of students. He said there were other, better alternatives to consider than the passing of this bill. (Attachment 2)

Nelson Hartman, KSHSAA, also an opponent of HB 2085, stated that this bill would be a detriment to at-risk students and does not address the upper third of the class that are most likely going to go to college. He stressed that not only are athletics involved, but music and drama are also involved. He said that Kansas is trying to keep all kids in school (improving the dropout rate) and this bill would not help. He said the extra-curricular activities are the only thing that keeps some kids in school and that if this bill passes, they would have no reason to come to school. Mr. Hartman also discussed other states that had this law and the problems these states are facing with it.

The Athletic Director from Newton, Jim Lewis, also spoke against the bill. Explaining as the others before him, that some students cannot function at that level and would be unable to participate in activities based on their GPA. (Attachment 3)

Gerald Henderson, Executive Director, United School Administrators of Kansas spoke also opposing the bill as stated in (Attachment 4).

Pat Baker, KASB, commented on the bill that students participating only in fall activities would not have the incentive for the entire year. She also stated that a student could actually be failing three solid courses and receive A's in three less rigorous courses and still participate. (Attachment 5).

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION,  
room 519-S, Statehouse, at 3:30 XXX a.m./p.m. on February 11, 1991

The last conferee, Craig Grant, KNEA, also had comments regarding this bill and stated that we as educators in Kansas only ask students to do the very best they can do in their schoolwork. It is difficult for teachers to know when each student is actually doing the very best and thought the bill HB 2085 may not administer to these present goals.

A Motion to approve the minutes for February 4 and 6, 1991 was made by Rep. Benlon and seconded was made by Rep. Wiard. Motion carried.

The meeting was adjourned at 4:50 p.m. with the next meeting scheduled for Tuesday, February 12, 1991, in Rm 519-S.

DATE Feb. 11, 1991

GUEST REGISTER

HOUSE

EDUCATION COMMITTEE

NAME	ORGANIZATION	ADDRESS
Eric Daigh	KSNT-TV 27	Topeka
Tim Carpenter	LAWRENCE JOURNAL-OPINION	LAWRENCE
HAROLD PITTS	Topeka	KRTA
Craig Grant	Topeka	H-NEA
Joe Lose	WOL	Lawrence
Jersey Baumgardner	KS HSA A	Emporia
Nelson Hartman	KS HSA A	Topeka
Raye Pearce	KS HSA A	Topeka
Ed Cramer	Lakin High School	Lakin
Jim Lewis	Newton H.S.	Newton
Brilla Highfill Scott	USA	Topeka
Bob Elliott	WFT	Wichita
Jim Gardner	Close Up Kansas	El Dorado
George Barber	KS Vacationers Assn	Topeka
Deanne Ap	K.C. Ks Public Schools	Topeka
Pat Baker	KASB	Topeka
Jacquie Dades	SQE	Topeka
Barbara Hetzel	ASK	Wichita
Patricia Rler	ASK	Wichita
Jerra Studer	Close Up Kansas	El Dorado
Esue Jack	Close Up Kansas	El Dorado
Jennifer Lucas	Close Up Kansas	El Dorado
GARETT GARDNER	Close UP	El Dorado
Daniel Burton	Close Up	El Dorado

DATE \_\_\_\_\_

## GUEST REGISTER

HOUSE

EDUCATION COMMITTEE

NAME	ORGANIZATION	ADDRESS
DANIELLE DECKER	Close-up Kansas	El Dorado
LeWayne Tymmy	Wichita State Univ. / A.S.K.	Wichita
Stephanie Taylor	Wichita State / A.S.K.	Wichita
Phil Gafford	Close-up Kansas	Salina
Eric Black	Close-up Kansas	Salina
Greg Harmon	Close-up Kansas	Salina 2036 Marc.
Donna Crow	Legal Intern - Speaker Baker	Leavenworth
Rubin Nichols	Wichita Public Schools	Wichita
Gerry Anderson	USA	Topeka
Janet Wheat	Close Up Kansas	Lakin
Elizabeth Mattmon	Close Up Kansas	Lakin
Ryan Wheat	Close-up Kansas	Lakin
Amber Relf	Close-up Kansas	Lakin
Ginger Ferrell	Close-up Kansas	Ulysses
Michelle Moore	KS Action for Children	Topeka
Juan A. Perez	Close-up Kansas	Ulysses
Seth Sullivan	Close-up Kansas	Ulysses
Januel Cardenas	Close-up Kansas	Lakin
D.R. Cecil	Close-up Kansas	Ulysses
Mark Dye	Close-up	Ulysses
Tag Spikes	Close-up	Lakin
Imelda Gallegos	Close-Up Ks	Ulysses
Wendy State	Close-up Kansas	Lakin
Symetel Kammerer	Close-up Kansas	Ulysses



February 11, 1991

HOUSE EDUCATION COMMITTEE

H. B. 2085

REP. MIKE O'NEAL

The reaction to the filing of H. B. 2085, affectionately referred to as the "NO PASS, NO PLAY" bill, tells me that I have accomplished exactly what I set out to do. As the attached article from the Pittsburg paper illustrates, some of our legislation is for the purpose of stimulating debate on issues that may be quite controversial.

H. B. 2085, the provisions of which I first introduced in 1986, would require each board of education to adopt rules and regulations governing participation of 7th to 12th graders in extracurricular activities. Specifically, the bill, as presently worded, would require at a minimum that those failing to maintain a 2.0 grade point average on a 4.0 scale would be disqualified from participation during the next grade period. Exempted from the bill are those who qualify for special education services under current law. Also exempted from the bill in its current form is the initial grade period of each school year.

HOUSE EDUCATION  
Attachment 1  
February 11, 1991

Kansas is not without minimum academic standards for participation in extracurricular activities. Pursuant to Rule 13 of the Kansas State High School Activities Association, a student must have passed at least five new subjects, of unit weight, or its equivalency, the previous semester or the last semester of attendance. The student must also be enrolled in and attending a minimum of five new subjects of unit weight during the present semester. Some individual school boards impose additional requirements, such as requiring passing grades during each week of the grade period of extracurricular participation.

The purpose of H. B. 2085 is to build on the current requirements. With the public interest in stressing academics and the demand for more educational "bang for the buck", it makes sense to challenge our students to do better. In athletics we already know what is expected at the university level. I have thought it ironic that we have a Proposition 48 at the college level but not a similar rule at the high school level. There would be no need for Prop. 48 if we devoted more attention to academic achievement at the high school level.

Criticism of H. B. 2085 has been wholly predictable. The Kansas State High School Activities Association wants to protect its turf and argues against mandates from the legislature. The last time the bill was offered, it was literally shouted down by the Association. Having defeated the bill, we have seen no voluntary movement in the last 6 years to improve minimum academic standards. The Association argues that H. B. 2085, by requiring a 2.0 grade point average is too strict, on the one hand, and allows for failing grades, on the other. The most often mentioned criticism is that a student can have two "A's", a "C", and two "F's" and still have a 2.0 grade average. Since that is a possibility, I would recommend that the bill be amended to require a minimum grade point average and no failing grades.

The 2.0 grade point standard is criticized as being too strict. But isn't a standard that accepts a "D-" average far too lenient? What do the opponents say about a 1.5 or 1.0 grade point requirement? The current version of the bill is a starting place, a challenge, if you will. The bill can and probably should be amended so that we are at least making some progress toward greater academic achievement.



Another criticism of the bill is that it exempts the initial grade period of the school year. This, some complain, discriminates in favor of football players. While that was not the intent of the legislation, it is a valid criticism and I would recommend that the bill be amended to apply to all grade periods, with carry-over from year to year.

Up until now, the KSHSAA has shown little or no interest in addressing this issue on a voluntary basis. I would like the legislature to send a strong signal to the Association that we expect more for our education dollars and we feel our students need to be challenged to be all they can be. Unlike the KSHSAA, I feel our students are up to the challenge. I surveyed my district before the start of the legislative session on this issue. Of the six education-related questions I asked, this one received the strongest affirmative response. Some 86% of those responding favor increasing the minimum standards. Will the KSHSAA come forward with a compromise, or will they continue to shout down any proposal that would try to improve student performance?

In summary, I do not expect the current version of the bill to be acted upon favorably by this committee. I am not asking that this version be approved. I would suggest that the bill be amended:

- \* To reflect the Committee's consensus on a minimum G.P.A.
- \* Require passing grades in all classes
- \* Apply rule to all grade periods
- \* Allow for "hardship case" rules

Attached to my testimony is a memorandum put together by Legislative Research regarding similar rules in other states.

DATE: \_\_\_\_\_

Jues.

2-5-91

TOPEKA CAPITAL JOURNAL  
WICHITA EAGLE  
KANSAS CITY STAR

HAYS DAILY NEWS  
HUTCHINSON NEWS  
LAWRENCE JOURNAL WORLD

OLATHE DAILY NEWS  
PARSONS SUN  
PITTSBURG MORNING SUN

# Bills aren't always meant to become law

## Some are way of communicating

By NEAL McCHRISTY  
Morning Sun Staff Writer

A lot of committee work, discussion, debate and paperwork is invested in those bills that reach the Kansas governor's desk, but some bills introduced in the state Legislature are never intended to become law.

Some bills are bargaining tools or trial balloons, and used to encourage debate.

"Bills are just a way of communicating, sometimes, between chambers," said Norman Furse, Kansas Revisor of Statutes. "They are a message vehicle as well as a legal vehicle, when enacted."

Furse's office is charged with researching a bill to determine how it affects other statutes, checking with legislators about the wording of a bill and drafting it for a committee to introduce, then updating it with amendments during the legislative process.

Rep. Ed McKechnie, D-Pittsburg, who was a legislative aide prior to becoming a state representative this year, said among legislators there are caucuses and other ways to poll legislators about their reaction to a possible bill.

But the bill, by its reaction from interested groups and individuals, allows legislators to poll feeling outside the Capitol building, he said.

"I think that what you have is a lot of times, bills are introduced just to get people's attention," McKechnie said, "and once you get into it, you are better able to separate the wheat from the chaff."

Sen. Phil Martin, D-Pittsburg, introduced a bill last year with Sen. Richard Rock, D-Arkansas City, with little chance for passage.

The bill had to do with generating tax relief through closing sales tax loopholes, increasing the income tax and taxing merchant's and manufacturer's inventories.

Martin said he knew the plan had a "very, very slight" chance of passage when they introduced it, "but what it has done is it has spawned debate and a number of ideas, not only in that session, but those have carried over into the gubernatorial race."

Some of the ideas in the bill were revised and became a part of Gov. Joan Finney's tax relief plan.

Once a legislator proposes a bill from the advice of people back home, Martin said, he works with the committee chairman in the appropriate committee to determine if the bill can be brought up for hearing or vote. In some cases, he said, it's an awakening experience to find there is little statewide support for a bill.

"The process is not set up to pass legislation . . .," Martin said. "It's set up to carefully inspect and give an opportunity to hear from those individuals who may be opposed to it."

Furse's office deals with all of them — whether passed or not. Furse said on the average, about 40 percent of the Kansas Legislature's bills become law, and there is a low amount of frivolous legislation. Last session, 941 were introduced and 368 became law.

Furse's staff works under deadlines, and are busiest during the coming week before Feb. 13, the deadline for individual bill introductions, and the week before Feb. 27, the deadline for committee bill introductions.

Furse, who is revisor for his 22nd session this year, said legislators who may be waiting on the revisor's office for introducing a bill are understanding about the need to wait for a bill's draft.

"They know we've got the deadline, and we've got to get the bill to them by that time, and they are understanding," he said.

Martin and McKechnie were appreciative of the work Furse's office does.

"I think our revisor of statutes' office is top notch," Martin said. "We're very fortunate to have the legislative staff we have there. They work long, hard hours; they put out many things we request in a short time period."

McKechnie said the staff was proficient and effective in doing its job and getting the legislation drafted.

"Ninety-nine percent of the time, it's there way before you expect it to be."

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**KANSAS LEGISLATIVE RESEARCH DEPARTMENT**

**Room 545-N – Statehouse**

**Phone 296-3181**

**February 11, 1991**

**TO: Representative Michael O'Neal**

**Office No. 181-W**

**RE: Student Activities**

In connection with H.B. 2085, you inquired about other states in which there are specific grade point average requirements for participation in high school interscholastic activities. The following information is from a recent survey conducted by the National Federation of State High School Associations.

<u>State</u>	<u>Requirement</u>
1. Alabama	composite numerical grade of 70 or higher for five subjects
2. Arkansas	pass four subjects with a grade point average of 1.3 (1990-91) (in 1991-92, the grade point average requirement is 1.6)
3. District of Columbia	2.0 grade point average.
4. Florida	pass five subjects and maintain a 1.5 grade point average
6. Louisiana	pass five subjects and maintain a 1.5 grade point average
7. Nevada	not be failing any class during the sport season
8. New Mexico	2.0 grade point average, not be failing more than one subject
9. Oklahoma	pass all classes weekly and five each semester
10. Texas (statutory)	pass all subjects with 70 percent or cannot play or practice outside the school for six weeks
11. West Virginia	2.0 grade point average and be enrolled in at least four subjects

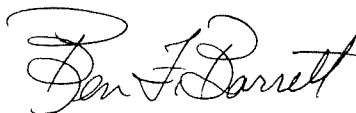
Following is a summary of the academic requirements imposed by the Kansas State High School Activities Association.

Under Rule 13, a student in grades 7-12 must have passed at least five new subjects (those not previously passed), of unit weight, or its equivalency, the previous semester or the last semester of attendance. The student also must be enrolled in and attending a minimum of five new subjects (those not previously passed) of unit weight, or its equivalency, during the present semester.

Similar provisions apply to junior high activities, except that scholarship eligibility may be reported on a quarterly basis.

It should be noted that individual school districts in Kansas and in other states may impose higher academic requirements than those adopted by the state activities associations. We have no information concerning such requirements.

We hope this information will be helpful to you. If we may be of further assistance please let us know.



Ben F. Barrett  
Associate Director

91-136/BFB/aem

## **EXTRACURRICULAR ACTIVITIES**

**K.S.A. 72-133**

**(H. B. 2085)**

**"Activities" means school activities and contests in the fields of athletics, music, forensics, dramatics and any other interschool extracurricular activities by students enrolled in any of the grades from seven (7) to twelve (12), inclusive.**

*Jerry Baumgardner, Emporia, Ks.*

Introduction - Name, high school principal (educator for 30 years). President of K.S.H.S.A.A. Executive Board, and a member of the Centennial League Activities Association.

I am here this afternoon to speak out in opposition to HB 2085 related to requiring high school students to have a 2.00 G.P.A. or "C" average to participate in athletics and other school activities.

First of all let me say that I am well aware that the reason our secondary schools exist is to educate the young people of our state. The pursuit of academic excellence must be of prime importance to all of us.

My question is what problem are we addressing with this bill? What is the purpose of this bill? If it is to motivate students to do better academically, perhaps there are better ways--through curriculum planning, outcomes based education, outcomes accreditation, greater recognition of those that excel academically or demonstrate continued improvement academically. If it is to place another barrier in front of certain students it will surely, in my judgment, accomplish that purpose.

The KSHSAA currently has in place minimal eligibility requirements which have proven to be successful. These requirements have been raised by the member schools on two different occasions during the past ten (10) years. A number of schools have chosen to have even stricter requirements.

For some students school activities are the only thing keeping them in school. Students that are fighting environmental problems are coming to school because they're turned on to an activity. Activities provide these students an opportunity to experience success which raises their self concept and self esteem. For the first time in their life, someone may be taking a special interest in them. That someone being a coach, director, or sponsor.

What about the academically below average student? A number of our students are not average academically. How does the "C" average requirement help the "At Risk" student? Would we be establishing an additional barrier for them? This bill has the potential for increasing the drop out rate. School activities have literally saved many students. Potential juvenile delinquents have become contributing members of our schools and later in our communities. What this bill is saying to the academically below average student is we're sorry you can't participate in activities so you might as well as drop out of school.

We need requirements but where do we draw the line. There is no guarantee that students are going to learn more or do better as a result of the bill now being considered. If this bill were law now a student in our school with 5 C's and 1 D would be declared ineligible.

Success in life is not always measured by a grade. There are different types of intelligence such as audio, verbal, athletic, artistic, social, mechanical, etc. What's the difference between offering programs for academically talented students and offering programs for the musically talented, the athletically talented or those with leadership skills.

HOUSE EDUCATION  
Attachment 2  
February 11, 1991

The American College Testing Service has published research which states that the strongest determiners of success in college and later life is a students involvement in school activities. Research also shows that 90% or more of todays drop outs were never involved in extra curricular activities. With this knowledge I believe we should be exploring ways to get more students involved in activities rather than putting up barriers to participation.

As an educator I have the responsibility to encourage students to take courses that will challenge them. If this bill becomes law students may decide to take certain courses, opting to take less challenging courses to insure eligibility. Teachers may feel added pressure to make adjustments for that academically below average student. Schools and teachers may lower their grading scales. As an example the cut off for making a C may be changed form a 76% to a 70%.

The eligibility requirement we have now is working well.

- o It sends the message to students that their academics are important.
- o It allows the below average student the opportunity to participate in activities.
- o It eliminates the possibility of a student going to school just to participate in activities and fail all courses.

Again I ask what problem are we trying to solve? But maybe more importantly, what problems will be created?

Thank you.



# 'No pass, no play' counterproductive?

By Jose A. Cardenas

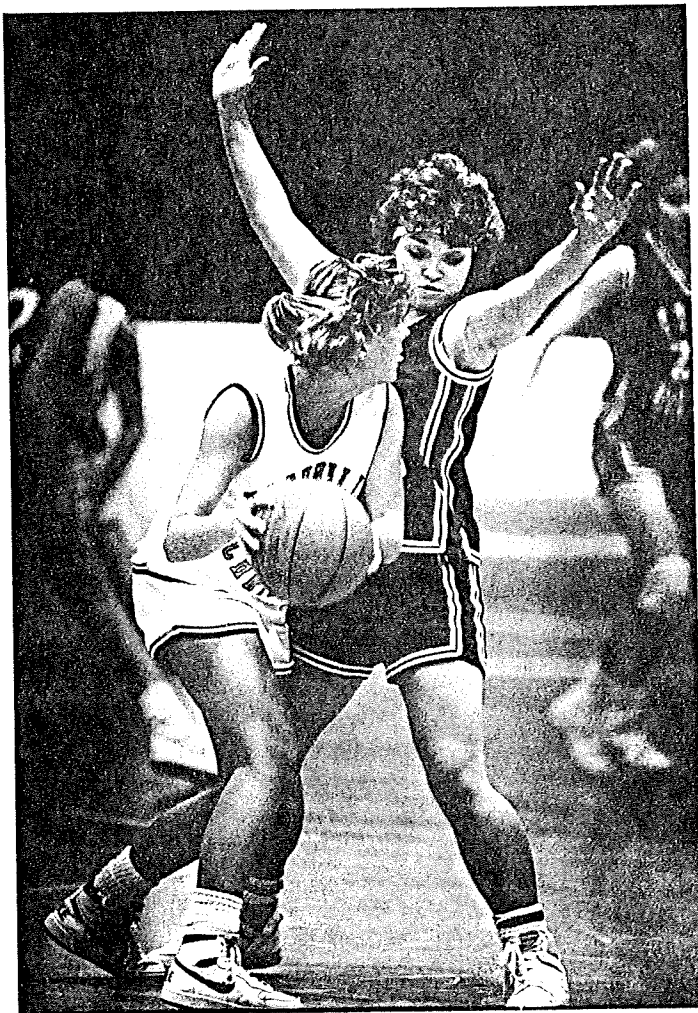
In 1984, the Texas legislature, under heavy pressure from the business community to improve the education system of the state of Texas, enacted its infamous "No pass, no play" legislation. The goal of this law was to motivate students participating in athletic activities, particularly the major competitive sports, to do better in their school work or lose the opportunity to play.

Unfortunately, the poor conceptualization of the law and its wording has resulted in many students not participating in any activities — including many activities which are closely related to and enrich the academic program, activities not meant to be targeted under the law.

Five years later, the "No pass, no play" legislation was expanded to include "No pass, no drive," which denies a driver's license to a student of school age not enrolled in school. In other states the "no drive" position has been modified to include students not doing well in school in addition to those who have dropped out.

"No pass" legislation and regulations have become a fad, with states and school districts enacting similar legislation as fast as other states and school districts are abandoning them.

The main criticism of "No pass" concept is that it is an ex-



tremely simplistic approach to improving school performance. The rationale of this approach is that the student has the power to do better, and the threat of not being able to participate in activities or not being allowed to drive a car can lead to substantially improved academic performance on the part of the student.

Though there are undoubtedly some students who may profit from such drastic negative motivation, it does little to improve school performance for the bulk of the student population that is currently under-performing and dropping out of school.

The rationale of "No pass, no play" is based on a deficit model which attributes to the target population deficit or negative characteristics which account for their poor performance in school. It assumes that everything the school is doing is adequate; if the student does not benefit, then the student is solely to blame.

A deficit rationale is inconsistent with every basic principle of education and most of contemporary research findings. Atypical students, for the most part, do poorly in school because of the failure of the school to address the characteristics and developmental patterns of atypical populations; and, in most cases, under-performing students are unable to control their performance or cope with problems associated with school activity.

The "no play" and "no drive" provisions are society's ways of punishing the victim for the crime and lead to further alienation of the at-risk school population.

Intercultural Development Research Association (IDRA) studies of school dropouts in Texas identified the potential dropout as an academic and social isolate, a student who is alienated from the school and seldom a participant in the academic activities of the classroom or the more socially oriented activities in extracurricular programs.

Rather than attempting to integrate the isolated at-risk student into school activities as an attempt to diminish the risk of dropping out, "no pass" prohibitions push the potential school dropout further away from school activities and exacerbate the isolation so typical of school dropouts.

Though many school systems and entire states have enacted "no pass" regulations, it is difficult, if not impossible, to assess the impact of such regulations. Much of the assessment of these programs is entirely subjective, with advocates of the "no pass" regulations perceiving success and opponents perceiving failure.

Not only is there an absence of empirical data, the amount of subjectivity in determining the adequacy of student performance makes a scientific determination of the impact of "no play" or "no drive" policies very difficult. The following circumstances impair valid assessments of "no pass" regulations.

1. Most grades are given on subjective criteria with little control for level of difficulty, which can provide assurance of cross section or longitudinal equivalency in measurement. A teacher may grade "hard" one year and "easy" the next.

Variations in teacher grading have been found to exist between classes and between students. In fact, grades given to the same test paper on different occasions by the same teacher have been found to be notoriously inconsistent. Such a lack-

3 reliability and subsequent lack of validity make it difficult to determine if students are really doing better or worse on the basis of teacher based subjective evaluations.

2. At the time of the enactment of "no pass" regulations, teachers tended to be extremely harsh in their evaluation of school athletes. After all, there had been no love lost between school coaches and school teachers who perceive the coaches as privileged employees with much higher salaries, an abundance of fringe benefits not found in the classroom, and commonly exempted from the non-instructional chores of education (hall duty, cafeteria supervision, etc.).

The enactment of "no pass" regulations was seen by classroom teachers as the chickens finally coming home to roost with the teacher finally being given a form of power over the rival athletic program personnel.

Now it is difficult to determine to what extent student improvement in grades can be attributed to better performance on the part of the student, rather than to the coaches learning to eat crow and make their peace with classroom personnel.

3. There is abundant evidence that students have learned to distinguish between advanced, difficult, honors type of courses and the easier courses and non-academic tracks in school. Improvement in student grades and a diminishing of "no play" conditions may be indicative of a student shift away from the more difficult, and therefore more dangerous, curriculum.

Ways have been devised to handle the difficult courses which every student is required to take. One way is to sign up baseball players during the fall semester when poor performance does not impact on the baseball season, and sign up football players for difficult courses during the spring semester after the football season has ended. It wouldn't be surprising if basketball players are encouraged to take the hard courses during the summer months.

4. In required courses, students and their athletic mentors have learned to identify teachers who tend to give higher grades to students. One teacher in an orientation function informed a group of parents that she was not very demanding, gave little or no homework, did not require the students to read the book, and nobody ever failed her classes. She also assumed that the kids of the parents present were in competitive interscholastic activities. "I don't know why, but all the ball players, band members, pep squad girls and cheerleaders always wind up in my classes."

It would be naive to assume that "no pass, no play" is successful in that school on the basis of the diminished number of participants found ineligible.

5. There are reports that the number of students trying out for school teams has diminished since the enactment of the exclusive legislation. A diminished number of students ruled ineligible to participate may be indicative of students eliminating themselves from participation, rather than letting the school do it for them.

Coaches are loath to sign up players who are at risk of becoming ineligible. As a coach said to a student who had been dropped from the football team due to low grades and after improving his grades was trying out for the baseball team, "No way, I don't want losers on my team." The student committed suicide a few days later.

IDRA monitoring of student attrition rates in Texas schools during the past five years full implementation of the Texas reform legislation, including the "no pass, no play" provision, presents a much more scientific assessment of the impact of the legislation. White, non-Hispanic student attrition rates have diminished by 23 percent. On the other hand, the attri-

tion rates of Blacks has increased by nine percent; the attrition rate for Hispanics has increased by seven percent. There is no evidence to indicate that the performance level of at-risk students who stay in school has made any significant improvement since the enactment of the legislation.

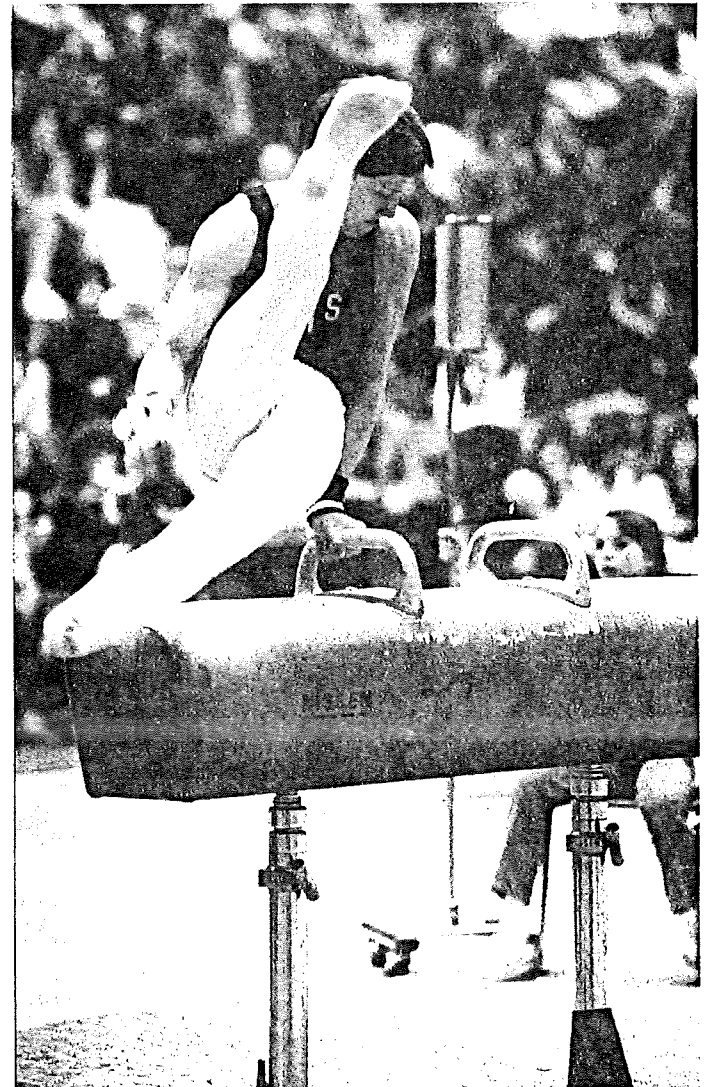
A second phenomenon which has manifested itself since the enactment of the "No pass, no play" legislation in Texas has been the number of school districts asking IDRA for assistance in dealing with undesirable gang activity. Such a topic had never been requested until the last few years and has led IDRA staff to develop training modules addressing this problem.

Since belonging is an inherent psychological need which becomes very dominant during the adolescent years, it stands to reason that much of a student's drive will be directed toward the satisfaction of this need; if not in school sponsored socially acceptable activity, then in unacceptable and often destructive gang activity.

Although no empirical evidence has surfaced, it may well be that the reported increase of problem gang activity is the result of "No pass, no play" legislation.

On the basis of school experiences, one can only conclude that "No pass, no play" policies are definitely not a panacea for improving student performance in school and may very well be counterproductive, creating more problems than those which it purports to solve.

*Reprinted from Texas Coach with permission from the Intercultural Development Research Association Newsletter, May 1990.*





## HB 2085

February 11, 1991

Testimony presented before the House Committee on Education by Gerald W. Henderson, Executive Director, United School Administrators of Kansas

Mister Chairman and members of the committee:

United School Administrators of Kansas is opposed to the provisions of **HB 2085** for two separate yet related reasons. First, the regulations established by the Kansas State High School Activities Association are stated as minimum requirements. Any member school may at any time increase standards for participation in school activities. Hutchinson High School has, for example, raised its standards to require that a student successfully complete **all** courses, and through the use of a periodic list of students in academic difficulty, Hutch High requires that students continue to pass **all** courses to maintain eligibility.

Our second problem with **HB 2085** is that its provisions address the wrong segment of the student population in Kansas. A common perception is that Kansas student athletes are as a group sliding by with **D's** on their transcripts just to remain eligible. Quite the contrary is true. On any study I have seen in recent years, participants in school activities maintain a higher grade point average than any other single group in a school and higher than the student body as a whole. Again using Hutchinson High School as an example, on the periodic check list mentioned before, 60% - 70% of the students failing one or more courses were not participating in any school activity.

In summary **USA** opposes the provisions of **HB 2085** in that it unnecessarily infringes on the powers of local schools to manage programs, and secondly if educational reform is the motive, the wrong students are being addressed.

We would urge you to report **HB 2085** unfavorably.

HB2085/gwh

HOUSE EDUCATION  
Attachment 4  
February 11, 1991

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS



5401 S. W. 7th Avenue Topeka, Kansas 66606  
913-273-3600

Testimony on H.B. 2085  
before the  
House Education Committee

by

Patricia E. Baker  
Associate Executive Director/General Counsel  
Kansas Association of School Boards

February 11, 1991

Thank you, Mr. Chairman and Committee members. I appreciate appearing here today on behalf of Kansas school boards with regard to H.B. 2085.

House Bill 2085 seeks to set grade point minimums for student participation in extra-curricular activities. We support ensuring academic standards but must oppose the provisions of this bill.

The minimum grade point would not apply to extra-curricular activities conducted during the first grading period each fall. Students who only participate in fall activities would not have the incentive envisioned by the proponents.

Under the provisions of this bill, a student could actually be failing three substantive courses, receiving A's in three courses of less rigor and still participate.

HOUSE EDUCATION  
Attachment 5  
February 11, 1991

I might also add that some districts currently have local standards for participation which are more rigorous than those set by the Kansas State High School Activities Association. We would hate to see a state law which would discourage those districts.

If the legislature feels a need in this area we recommend a resolution urging KSHSAA and local boards of education to upgrade academic standards for students who participate in activities and to thoroughly study what constitutes fair and equitable standards. Thank you.