

Approved: April 30, 1997
Date

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Garry Boston at 1:30 p.m. on March 24, 1997 in Room 519-S of the Capitol.

All members were present except: Representative William Mason, Excused
Representative Ellen Samuelson, Excused

Committee staff present: Mary Galligan, Legislative Research Department
Mary Ann Torrence, Revisor of Statutes
June Evans, Committee Secretary

Conferees appearing before the committee: Frank Tillman, Youth Activities Foundation, Manhattan
Dr. Marie Steichen, Parks and Recreation Board, Manhattan
Gary O'Brate, Womens Soccer Coach, USD #383
Beverly E. Eversmeyer, Ph.D., President, USD #383
Jim Colley, Assistant Director, Parks and Recreation, Manhattan
Curt Wood, Director of Finance, Manhattan
Jamie Clear, Blue Valley
Kathryn Marchin, Little Apple and high school soccer
Chuck Yunker, Adjutant, The Kansas American Legion
Laura Groskop, Little Apple and high school soccer
Marvin Estes, Principal, Newton High School

Others attending: See attached list

Representative Don Dahl moved that committee bill be introduced concerning fleeing or eluding a police officer.

Representative Tomlinson moved that 21 bills be introduced that are repealers of parts of Chapter 13 of the state code.

Representative Mays moved that a bill be introduced that he and Representative Nichols requested that would create the crime of aggravated criminal threat and define it as a threat that results in a public building being evacuated.

Chairperson Boston stated introductions would be approved as a blanket request without objections. There were no objections.

HB 2533 - Kansas state high school activities association, supervision during summer months prohibited.

The Chairperson opened the hearing on **HB 2533.**

Mary Torrence, Kansas Revisor of Statutes Office, gave a briefing on **HB 2533**, stating this bill prohibits the Kansas High School Activities Association from regulating and supervising those activities over which they have authority in the interim between the seasons of the activities exclusive of post season tournament competition. The activities include not only athletics but music, forensics, dramatics and other intra-school extra curricular activities.

Frank Tillman, Youth Activities Foundation, Manhattan, testified as a proponent to **HB 2533**, stating the foundation was formed in 1994 to support youth sports activities and educational programs. The goals and objectives are to provide the area youth with after-school and summer activities and the facilities to insure they develop a strong moral and ethical foundation for their future well being. The idea is to structure activities under qualified coaches and teachers so they receive quality instruction and involve as many boys and girls of all ages as possible. These activities and programs are coordinated with the school programs for after school and summer, so that an integrated learning process continues uninterrupted. It is felt that KSHSAA interferes

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with these goals.

The KSHSAA rule that restricts more than 3 athletes from the same team playing together out of season during the school year seems to be very restrictive. Six athletes from the same school cannot, on their own out of season, go to a gym and play together without violating this rule. There is a 3 on 3 tournament to raise money for cancer and with this rule a team cannot be formed with four participants from the same school. As a result of this rule athletes from small towns do not have the opportunity of forming teams with athletes from other towns without a great deal of difficulty. They are essentially restricted from playing out of season.

(Attachment 1)

Dr. Marie Steichen, representing the Parks and Recreation Board of Manhattan, testified as a proponent to **HB 2533**, stating the ruling affecting soccer states that no more than six (6) soccer players from the same high school team can play together in the non-high school or "off-season" time. The rule allows only 6 varsity, 6 junior varsity, 6 walk-ons, and 6 graduates to play soccer together outside their high school soccer season. Five specific areas of concern particular to soccer are gender discrimination, differential treatment of sports, differential treatment of smaller, one high school communities, decreased youth participation and decreased economic opportunity. Dr. Steichen stated there was gender discrimination, differential treatment of sports, differential treatment of smaller, one high school communities, decreased youth participation and decreased economic opportunity. (Attachment 2)

The Chairperson stated that some people that were very interested in this bill were unable to attend today and continuation would be on Monday, March 31.

Gary O'Brate, Manhattan High School soccer coach, testified as a proponent to **HB 2533** as the ruling has caused division between the Kansas City, Wichita and other schools that are participating in activities and sports. There is inequity in this respect as the Kansas City and Wichita schools have the ability to be able to draw from a greater pool in order to get teams for the traveling programs. Limiting students to unrestricted

activities during the summer months only inhibits soccer players ability to compete during normal practice season, fall or spring. In soccer where there are no times out there is greater degree of risk and injury due to heat. It requires the athletes to have there traveling season during the cooler times of the year. It seems our programs in the state would be better served by punishing those who bend the rules or who constantly try to find loopholes in the rules instead of penalizing everyone for a few individuals misdeeds. Mr. O'Brate stated he agreed with the no coaching contact between the players and the coaches during the off seasons.

Beverly E. Eversmeyer, Ph.D., President, USD #383 Board of Education, Manhattan, testified relating specifically to soccer as a proponent to **HB 2533**, stating this bill has broader implications than soccer, but would like to address our concerns about the problems which current rules and regulations have created with respect to soccer. The off season for girls soccer is fall and the off season for boys is spring, rather than the summer off season which applies to most other sports offered by city recreation programs. Because of the exhaustive nature of the sport, it cannot be played in the heat. Therefore, the current rules of the Kansas Activities Association make it impossible for school students participating in soccer to participate in their off season. The rules require, among other things, that no more than 6 from one school can be on a team. That is possible for big cities, but it is not possible for cities the size of Manhattan when there are no nearby schools with soccer programs we could partner with to form off season teams. Soccer tournaments are an economic plus for the community because of the revenue it generates. The Kansas Activities Association has no responsibility to take action to enhance such economic efforts, it is believed that it is irresponsible for them to take actions which undermine investments, programs, facilities, and community efforts which are already in place. (Attachment 3)

Jim Colley, Recreation Superintendent, Parks and Recreation, Manhattan, testified as a proponent to **HB 2533**, stated he supported the testimony that had been given.

Curt Wood, parent of a former high school soccer player, testified as a proponent to **HB 2533**, stating he echoed the comments Coach O'Brate and Dr. Marie Steichen made and urged the committee to support the bill.

Jamie Svoboda, testified she was in support of **HB 2533** and supported the testimony given by the Manhattan proponents. Mrs. Svoboda stated she was an educator, a parent of both boys and girls and all of her children had competed in team sports and individual sports and there was concern that there was a governing body that does create rules for team sports and do not create rules for individual sports. Infractions occur in all sports, individual and team, and they need to be individually handled, not just on a team basis. Title IX in 1972 stated that no person shall on the basis of sex be excluded from participation in be denied the benefits of or be subjected to discrimination under any education program or activity receiving federal financial assistance. This was to be complied with in 1976 and there is still sex discrimination in grade schools.

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Secondary and post secondary institutions had until July, 1978 to fully comply. Decreasing boys allotment is not the answer, but girls were given about 70% of the opportunities of boys throughout the year. Possibly an audit would help in the sex equality issue.

Kathryn Marchin, player of Little Apple Soccer and a junior high school soccer player, stated she had played soccer 8 years and currently a player on the high school varsity team. This ruling has affected our soccer play with four specific points: (1) participation, (2) team unity, (3) competitiveness and (4) the game itself. In the spring of 1996 our team made it to the Final 4 and were 1 of 4 top teams in the state. This in part can be attributed to prior to that fall season before KSHSAA ruling we had the full 11 players playing on the team. The same people that played on the spring team were playing together in the fall and honing their skills and getting a lot better. This rule breaks up teams rather than helping teams stay together.

Charles M. Yunker, Adjutant, The Kansas American Legion, testified as a proponent for **HB 2533**, stating prior to the Kansas High School Activities Association's recent rule change which prohibits high school coaches from serving as summer league coaches, it is fully expected -- based upon verbal commitments already received -- at least a 10% growth in American Legion baseball teams during the 1997 season which translates into approximately 195 more young Kansan's participation. However, several of these new teams and many of our historical teams, are now in jeopardy.

There is a small 'window' in the KSHSAA rules which enables a high school coach to also coach American Legion baseball or some other summer program. However, that window is restricted to no more than 5 underclassmen from that coach's high school team. The question is: what right does the KSHSAA have to place players in such a position that they must choose to either play a short spring season for their high school, or a longer summer season with the opportunity to represent their city and state in The American Legion World Series? The KSHSAA has assumed the right to force coaches from the side lines in the summer, and/or to place coaches in the position of having to choose only five of their high school players for a summer program. (Attachment 4)

Debbie Edwards, parent, testified in support of **HB 2533**, stating this bill would limit the authority of the Kansas State High School Activities Association to school time. The most concern is about the numbers rule that the Association presently enforces. This rule limits the number of children that could be on a team from one school, outside of the school sport's season, including the summer time. The Association's regulation of school activities during the school year, especially during each sport's season is supported. But, to regulate what could be done outside of school and during the summer is an abuse of power is over regulation. There are no checks and balances for the Association. Parents should have the right to choose and control what activities and what teams their children participate with outside of the school seasons. (Attachment 5)

Laura Groskop, player of Little Apple Soccer and a junior on the high school soccer team testified as a proponent to **HB 2533**, stating she was unable to play both on the high school soccer team and the traveling soccer team. Ms. Groskop stated if she wanted to play soccer in the summer she would have to play on a team from another city and travel several miles which would be expensive and time consuming. The only other choice in Manhattan is to play with an adult group which would mean playing with men and women that are twice the age and where serious injuries were frequent. The soccer association offered and tried to put together a 6 on 6 league because there were not enough players to put together a full team to be within the guidelines or she could choose not to play high school soccer and just be on the traveling team, but there would not be enough interested players to put together a full team and without being in jeopardy of the new rule. Ms. Groskop hopes to play soccer on the college level but her chances have been hurt because of losing so much competitive play. The ruling does not effect senior high school boys because the high school season is in the fall. This rule cannot be for soccer girls benefit. How can something so valuable be taken away from students allowing players women and men my age only because Kansas is one of the very few states with such a rule and because small cities have only one high school. High school athletes should be encouraged to play sports rather than telling them they can't play.

Jamie Clear, Olathe parent, testified in support of **HB 2533**, stating she took homberage with what Mr. Musselman said in the Blue Valley & Leawood Star February 19, 1997, "I am concerned about money. I am concerned about the Nikes of the world, whose values are not the same as yours and mine." The article goes on to say that athletic clothing and equipment manufacturers approach athletes as young as twelve. HOGWASH! Mrs. Clear's husband played professional baseball for twelve years, could not secure a Nike contract for any length of time. It is doubted Nike cares about most amateur twelve year olds. Besides, why enact these KSHSAA rules for every activity participant in Kansas when clearly only a very few are pursued by companies such as Nike?

Mrs. Clear further stated that KSHSAA denies her child the opportunity to hone her skills so she might

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affects her as a participant in school activities, yet KSHSAA never gives her an opportunity to read them. Two years ago during a call to KSHSAA Mrs. Clear was told that it was the student's responsibility (not parents, not schools) to know the KSHSAA rules for eligibility. Even at the college level personnel are hired to keep students apprised of NCAA regulations that affect eligibility. This year the KSHSAA changed many of its rules to limit participation in other sports besides basketball, football and volleyball. How many Kansas students are unwittingly in violation of rules they do not even know exist?

According to KSHSAA Mrs. Clear's daughter is not allowed to sharpen her catching skills with her father during high school softball season because he is also her amateur softball association coach. She is not allowed to catch her summer team pitcher in her father's presence as that would be considered a group lesson. Teammates/friends from her summer team are no longer invited over for sleep-overs for fear the event would be misconstrued as a practice and render the girls' ineligible for high school softball. Mrs. Clear stated her daughter and son could not go into the backyard batting cage with their father as this constitutes a group and this is ridiculous. KSHSAA does not allow her to improve skills or work out with them on the days the high school team does not meet. As parents, shouldn't it be our decision what our child does in her spare time in relation to non-school activities? There is no problem with KSHSAA when it comes to school activities but that is the ONLY place they belong. Last new a new statute was put into the Juvenile Code, something to the effect that no action should interfere with the fundamental right of a parent to govern the upbringing of a child and it is believed that the KSHSAA is interfering with my fundamental rights to say where my child is on Sunday afternoons - with her brother and her father. (Attachment 6)

Marvin Estes, Principal, Newton High School, testified in opposition of **HB 2533**, stating he has coached for 23 years at all levels. Mr. Estes stated that he agreed with Mr. Tillman, there are very fine people on both sides of this issue and would like to say to the opponents if something is said that you are not, I apologize in advance. Administrators in the education business look at the balanced definition of education and take a much bigger view than just activities or just social development. All of those things are important and four areas of development are emphasized: (1) mental or cognitive development, (2) social development, (3) physical development and (4) moral/ethical development. The season lasts all year and many times during the summer if there is summer school. There is a season to produce all of those different developmental areas. Mr. Estes stated that his experience with KSHSAA is that they have been responsive and they have changed many rules at the request of the 304 member schools that make up the KSHSAA. They are committed to a well rounded education of individuals and it even says that in their mission statement. In the statutes every Board of Education is required to name an individual who makes decisions about appropriateness or inappropriateness of an absence from school. In most cases that is the high school principal. There is a great risk in putting enmity between the parents and the school by having those individuals make decisions.

Proposed change in the Outside Competition Rule #22 would produce negative consequences including :Not intentional but because part of the safeguard to protect students and schools from exploitation have been removed: (1) increased loss of time from the classroom - conflict with parents and students over unexcused absences (2) increased pressure on students to participate in one activity only thus losing participation in a balance of activities for students (3) increased pressure on coaches to coach one activity only and to do so year round thus losing their support and participation in coaching other activities (4) diminished balance among the cognitive, physical, and social development of students in favor of "elite" physical skills development (5) diminished quality or existence of some of the current high school activities (6) diminished support for current high school activities and (7) schools would lose control of the education process which they are held responsible for maintaining and improving.

KSHSAA is a grassroots, democratic organization which not only supports but enhances the total education process. (Attachment 7)

The Chairperson stated the hearing would be continued on March 31.

The meeting adjourned at 3:10 p.m.

The next meeting is scheduled for March 25, 1997.

FEDERAL & STATE AFFAIRS COMMITTEE

DATE: March 24, 1997

NAME	REPRESENTING
Bev Eversmeyer	USD 383 - Manhattan, Ks
FRANK A. TILLMAN	ALL STUDENT ATHLETICS
Maurice R. Estes	KSHSAA - USD 373 Newton
Ginny Honomichl	KSHSAA - U.S.D. 348 - Baldwin
Gary Mysselman	KSHSAA - Topeka Ks
Wes A. Link	KSHSAA - Topeka, Ks
Jan York	U.S.D. #410 Hillsboro, Ks
Gordon Cook	U.S.D. 410 Hillsboro, Ks
Vicky Mohr	USD #410 Hillsboro, Ks
Cheryl Steese	KSHSAA
Vic Suk	KSHSAA
Debbie Edwards	Parent of Student Athlete
DANA Ferris	Citizen
David Cherry	KSHSAA
Jami Clear	Parent of student athlete ^{Blue Valley School Dist} BVNS
Charles M Yunker	Kansas American Legion
Dave Schneider	Kansas For Life At Its Best
Lucas Carpenter	USD 383 - Athletes
Joe Carpenter	Kansas student soccer players
Alan Wood	" " " "
Darryl Fitzmorris	USD #407
Pat Johnson	Bd of Nursing
Laure Steichen	high school soccer
Katie Lyons	Manhattan High Soccer
Satherine Marchin	Manhattan High School Soccer
Marie Steichen	Manhattan Parks & Recreation Board
Laura Groskop	Manhattan High Soccer

YOUTH ACTIVITIES FOUNDATION
1328 SHARINGBROOK DRIVE
MANHATTAN, KANSAS 66503

Hello,

I am Frank Tillman and I am speaking in favor of House Bill 2533. I have formed and funded a foundation to support competitive sports for youth, the Youth Activities Foundation.

The Youth Activities Foundation was formed in 1994 to support youth sports activities and educational programs (baseball, basketball and other educational activities such as a computer based educational programs). We provide opportunities for children and young people, who because of financial limitations of their parents or guardians, would otherwise be unable to enjoy such opportunities; we promote and encourage good sportsmanship; expose the area youth to quality coaching in a variety of sports; and we promote computer and educational programs after school hours and during the summer.

Our goals and objectives are to provide the area youth with after-school and summer activities and the facilities to insure they develop a strong moral and ethical foundation for their future well-being. The idea is to structure activities under qualified coaches and teachers so that they receive quality instruction and to involve as many boys and girls of all ages as possible. These activities and programs are coordinated with the school programs for after school and summer, so that an integrated learning process continues uninterrupted. I feel that the KSHSAA interferes with these goals.

The Kansas State High School Activities Association (KSHSAA) rule that restricts more than 3 athletes from the same team playing together out of season during the school year seems to be very restrictive. For example, 6 athletes from the same school cannot, on their own out of season, go to a gym and play together without violating this rule. We have a 3 on 3 tournament to raise money for cancer and with this rule we cannot form a team with four participants from the same school. Another result of this rule is that athletes from small towns do not have the opportunity of forming teams with athletes from other towns without a great deal of difficulty. Thus, they are essentially restricted from playing out of season.

In regards to actual basketball schedules during the seasons, the KSHSAA restricts 8th grade basketball games to 6 minute quarters and I believe the limit is 16 games. Consequently an athlete playing 7th grade and below traveling ball will play between 40-50 games a season with 8 minute quarters or 20 minute halves. When this student athlete joins an 8th grade team, his playing time is reduced significantly both during the season and basically eliminated during the off season.

I really resent the Kansas State High School Activities Association having the power to restrict off season playing. I thought their purpose was to promote athletic participation when in fact it is just the opposite. A case can be made that this association could be called the Kansas State High

School Anti Activities Association. I believe it is time for these regulatory groups to get out of our hair particularly during the off season and let us do as we wish. Is it not better to keep these kids busy the entire year and minimize their free time to get into trouble including drugs. The more we involve young people in sports the less time they have to get into trouble.

It is my opinion the major opposition to this bill comes from administrators and a few coaches. They do not want to be involved in a sport year round. This is easily solved if they simply say NO during the off season. In trying to accommodate these administrators and coaches we forget that it is the student athlete that is really hurt. Quite frankly I feel this is a very selfish position for KSHSAA to take. Lets get rid of "big government" and let the student athletes have their freedom to play or not play in the off season as they wish.

Thank you

Frank A. Tillman, Ph.D.

Statement to the Federal and State Affairs Committee, March 24, 1997

I am here to testify in support of House Bill 2533. I am Dr. Marie Steichen and I represent the Parks and Recreation Board of Manhattan, KS. My Board voted unanimously to oppose the KSHSAA ruling that limits participation of high school soccer players outside the high school soccer season.

I have testified to the KSHSAA in opposition to this ruling on two separate occasions. Representatives from other communities have testified in opposition to the KSHSAA ruling as well. They have also written letters, sent petitions, and made personal phone calls to KSHSAA Board members in an effort to explain the inequities of the rule for high school soccer players. Our state legislators have personally written and visited with KSHSAA. Our State School Board representative has also brought the inequities of this ruling to the attention of the KSHSAA. No effort has been successful thus far. Therefore, we are asking legislative help for relief of a discriminatory ruling by KSHSAA.

Basically, the ruling affecting soccer states that no more than six (6) soccer players from the same high school team can play together in the non-high school or "off-season" time. The rule allows only 6 varsity, 6 junior varsity, 6 walk-ons, and 6 graduates to play soccer together outside their high school soccer season.

I would like to address five specific areas of concern particular to soccer:

1. gender discrimination
2. differential treatment of sports
3. differential treatment of smaller, one-high-school communities
4. decreased youth participation
5. decreased economic opportunity

1. Gender Discrimination

The male athletes play high school soccer in the fall. The female athletes play high school soccer in the spring. Therefore, the off-season soccer team or traveling soccer for high school boys can draw from a pool of 6 varsity, 6 junior varsity, 6 walk-ons and the soon-to-be graduates without endangering high school eligibility for the males. Because the senior boys play their high school soccer season first, the rule about the number of graduates who can play has no bearing on them in their traveling season because they will not return the following year.

By contrast, the women cannot draw from this pool of graduates because they must play their high school soccer season after their traveling season. Therefore, female athletes are discriminated against by a rule that restricts females but does not restrict males in the same sport.

2. Differential treatment of sports

Males play football in the fall; females play volleyball in the fall.

Males play baseball in the spring; females play softball in the spring.

Both males and females play basketball, tennis, golf, and do track in the same seasons.

However, in soccer alone, the males and females play in alternating seasons.

NOTE: Because soccer is played in alternating seasons for males and females, the rule which establishes an "off-season" for other sports provides NO "Off-Season" for soccer.

When told of this inequity, KSHSAA told the soccer rule opponents that players could have an "off season" in the summer. However, soccer is not played in the summer in Kansas because of heat, except in large metropolitan areas (Kansas City and Wichita) with indoor soccer facilities.

3. Differential treatment of smaller, one-high-school communities

Large, metropolitan areas like Kansas City and Wichita have multiple high schools from which they can draw soccer players for their traveling soccer teams. Smaller communities such as Manhattan, Lawrence, Emporia, McPherson, Abilene, and Great Bend have only one high school. They are unfairly disadvantaged by the off-season regulation of soccer because they do not have a pool of players sufficient to create a traveling team without violating one of the categories of 6 players.

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4. **Decreased youth participation**

As a result of the rule regulating off-season soccer, Manhattan has seen decreased, not increased, youth participation. Manhattan is unable to field a traveling soccer team in the U-19 and U-16 age brackets for women. In other words, the ruling of the public sector has significantly diminished the private sector traveling soccer teams.

Contrary to the opinion of KSHSAA, data from the USD 383 school district indicates that regulating soccer in the off-season has not increased participation in alternative sports by our female athletes. Many of our female soccer athletes chose to not play another sport, as soccer is their preferred sport and the sport in which they are most proficient.

In other instances, when these talented athletes do choose to enter other sports, they often displace other young women who are less proficient athletes. School districts have limited funds and often do not have the resources to create more teams when the demand increases. They simply hold the involvement to the current level, and the more talented athletes displace the lesser talented. Thus, the reason of increased participation given by the KSHSAA to justify the "off-season" regulation of soccer is rendered moot.

5. **Decreased economic opportunity**

Many communities in Kansas, both small and large, are experiencing economic challenges. Because of a limited business and industrial base, small communities in particular must rely on partnerships to provide the services and facilities the citizens need and want.

In Manhattan, the Parks and Recreation Department provides the practice and game fields for the high school because the school district does not have the resources necessary to build and maintain such costly facilities. The taxpayers are willing to accept this responsibility because the partnership provides facilities for city league teams as well as tournaments for the high school and traveling teams. Tournaments generate dollars from tournament participants and visitors who eat at local restaurants, stay overnight in local motels, and shop in Manhattan.

The KSHSAA ruling that regulates "off-season" soccer effectively reduced the age brackets in which Manhattan was able to field teams. Consequently, our traveling soccer club, The Little Apple Soccer Club, hosted fewer soccer tournaments in Manhattan.

I doubt there is an elected official in this room or in this Capitol Building who would be willing to tell the constituents of their district that they support gender discrimination, differential treatment of sports, differential treatment of smaller, one-high school communities, decreased youth participation, or decreased economic opportunity.

Yet, that is exactly what is occurring when you endorse this "one size fits all" solution to the regulation of sports—sports which differ by gender of participants, size of community, seasons of play, off-seasons, and status of players (individual vs team sport participation).

The City of Manhattan, our USD 383 School Board, our Parks and Recreation Board, our private sector traveling teams, our parents, and most importantly, our youth, are asking you to remedy this injustice.

Thank you for your consideration. If I can be of service by providing information or answering questions, please call me.

Sincerely,

Marie Steichen
Manhattan Parks and Recreation Board
509 Valley Drive
Manhattan, KS 66502
913-539-7893

TESTIMONY

Supporting

HB 2533

By

Beverly E. Eversmeyer, Ph.D.

President, USD #383 Board of Education

Manhattan, Kansas

(As specifically relating to soccer)

March 24, 1997

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TESTIMONY

I'm Beverly Eversmeyer, President of USD #383's Board of Education. It is at the directive of those members that I appear today to support HB 2533 in the manner in which it applies specifically to soccer. We realize that the bill has broader implications than soccer, but we would like to address our concerns about the problems which current rules and regulations have created for us with respect to this one sport. The off season for girls soccer is fall and the off season for boys is spring, rather than the summer off season which applies to most other sports offered by city recreation programs. Because of the exhaustive nature of the sport, it cannot be played in Kansas summer heat. Therefore, the current rules of the Kansas Activities Association make it impossible for school students participating in soccer to participate in their off season. The rules require, among other things, that no more than 6 from one school can be on a team. That is possible for big cities, but it is not possible for cities the size of Manhattan when we do not have nearby schools with soccer programs that we could partner with to form off season teams.

Recognizing the desirability of keeping students involved in sports and activities year round, we have made a genuine effort in Manhattan on several fronts to make activities available to many students. The schools, the city, the YES Fund administered by Ed Seaton at the Manhattan Mercury, churches, and other social service agencies have all worked hard to ensure that the youth of Manhattan have as many choices as possible to keep them positively and productively involved. It seems ironic that the Kansas Activities Association would adopt rules and regulations which throw stumbling blocks into this concerted effort, not just by the schools but by the whole community.

With regard to soccer, the community and schools have built an amazing number of soccer fields to accommodate this great interest by students to participate. Our program has been highly successful and we wish to continue and expand it. It is also an economic plus for the community because of the revenue it generates through the tournaments which are held throughout the year. While we recognize that the Kansas Activities Association has no responsibility to take action to enhance such economic efforts for us, we still believe that it is irresponsible for them to take actions which undermine investments, programs, facilities, and community efforts which are already in place.

My board felt that many of the other Kansas Activities Association rules and restrictions were working reasonably well and we'd like you to accept our support of this bill because of its ability to remediate an unfair situation with regard to soccer.

Thank you for your time and consideration.

THE AMERICAN LEGION, DEPARTMENT OF KANSAS
TESTIMONY IN FAVOR OF HOUSE BILL 2533
PRESENTED TO THE
HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS

Thank you for allowing The American Legion this opportunity to testify in favor of House Bill 2253 The American Legion Baseball Code of Sportsmanship is as follows:

"I will: Keep the Rules
Keep faith with my teammates
Keep my temper
Keep myself fit
Keep a stout heart in defeat
Keep my pride under in victory
Keep a sound soul, a clean mind, and a healthy body."

For the past seventy years young athletes, mostly male but occasionally female, have stood along the foul lines of baseball diamonds throughout our nation and Puerto Rico, raised their right hand and recited our Sportsmanship Code before every American Legion Baseball game. In 1926 Kansas fielded less than a dozen teams; in 1996 we certified 131 teams for competition with over 2100 players from 178 Kansas communities.

Prior to the Kansas High School Activities Association's recent rule change which prohibits High School Coaches from serving as summer league coaches, we fully expected --based upon verbal commitments already received -- at least a 10% growth in American Legion Baseball teams during the 1997 season which translates into approximately 195 more young Kansans' participation. However several of these new teams, and many of our historical teams, are now in jeopardy.

Granted there is a small 'window' in the Kansas High School Activities Association rule which enables a High School Coach to also coach American Legion Baseball, or some other summer program. But in the example of baseball teams; that 'window' is restricted to no more than 5 underclassmen from that coach's High School team. Please bear in mind a team must field a minimum of 9 players to play a game, not counting a particular game's non-starters, normal pitching rotation, designated hitters, relief pitchers, etc. all essential to fielding a competitive team during a 50 to 60 game season.

The question begs to be asked; what right does the Kansas High School Activities Association have to place players in such a position that they must choose to either play a short spring season for their High School, or a longer summer season with the opportunity to represent their city and state in The American Legion World Series? If players are forced to make that choice I can tell you who the loser will be; High School Baseball in the State of Kansas, and ultimately the players because those in other states which do not have to contend with such authoritarian rules will have played spring baseball thus

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their skills will be honed to a higher degree. Why will players choose to play summer baseball for The American Legion and other programs? Because we offer a more extensive season which provides players a summer long activity without school related distractions, and our teams are more frequently scouted by representatives of both professional and college teams.

The Kansas High School Activities Association has assumed the right to force coaches from the side lines in the summer, and/or to place coaches in the position of having to choose only five of their High School players for a summer program. Where is that coach supposed to recruit the remainder of his American Legion team? Again if the High School Activities Association Rule is allowed to stand someone or thing will lose; in this case it will be American Legion and other summer baseball programs as well as many fine coaches even though most high school coaches are not even under contract with their schools during the summer months. How would you feel towards your service in the Legislature if you were prevented from engaging in your private pursuits even on weekends while the Legislature was in session? We contend that is a comparable example of what the Kansas High School Activities Association has inflicted upon High School Coaches in all sports especially baseball. We have been told by several High School/American Legion coaches they will quit coaching high school baseball in order to continue with our program.

You might ask yourself why would a coach choose American Legion Baseball over High School Baseball? Perhaps the same question could be asked of umpires who must attend our instructional school at their own expense in order to be certified to officiate American Legion Baseball games at a fraction of the fee they receive for umpiring high school baseball games. Believe it or not the answer is as simple as their love for the game of baseball and the opportunity to interact with youngsters in a positive atmosphere.

These same adults understand and appreciate the fact that in American Legion Baseball they can be banned for life from coaching or officiating if their actions bring discredit to our program. They also know we will admit our rules are not always perfect but we are always willing to amend those rules for the benefit of the players whose welfare and personal growth are at the forefront of our program.

When the Kansas Legislature authorized the establishment of the Kansas High School Activities Association we do not believe it was legislative intent to grant the Association the power to dictate what non-professional activities students and coaches engage in during periods when school is not in session. Yet over the years the Association has systematically assumed a self-serving and arrogant attitude in both the athletic and academic fields. Please allow me to tell you about two examples:

In either 1981 or 1982 after citing the number of American Legion Baseball players who had earned college scholarships I was bluntly

told by a Kansas High School Activities Association Board member, during one of their Board meetings, they were not in the business of helping students gain scholarships. Quite a revelation, at least it was to me.

In 1984 or 1985 our State Headquarters received a telephone call from the Association complimenting us on a fine article which appeared in the Topeka Capital-Journal about a Topeka High School student who had just won our organization's State High School Oratorical contest and a \$1000.00 scholarship. In almost the same breath the caller told us we were not authorized to inform the public that the youngster was a senior at Topeka High School. We verified that the call did come from the Kansas High School Activities Association and after the student advanced to 3rd place in our contest's National Finals where he won a \$12,000 scholarship we refrained from mentioning Topeka High School in our news release least we offend the Association by using the name of a tax supported public institution. Only during KHSA testimony earlier this year did we learn that their prohibition of using the name of High Schools such as Topeka High had been rescinded several years ago. If they were so quick to tell us we couldn't identify a student's high school why did it take a forum in the Legislature years after the fact for them to inform us they had rescinded that rule?

A few moments ago I referred to the High School Association as being self-serving and arrogant; to me those are rather strong words to use and I do not wish to go to war with the Kansas High School Association. However I do not know of a more appropriate description to define an organization whose Executive Director informed a High School Coach that not only could he not coach his own son in American Legion Baseball, but he could not help schedule games for The American Legion team in his community nor could he help raise funds for his son's American Legion team!

I could go on and on with a list of notable Kansans who have played American Legion Baseball; people whose careers led them to the major leagues as players, coaches and general managers. Others established very notable careers in professional football while most have gone on to college and successful careers in non-athletic fields including at least two members of the Kansas House of Representatives.

The American Legion wishes to commend this committee for introducing HB 2533. Our organization intended to seek similar legislative relief to correct this error in judgement by the Kansas High School Activities Association which is a legislative created entity.

In closing I would like to say American Legion Baseball was created as a means to provide and instill a sense of fair play, sportsmanship, comradery, citizenship and patriotism while developing leadership skills and enhancing educational opportunities for America's youth. In his book "When Dreams Came True: The GI Bill and The Making of Modern America", Pulitzer Prize nominated author Michael Bennett recognizes American Legion Baseball as the first such organized youth

activity which crossed all barriers -- race, religion, ethnic background, etc. Mr. Bennett cites the American Legion authored GI Bill of Rights, its National High School Oratorical Contest, and the Legion, along with the American Legion Auxiliary's, Boys' State and Girls' State government programs as being instrumental in shaping modern American society. Those same ideals of fair play, sportsmanship, comradery, citizenship and patriotism continue today as the basics of all our youth programs.

Finally I would conclude by mentioning similar legislation is being considered in the State of Texas where the University of Texas, administers their "High School Activities Association." After imposing rules which prevent high school coaches from serving as summer league coaches the number of American Legion Baseball teams in Texas has dropped from 125 to 62 teams last year with more programs in jeopardy this year. That amounts to almost 1000 young men and women with a lot of pent up energy without a playing field to release that energy while improving their athletic and social skills. I hope you will help prevent similar circumstances to occur in Kansas.

Therefore I urge your vote for approval of HB 2533. Ladies and gentlemen you have the opportunity to insure thousands of youngsters receive athletic coaching from some of the most qualified and skillful adults available. Please support HB 2533 in its present form.

Respectfully submitted by.

Charles M. Yunker, Adjutant
The Kansas American Legion

March 24, 1997

To Whom It May Concern:

I am a parent of a student athlete speaking in support of House Bill 2533. This bill will limit the authority of the Kansas State High School Activities Association to school time. I am most concerned about the numbers rule that the association presently enforces. This rule limits the number of children that can be on a team from one school, outside of the school sport's season, including the summer time. I fully support the Association's regulation of school activities during the school year, especially during each sport's season. But, to regulate what my children can do outside of school and during the summer is an abuse of power and is over regulation. There are no checks and balances for the Association; it appears to do whatever it wants. I do not believe any states around Kansas have such regulations. Parents should have the right to choose and control what activities and what teams their children participate with outside of the school seasons.

My daughter was on the same basketball team since she was in the third grade; it was a team composed of children in the neighborhood. The best thing about the team was the parental support: parents could count on each other for support in car pooling to practice and to games. Several children from single parent families especially needed this support so their children could participate. Unfortunately, when the team reached middle school age, the team had to break up. The numbers rule ended the support system for the parents (and children) who really needed the help. Only the parents with the socioeconomic means to drive as far as Emporia or Atchison for practices have been able to continue to play. This same disruption is now happening with my daughter's soccer team, a team organized when the children were in fourth grade. These teams were not organized to be great teams for any particular school, they were organized for the athletic and social participation of the children and the convenience of the parents. How does breaking up such teams help? How does this help the children? How does this increase participation?

Parents want to parent. The authority of the Association should be limited to the school activity seasons only. Parents should be able to decide what is best for their children. It is their right.

Fed+State
3-24-97
Atch #5

Jami Clear
14653 Halsey Street
Olathe KS. 66062

February 26, 1997

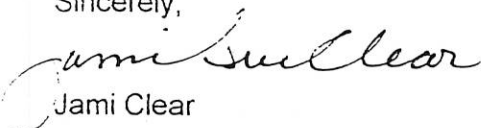
The Honorable Kay O'Connor
Room 431-N, State Capitol
300 SW 10th Avenue
Topeka, Kansas 66612-1504

Dear Ms. O'Connor:

Enclosed is a letter to Representative Henry Helgerson regarding a bill he sponsored along with Representative Vickery. I believe it was this fall that you contacted me regarding a letter I sent you last year about this issue. Unfortunately I cannot locate the letter, but it dealt with the KSHSAA and the limits it puts on parental control of where and when a Kansas student may participate in non-school activities. Representative Helgerson's bill only touches a small part of what I believe is the usurping of parental control by the KSHSAA. His bill is a small step in the right direction, though. I know there are many enclosures, but please bear with me and read them. They are a compilation of several letters written to legislators, parents of children on my daughter's volleyball and softball teams, and newspaper articles that relate to this issue.

Thank you for your consideration. Call me to clarify my position if my letters are not enough. As you can tell, I am quite passionate concerning what I see as an intrusion of my parental rights by the KSHSAA.

Sincerely,



Jami Clear

913-681-5305

Enclosures: 10

Feda State
3-24-97
Atch #6

Jami Clear
14653 Halsey Street
Olathe KS. 66062

February 26, 1997

The Honorable Henry Helgerson
Room 281-W, State Capitol
300 SW 10th Avenue
Topeka, Kansas 66612-1504

Dear Mr. Helgerson:

Thank you for taking the time to speak to me today. Although you hail from Wichita and I from Olathe, the House Education Resolution you introduced is as vital to me as any one of your constituents in Wichita. I would like to see this resolution go even further. The KSHSAA should not be allowed to usurp parental control. Specifically, they have no business telling me when and with whom my child practices or participates regarding outside school activities.

In the accompanying newspaper article dated February 19, 1997 from the Blue Valley & Leawood Star, Gary Musselman of the KSHSAA states "*I am concerned about money. I am concerned about the Nikes of the world, whose values are not the same as yours and mine.*" The article goes on to say that athletic clothing and equipment manufacturers approach athletes as young as twelve. HOGWASH! My husband, as a professional baseball player for twelve years, could not secure a Nike contract for any length of time. I doubt Nike cares about most amateur twelve year olds. Besides, why enact these KSHSAA rules for every activity participant in Kansas when clearly only a very few (I know none) are pursued by companies such as Nike?

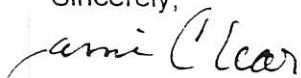
KSHSAA denies my child the opportunity to hone her skills so she might compete on a level playing field with students across the United States for scholarships. I want you to know that a full copy of the KSHSAA rules have never been given to my daughter or myself for review. She is responsible to know each rule that affects her as a participant in school activities, yet KSHSAA never gives her an opportunity to read them. I was told two years ago during a call to KSHSAA that it is the student's responsibility (not parents, not schools) to know the KSHSAA rules for eligibility. Even at the college level personnel are hired to keep students apprised of NCAA regulations that affect eligibility. This year the KSHSAA changed many of its rules to limit participation in other sports besides basketball, football and volleyball. How many Kansas students are unwittingly in violation of rules they do not even know exist?

KSHSAA not only restricts those interested in high level competition. We became aware of the restrictiveness of the rules two years ago when my daughter signed up to play basketball in the Johnson County Recreational Basketball League. As an eighth grader, close friends were very important to my daughter. Those friendships were important to me as well. Her friends were from caring homes where remaining drug and alcohol free and sexually inactive were goals for the girls as well as parental expectations. Due to KSHSAA rules, my daughter was not allowed to play on a team of long time school friends because the team would be in violation of the "3 player" rule. These were exactly the kind of peers I wanted for my daughter. KSHSAA took away my right as a parent to determine which children my child should and could associate with. I share this with you to let you know how the KSHSAA rules inhibit non-competitive participation, too.

As for her competitive softball, my daughter works diligently year round to improve her catching skills since she has aspirations of playing Division I Softball in College. However, according to the KSHSAA, she is not allowed to sharpen those skills with her father during High School Softball season because he is also her ASA (Amateur Softball Association) coach. She is not allowed to catch her summer team pitcher in her father's presence as that would be considered a group lesson. We no longer invite teammates/friends from her summer team for sleep-overs for fear the event would be misconstrued as a practice and render the girls' ineligible for high school softball. KSHSAA does not allow her to improve skills or work out with them on the days the high school team does not meet. As parents, shouldn't it be our decision what our child does in her spare time in relation to non-school activities? Please do something to get the KSHSAA out of my home! I have no problem with KSHSAA when it comes to school activities but that is the ONLY place they belong.

Feel free to call me if I can explain further. There are many parents that if given the opportunity to speak would come to Topeka. Enclosed are some of the letters I sent to Kansas Legislators and an answer from one. Representative Kay O'Connor and I spoke quite awhile in November regarding the letter I sent her on this issue. Also, enclosed are copies of three newspaper articles. One that may be of great interest is from my daughters high school paper and was written by the student editorial staff.

Sincerely,



Jami Clear

913-681-5305

CC: Representative Kay O'Connor

Enclosure: 9

ami Clear
465 ...sey Street
Olathe, Kansas 66062
February 28, 1996

The Honorable Robert Krehbiel
Room Number 272-W, State Capitol
300 SW 10th Ave
Topeka, Kansas 66612-1504

Mr. Krehbiel,

I am writing in support of HB 2888 submitted to the House Education Committee by you and Representative McKechnie which prohibits the KSHSAA from regulating a student's participation in off-season sports. This bill would end the KSHSAA Rule 33, Article 5 for Basketball, Rule 35, Article 2 for Football and Rule 45, Article 1 for Volleyball. The above rules limit two sports my daughter participates in, volleyball and basketball.

During the newspaper reports regarding the lawsuit filed against the KSHSAA in Wichita, I read that these rules were to encourage children to participate in more than one sport. That is the opposite of what happened to my child. My daughter Lyndsi's extra-curricular basketball coach was unaware of the KSHSAA rules so invited a fourth player from Lyndsi's eighth grade squad to fill in during a Christmas Break Tournament. Knowing this violated the KSHSAA rules, our daughter stepped off the team. She was unable to get on another team of the same caliber and did not play off-season basketball her 94-95 school year. Had she played on her original team, she would have been ineligible for basketball her freshman year, a consequence she was not willing to take.

As you know, these rules limit parents to extra-curricular programs, camps and clinics they send their children to. Parents must be very aware of what the other team members do in order to not violate a child's eligibility. I cannot send my daughter to a volleyball or basketball program if the number of squad members participating from her school is more than allowed under the KSHSAA. This is truly a communication nightmare.

Ideally, I would like to see HB 2888 go one step further and give our students the advantages other states give their students. My Sister-in-law is the Athletic Director of a large High School in California. She tells me that in California squad members are allowed to practice one time a week during the season with their extra-curricular team as long as that practice does not coincide with the High School's practice time. There are no limits as to how many squad member from the same High School can be on that team, either.

Adding this provision to HB2888 would allow my daughter to practice softball with her father during softball season. Her father, a retired Major League Baseball Player, is her coach on a highly competitive Fastpitch team, the Kansas City Invasion. KSHSAA does not allow Lyndsi to work out in her own back yard with team-mates from the Invasion if her father is present. My daughter's goal is to play volleyball or softball at the college level. If she is not allowed to practice and improve her skills year round, she will be at a disadvantage competing with students from other states that are honing their skills year round.

Thank you for championing HB 2888. Please consider adding the privilege for squad members to practice one time a week during the season with their extra-curricular team to your bill as well. Thank you for your support.

Respectfully,

ami Clear

6-4

Jami Clear
14653 Halsey Street
Olathe, KS 6062-9430
February 29, 1996

The Honorable Jerry Moran
Room 356-E, State Capitol
300 SW 10th Avenue
Topeka, Kansas 66612-1504

Senator Moran,

There were three bills introduced to the House Education Committee that are now dead. They are HB 2851, HB 2852 and HB 2888. All three dealt with the Kansas State High School Activities Association (KSHSAA). I believe there was little if any discussion while these bills were in committee.

Any action on the antiquated rules of the KSHSAA would be welcomed by parents and students throughout the state. The KSHSAA rules are a parents nightmare. They are difficult to interpret for even our District Athletic Directors.

An example of how frustrating the rules are came last year when I tried to determine if my daughter's basketball eligibility was in jeopardy according to Rule 33. The High School Athletic Director said she was not in violation because the four girls in question would not attend the same high school. Upon consulting the District Athletic Director, she was only in violation if three girls appeared on the basketball court or in practice at the same time. The KSHSAA said no matter what high school the girls attended, no more than three players from the same squad could be on the team. By the time an answer was obtained my daughter could not get on another team and had to forgo extra-curricular basketball.

Rule 33, Article 5 reads as follows:

No more than three players from the same squad may play on an outside team prior to, or after the termination of the season. Participation by more than three squad members of the same team shall make them ineligible for the remainder of the school year and any further middle/junior and senior high basketball, unless reinstated by the Executive Board.

This rule applies to grades 7 through 12.

Please consider resurrecting legislative discussion regarding the KSHSAA. There was enough interest in the House to introduce three bills to the House Education Committee. Taking in consideration the recent court ruling and subsequent appeal, it seems the time is ripe for a legislative study of the Kansas State High School Activities Association.

Thank you for your time and interest.

Respectfully

Jami Clear

6-5

Jami Clear
14653 Halsey
Olathe, KS 66062-9430
February 29, 1996

The Honorable Tim Shallenburger
Room 380-W, State Capitol
Topeka, KS 66612-1504

Mr. Shallenburger,

Recently, I sent letters supporting HB 2888 which addresses the Kansas State High School Athletic Association (KSHSAA) limiting off-season play for High School athletes to Representatives Ballou, Franklin, O'Connor and Tomlinson. Regrettably, it came to my attention that neither HB 2851, HB 2852 nor HB 2888, which all pertain to the KSHSAA, made it out of the House Education Committee. I believe there was little if any discussion in committee either. I now write to you in hopes of resurrecting some legislative discussion regarding the KSHSAA.

There is so much ambiguity in the interpretation of the KSHSAA rules that they are a parental nightmare. Each time my daughter participates in a new sport at High School, I find myself running to the Blue Valley District Athletic Director for an explanation of another rule. Just today I spent 45 minutes learning about Rule 26, the Anti-Tryout and Private Instruction Rule.

Rule 26, the Anti-Tryout and Private Instruction rule reads as follows:

A student who violates this rule shall be ineligible in that activity for a period of one year from the date of the violation, unless reinstated by the Executive Board.

Section 1: General Regulations (apply to grades 7-12)

Art. 1: A student shall not participate in training sessions or tryouts held by colleges or other outside agencies in a sport while he or she is a member of a school athletic team in that sport.

Art. 2: A student may receive private instruction from non-school employees.

EXCEPTION: During the time the student is a member of a school athletic squad, starting with the first day of school practice and ending with the last day on the squad, he or she may not take part in any group sessions nor receive group instruction from a non-school employee.

NOTE: A group is defined as two or more individuals or students. A non-school employee is defined as an individual not employed by the student's home school or board of education.

6-6

Rule 26 logistically should not be enforced. My husband, a retired professional Major League Baseball player, is a non-school employee. Upon asking for a definition of private instruction, I learned that my husband could be determined to be a private instructor. Of course, he wants to pass on his knowledge and expertise to our children. But, according to Rule 26, Article 2, my children may not receive private instruction from him during the season if they are members of the softball or baseball team. He may only work with them one-on-one, two or more individuals (groups) are not allowed.

It is ludicrous that my children cannot work-out with their own father and siblings and/or friends in the batting cage in our back yard without the threat of becoming ineligible from ball for a period of one year! My children want to improve their skills. The KSHSAA makes that tough for them to do.

The more I read the KSHSAA High School Rules, the more I am convinced they need a major overhaul. Some of the rules have purpose and merit. Those that do should not be discarded. Please consider an in-depth study of the KSHSAA and it's rules. In light of the recent KSHSAA court ruling and subsequent appeal, it seems a study is necessary and warranted.

Thank you for your time.

Respectfully,

Jami Clear

HOUSE OF REPRESENTATIVES
STATE OF KANSAS

REPRESENTATIVE, 26TH DISTRICT
JOHNSON COUNTY
1451 ORLEANS DRIVE
OLATHE, KANSAS 66062
HOME (913) 764-0457
WORK (913) 768-4800

STATE CAPITOL, ROOM 381-W
TOPEKA, KANSAS 66612-1504
(913) 296-76...

COMMITTEE ASSIGNMENTS
CALENDAR AND PRINTING, CHAIRMAN
INTERSTATE COOPERATION
LEGISLATIVE COORDINATING COUNCIL

TOPEKA

VINCENT K. SNOWBARGER
MAJORITY LEADER

March 25, 1996

Jami Clear
14653 Halsey
Olathe, Kansas 66062

Dear Jami,

Thank you for your letter related to KSHAA. As you indicated in your letters, you are aware that no action was taken on these bills. The last day for action on non-exempt House bills was February 28th.

Apparently those who requested these bills did not follow through. I was unaware of the issue until I received your letter the week following the deadline. Furthermore, I have not heard from others about this issue either inside or outside the legislature.

Is this an issue that can be clarified through the KSHAA? Has that approach been tried? Normally the legislature would not get involved with changing KSHAA's rules unless there was a fairly significant and widespread abuse of their discretion.

I appreciate your dilemma. If you have another suggestion, let me know.

Sincerely,


VINCENT K. SNOWBARGER
House Majority Leader

6-8

PARENTS OF ATHLETES

DID YOU KNOW that the Kansas State High School Athletics Association (KSHSAA) regulates when and with whom your child may play and/or practice with from 7th grade until High School graduation? As parents of a Fastpitch Softball player, we feel these rules hinder our daughter's chances to better her athletic ability. Currently there is a House Bill (HB 2888 sponsored by Representatives Krebbiel and McKechnie) pending in the House Education Committee that, if passed on the House and Senate floors, would make it illegal for the KSHSAA to dictate with whom High School athletes can play with during the off-season. This means that there could no longer be limits on the number of football, volleyball or basketball players from the same school squad on an extra-curricular team; AAU, USVBA and Johnson County Football are examples of extra-curricular programs. House Bill 2888 is summarized as follows:

Prohibits the Kansas State High School Activities Association from regulating a student's participation in off-season sports.

House Bill 2888 provides parents the opportunity to ask that the Legislature consider allowing our children to practice *with* their competitive teams *during* the season as well. In California, high school athletes are allowed to practice one time a week with an extra-curricular team on weekends as long as it does not interfere with the High School schedule, and there are no limits as to the number of players allowed on a team. Clearly, California teams have the advantage with more practice time allowed.

In Kansas, it is against the KSHSAA rules for your child to take part in private instruction from non-school employees, while a member of a high school squad, if as few as two individuals from the same high school team are present. Your athlete is not allowed to work-out with an instructor from the first day of try-outs until the high school season ends. That means no extra-curricular hitting, fielding or pitching instruction unless it is done one-on-one!

You are encouraged to write or call your Representative in Topeka in support of HB 2888. Ask that an Amendment to HB 2888 be made to allow in-season participation on extra-curricular teams as well. On the back of this letter are names, phone numbers and addresses of local Representatives and Senators and instructions on how to contact them.

Thank you for caring enough to send a letter and/or make a phone call. You *CAN* make a difference! Feel free to contact us for more information if needed.

Mark and Jami Clear

681-5305

6-9

A letter to all Invasion parents,

There are two bills being presented in the Kansas House Education Committee that may be of interest to you. They are H.B. 2888 (by Representatives Krehbiel and McKechnie and four others) which prohibits the KSHSAA from restricting off-season sports and H.B. 2852 (by Representative Edmonds) which replaces the current KSHSAA governing structure with a five-member commission appointed by the Governor. As the parent of an athlete, you should be aware that your child is subject to KSHSAA rules. Many of them, in our opinion, are not necessarily in the child's best interest.

Those that we oppose include Rule 33, Article 5 for Basketball:

"No more than three players from the same squad may play on an outside team prior to, or after the termination of the season. Participation by more than three squad members on the same team shall make them ineligible for the remainder of the school year and any further middle/junior and senior high basketball, unless reinstated by the Executive Board."

Rule 35, Article 2 for Football which reads the same except no more than six players from the same squad may participate and Rule 43, Article 1 for Volleyball which limits participation to four players from the same squad. It is important that you call or write your legislators in support of H.B. 2888 as the KSHSAA is considering limiting player numbers in other sports, including softball and baseball. Of course, there is still the court case from Wichita that could impact the KSHSAA's position restricting off-season sports. Ideally, we would like the legislature to go one step further and make the KSHSAA rules conform more closely with those in California where a player is able to practice one time a week with the outside or non-school affiliated team provided that the outside practice does not coincide with the school's team practice. We remain vehement that no one should tell parents with whom their child can or cannot participate in outside activities! That is a flagrant intrusion on parental rights.

H.B. 2852 would eliminate the KSHSAA as it stands today. It would establish the Kansas State High School Athletics Association within the executive branch of government and abolish the KSHSAA. The new KSHSAA would no longer have supervisory responsibility for music, forensics or dramatics. All rules and regulations of the KSHSAA would have to be approved by the State Board of Education. The KSHSAA would be governed by a five-member commission, four of whom would be appointed by the Governor and confirmed by the Senate. The fifth member would be the chairperson of the State Board of Education. Appointments would be made so that each congressional district would have one member on the commission. Hopefully, with a new board, the current rules of the KSHSAA would be re-evaluated and amended, or all new rules could be implemented.

As I see it...

The heat is on you

by Adam Winzenried

We received word a few weeks ago that the Blue Valley School District's earned a first place in an Expansion Magazine survey. The survey rated the academic school districts at the lowest cost in the country (see story, page 3). Wow, first in the country. Quite an achievement. Very nice. Good job, everyone.

First of all, I would like to congratulate everyone from the bottom of my heart. I know that for some it is asking a lot to open your science book and study, instead of watching *Friends* or *Melrose* or the fabulous new WB network, but you did it, and you deserve your just recognition.

We see that we finished first, and we know that we must not let down

our community. What a burden it is to know if



Staff editorial

Band can't participate in national competitions?

QUESTION: Why do students in Marching Band not have the opportunity to compete in a national competition? ANSWER: The Kansas State High School Activities Association (KSHSAA). Why do cheerleaders not attend All-Star Camps? ANSWER: KSHSAA. Why can't four members of the same soccer team compete on the same club team? ANSWER: KSHSAA. If you have noticed a pattern here, you're catching on. The restrictive policies of the KSHSAA hamper the student performer and interfere with the learning opportunities of Kansas students, the opportunities it is supposedly protecting.

The Blue Valley High School Marching Band, which has won every major competition they have entered this fall, will be performing in Indianapolis Nov. 8-9 at a national music extravaganza. The biggest and the best bands from the entire country will compete against each other for an overall grand prize. But not Blue Valley. Our Band will perform as an exhibition group; they will be evaluated, but they can win no overall prize, no trophy, no recognition. The KSHSAA says they can't go for the big one. This band issue renews the struggle that member schools have throughout the state with the KSHSAA.

Are we as a student body not encouraged to participate in extracurricular activities? There are clubs and organizations that exist for the purpose of expanding

knowledge and giving students a chance to experience different opportunities in life. Through different experiences people learn their strengths and weaknesses and what they are capable of doing. People learn from their failures, as well as their achievements.

By not letting school organizations participate in outside national competitions, the KSHSAA board is discouraging instead of encouraging students to take part in activities to better themselves. This approach hinders students and makes extracurricular activities more of a hassle than a source of enjoyment. When students are not allowed to exercise their talents outside of the state, they will never know how far they may have gone. They do not have the opportunity to earn the recognition they may richly deserve. Everyone should have some sort of goal set for himself, or so we are told. The Board's limitations on how far the band or other organizations can travel to compete takes away the meaning of these personal goals.

Whether the issue is a band performance or an athletic activity, the KSHSAA continues to frustrate the patrons of Kansas. When will this regulatory agency give its constituents reasonable decision-making freedoms? Competing at a national competition should be a decision left to the administration, faculty, students and parents of a school district, not some out-of touch board in Topeka.

Election offers some more unusual options

Bill that eases control of non-school sports debated

KSHSAA defends powers that control athletes outside of their school seasons.

The Associated Press

TOPEKA — The executive director of the association that governs interscholastic sports, music and forensics in Kansas suggested to legislators on Tuesday that professionalism is driving efforts to curb its authority.

Gary Musselman, who has headed the Kansas State High School Activities Association since Kaye Pearce retired last July, said forces outside of education are pushing for expanded competition for student athletes for their own commercial gain, caring little about academics.

But those who want to restrict the associa-

tion's ability to regulate high school and junior high athletics outside the schools' sports seasons said the KSHSAA is controlling the lives of schoolboy and schoolgirl athletes and their parents.

They argued parents should make decisions on how much competition is proper for their children.

The two sides, who fought a 13-month legal battle in 1995-96 over the issue of whether KSHSAA regulations are overly restrictive, squared off this time before the House Education Committee.

It is studying a bill sponsored by Reps. Henry Helgeson, D-Wichita, and Jene Vickrey, R-Louisburg. The measure would prohibit the association from imposing regulations on non-school athletic competition and deny them the power to penalize coaches and teachers who instruct youngsters outside school-sponsored programs.

The committee took no action on it Tuesday.

Rep. Ted Powers, R-Mulvane, a retired band teacher, asked Musselman if he thought the bill was an attempt to "get a foot in the door for professionalism."

"I think that's a fair statement," Musselman said.

"What forces are driving the change?" Musselman said to Powers. "I am concerned about money. I am concerned about the Nikes of the world, whose values are not the same as yours and mine."

Musselman said athletic clothing and equipment manufacturers approach athletes as young as 12 — before they are subject to KSHSAA rules — and "are doing everything but writing them paychecks."

"It's a devastating thing, and it could jeopardize their amateur status for college," Musselman said.

Countering Musselman's testimony was that of Ken Peterson, the Wichita attorney who brought a lawsuit in July 1995 on behalf of two Wichita families who challenge the KSHSAA rules restricting out-of-school participation.

Peterson said the issue addressed by the bill was one of whether school administrators or parents should have control over their children.

"Why deny kids the opportunity to excel in their sport?" Peterson asked. "By denying the opportunity to compete, you condemn kids to mediocrity."

"Can't parents decide if their kids are under too much pressure? The purpose of this bill is to let families make the decision and prevent the association from micromanaging the lives of families."

KANSAS CITY METRO HOCKEY

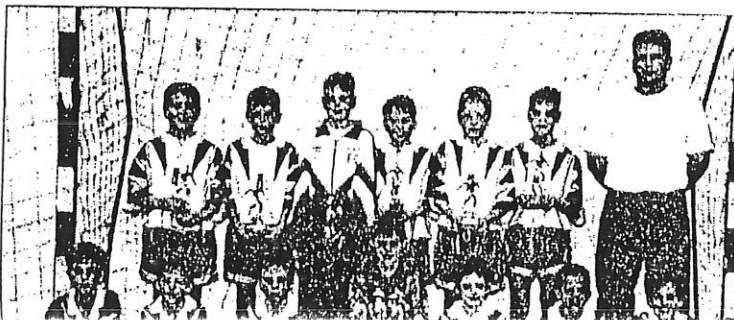
Kansas City Metro Area High School Hockey League

Through Feb. 16

STANDINGS

	W	L	SOL
Northwest	12	1	0
BV Northwest	9	5	1
SM East	8	6	0

Alliance wins tournament



KANSAS STATE SWIMMING MEET

Kansas State swimming and diving meet

■ **WHEN:** Friday and Saturday. Swimming preliminaries begin at 2 p.m. Friday. Preliminaries, semifinals and finals in diving are Friday, beginning at 7 p.m. Finals for all swimming events begin at 10 a.m. Saturday.

■ **WHERE:** Robinson Natatorium, University of Kansas, Lawrence.

■ **LAST TIME:** Blue Valley Northwest won the 1996 team championship, fol-

lowing senior Adam Cox in the 100 freestyle and 100 backstroke. He was eighth in the backstroke last season. From BV Northwest, senior Eric Carter in the 200 individual medley and 100 freestyle. He was the state champion in the IM and second in the 100 freestyle last year. Sophomore Mark Hanson in the IM and 100 butterfly. He was fourth last year in the butterfly and fifth in the IM. Senior Mark Morrison in the 50 and 100 freestyle. He was fifth in the 50 and 100 freestyle last year.

Coaches being polled on summer coaching issue

This summer will be first time coaching ban extends to all sports.

By JAMES S. TYREE
Staff Writer

Josh Perkins, the ninth-grade son of Olathe South baseball coach Don Perkins, faces a dilemma — he can play summer baseball with his Olathe South teammates or on another team for his father.

Under a rule passed last year by the Kansas State High School Activities Association that will take effect this summer, high school coaches can no longer coach athletes from their school teams during the summer. The restriction previously pertained only to football, basketball, wrestling and volleyball.

That means Perkins cannot coach a summer team that has Olathe South baseball players. The association will make an exception for children of coaches at the same school, but for not the child's teammates.

The timing is ironic because Perkins never before has wanted to coach a high-school-age summer team.

"This is a right that has been taken away, and I resent that," Perkins said. "I'm not under contract in the summer and we're not talking about school teams."

Perkins, Gardner-Edgerton football coach Bill Miller, and other coaches are in the midst of polling every head and assistant coach in every sport in the state. Miller said every-athletic league has a contact person who, within their conference, is circulating the yes-or-no question: "Should all athletic coaches be allowed to work with students from their school squads on non-school teams in the summertime?"

Perkins has also written to high school activity associations in the other 49 states, and so far 10 have replied. Restrictions in those 10 states range from Wisconsin, which like Kansas until this year allowed summer coaching in baseball, softball and individual sports, to several that have no restrictions at all. Recently, Iowa and Mississippi have removed what limited restrictions they had.

"If this is a problem here, why is it not a problem in Colorado, Maine or Oklahoma?" Perkins asked.

Two Kansas state representatives recently introduced a bill that would keep the KSHSAA out of non-school athletic and coaching matters. Last week KSHSAA executive director Gary Musselman defended the association before the House Education Committee.

"The bill is so broadly worded that many association rules would no longer exist," Musselman said Tuesday by telephone.

One such rule is the summer coaching ban, which Musselman said creates an across-the-board rule for all coaches. He said the idea came not from the association, but from coaches who have felt pressure from others to field summer teams to remain competitive during the school season.

The bill was passed last April, and on April 26 the association's board of directors will vote whether to uphold the new rule. Musselman said coaches in regional meetings last October informally voted in favor of the expanded ban by a two-to-one mar-

gin.

The change in the rules presents a problem for Bruce Bove, who has coached Shawnee Mission South's boys and girls swimming teams for 22 years. Bove also works as pool manager and swimming coach at Brookridge Country Club in Overland Park. He coaches about 75 kids ages 6 to 17, including about six SM South swimmers.

Bove cannot turn away SM South swimmers at Brookridge because their parents are club members. So after 20 years at the country club, Bove is not sure how the new rule will affect him.

"I could resign as swim coach or try to set up something where there's another coach for Shawnee Mission South swimmers," he said. "It prevents me from selling my wares, at least in southern Johnson County, because the (SM South) kids also belong to other clubs."

Miller said the rule change will not affect him personally because other than a one-week non-contact camp, football coaches already were prevented from coaching their players in the summer.

Kansas House Committee Presentation Outline
March 24, 1997

I. Introduction

II. Position Statement

III. Recognition of Parents and Students

IV. Balanced Education Definition

- a. mental or cognitive development
- b. social development
- c. physical development
- d. moral/ethical development

V. KSHSAA Supports Balanced Education of Students - Well rounded individuals

KSHSAA Mission Statement - "The Kansas High School Activities Association advocates principles and sponsors services which assure that the state's middle level and high school students gain a balanced preparation for life, work, and post-secondary education."

VI. Proposed change in the Outside Competition Rule #22 would produce negative consequences including: Not intentional but because part of the safeguard to protect students and schools from exploitation have been removed.

- a. increased loss of time from the classroom - conflict with parents and students over unexcused absences
- b. increased pressure on students to participate in one activity only thus losing participation in a balance of activities for students
- c. increased pressure on coaches to coach one activity only and to do so year round thus losing their support and participation in coaching other activities
- d. diminished balance among the cognitive, physical, and social development of students in favor of "elite" physical skills development
- f. diminished quality or existence of some of the current high school activities
- g. diminished support for current high school activities
- h. schools would lose control of the education process which they are held responsible for maintaining and improving

VII. KSHSAA is a grassroots, democratic organization which not only supports but enhances the total education process. Use that organization to make changes.

- a. issue has been debated many times by association members with several adjustments have been made to the outside competition rule
- b. member schools make the decisions by majority vote, not a small group of bureaucrats in Topeka
- c. wisdom and protection for the education process and students in the association rules made by people who work with students in activities and education on a daily basis

Feder State
3-24-97
Afc#7
Marvin Estes