

HOUSE BILL No. 2176

By Representative Poetter Parshall

1-30

1 AN ACT concerning education; relating to the Kansas state high school
2 activities association and the system for classification of high schools;
3 requiring the association to use a multiplier factor to adjust a private
4 school's student attendance for purposes of classification of such
5 school; amending K.S.A. 72-7114 and repealing the existing section.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 New Section 1. (a) All private schools shall be subject to a student
9 attendance multiplier factor for the purpose of determining such school's
10 classification for activities regulated by the association described in K.S.A.
11 72-7114, and amendments thereto. A private school's student attendance
12 shall be multiplied by such school's multiplier factor as determined under
13 subsection (e), and the resultant product shall be such school's student
14 attendance for the purpose of school classification. A private school shall
15 not be classified higher than one class above its student attendance
16 classification as determined without the application of its multiplier factor.
17 The multiplier factor shall be used to determine a school's classification for
18 all activities, except that a school's multiplier factor shall not be used to
19 change a school's classification from six-person football to eight-person
20 football or from eight-person football to 11-person football. A private
21 school's change in classification due to the application of a multiplier
22 factor shall not be appealable.

23 (b) (1) A private school that has won five or more state
24 championships during the immediately preceding five school years shall
25 be subject to a championship multiplier factor. The championship
26 multiplier factor shall be determined as follows:

27 (A) For a school that has won at least five such state championships
28 but not more than nine such state championships, the championship
29 multiplier factor shall be 1.15; and

30 (B) for a school that has won 10 or more such state championships,
31 the championship multiplier factor shall be 1.3.

32 (2) The number of state championships won is determined by
33 calculating the cumulative number of state championships in all team
34 activities won by teams from such school during the immediately
35 preceding five school years.

36 (c) (1) If a private school is subject to a championship multiplier

1 factor as determined under subsection (b), then such private school shall
2 also be subject to a geographic population multiplier factor. The
3 geographic population multiplier factor shall be determined as follows:

4 (A) For a school located within the school attendance territory of a
5 public school that is classified as either class 5A or class 6A, the
6 geographic population multiplier factor shall be 0.3;

7 (B) for a school located within the school attendance territory of a
8 public school that is classified as either class 3A or class 4A, the
9 geographic population multiplier factor shall be 0.15; and

10 (C) for a school located within the school attendance territory of a
11 public school that is classified as either class 1A or class 2A, the
12 geographic population multiplier factor shall be 0.

13 (2) The geographic location of a private school shall be determined
14 by the physical address of such school.

15 (d) (1) If a private school is subject to a championship multiplier
16 factor as determined under subsection (b), then such private school shall
17 also be subject to a socio-economic population multiplier factor. The
18 socio-economic population multiplier factor shall be determined as
19 follows:

20 (A) For a school that has not more than 20% of its students receiving
21 free or reduced meals under the national school lunch act, the socio-
22 economic population multiplier factor shall be 0.15; and

23 (B) for a school that has more than 20% of its students receiving free
24 or reduced meals under the national school lunch act, the socio-economic
25 population multiplier factor shall be 0.

26 (2) If a private school does not collect or report student data for
27 determining eligibility for free or reduced meals, then such school shall be
28 deemed to have 0% of such school's students receiving free or reduced
29 meals.

30 (e) A private school's multiplier factor shall be determined by
31 calculating the sum of the multiplier factors determined under subsections
32 (b), (c) and (d).

33 (f) As used in this section:

34 (1) "Private school" means any school that offers any of the grades
35 nine through 12 and that is not operated by a unified school district; and

36 (2) "public school" means any school operated by a unified school
37 district that offers any of the grades nine through 12.

38 (g) This section shall expire on June 30, 2030.

39 Sec. 2. K.S.A. 72-7114 is hereby amended to read as follows: 72-
40 7114. (a) Any association with a majority of the high schools of the state
41 as members and the purpose of which association is the statewide
42 regulation, supervision, promotion and development of any of the
43 activities defined in K.S.A. 72-7117, and amendments thereto, and in

1 which any public high school of this state may participate directly or
2 indirectly shall:

3 (1) On or before September 1 of each year make a full report of its
4 operation for the preceding calendar year to the state board of education.
5 The report shall contain a complete and detailed financial statement under
6 the certificate of a certified public accountant-;

7 (2) file with the state board a copy of all reports and publications
8 issued from time to time by such association-;

9 (3) be governed by a board of directors. which shall exercise the
10 legislative authority of the association and shall establish policy for the
11 association-;

12 (4) submit to the state board of education, for its approval or
13 disapproval prior to adoption, any amendments, additions, alterations or
14 modifications of its articles of incorporation or bylaws. If any articles of
15 incorporation, bylaws or any amendment, addition or alteration thereto is
16 disapproved by the state board of education, the same shall not be
17 adopted-;

18 (5) Establish a system for the classification of member high schools
19 according to student attendance- *and a multiplier factor as determined*
20 *under section 1, and amendments thereto;*

21 (6) be subject to the provisions of the ~~Kansas open meetings law act;~~
22 *and*

23 (7) be subject to the provisions of the open records ~~law act.~~

24 (b) (1) The board of directors shall consist of not less than 60
25 members as follows:

26 (A) At least eight directors shall be members of boards of education,
27 elected by local boards of education. At least two of such directors shall be
28 elected from each congressional district of the state;

29 (B) at least two directors shall be representatives of the state board of
30 education, appointed by the state board;

31 (C) (i) directors who are representatives of the senior high schools
32 ~~which that~~ are affiliated with a league shall be elected by the league;

33 (ii) the senior high schools ~~which that~~ are not affiliated with a league
34 shall be represented by at least one director;

35 (D) at least four directors shall be representatives of the ~~middle/junior~~
36 *middle and junior* high schools, elected by the ~~middle/junior~~ *middle and*
37 *junior* high schools;

38 (E) at least one director shall be representative of and selected by
39 athletic administrators;

40 (F) at least one director shall be representative of and selected by
41 coaches;

42 (G) at least one director shall be representative of and selected by
43 speech communications educators;

1 (H) at least one director shall be representative of and selected by
2 music educators; and

3 (I) at least one director shall be representative of and selected by
4 scholars' bowl coaches.

5 (2) The directors appointed by the state board of education from the
6 public at-large prior to July 1, 2014, whose terms are set to expire after
7 July 1, 2014, may continue to serve on the board of directors until such
8 director's term expires. Upon the expiration of the term of any such
9 director, the governor shall appoint a successor member of the board of
10 directors. In the event of a vacancy or the expiration of the term of any
11 director appointed by the governor, the governor shall appoint a successor
12 member of the board of directors. Any person appointed by the governor
13 shall not be employed by any school affiliated with a league in the Kansas
14 state high school activities association, nor shall such person be a member
15 of the state board of education. The governor shall be provided a list of
16 those directors appointed pursuant to subsection (b)(1). The governor shall
17 make appointments pursuant to this subsection in order to attain, when
18 necessary; and insofar as possible, representation of ethnic minority groups
19 and both genders on the board of directors and to ensure that a resident
20 from each congressional district is appointed to the board of directors.

21 (3) All directors are limited to six consecutive years of service.

22 (c) (1) An executive board, which shall be responsible for the
23 administration, enforcement and interpretation of policy established by the
24 board of directors, shall be elected by the board of directors from its
25 membership, provided that a director shall serve at least one year as a
26 member of the board of directors prior to being elected to the executive
27 board.

28 (2) At least two members of the board of directors elected to the
29 executive board shall be directors appointed by the governor under
30 subsection (b)(2), provided such directors are eligible for election to the
31 executive board under this subsection. Members of the executive board
32 elected pursuant to this paragraph shall only be eligible to serve on the
33 executive board during the second, fourth and sixth years of such director's
34 term.

35 (3) ~~Insofar as~~ *To the extent* possible, membership on the executive
36 board shall be representative of ethnic minority groups, both genders, and
37 all geographical areas of the state.

38 (d) (1) An appeal board, which shall be responsible for conducting
39 hearings provided for in K.S.A. 72-7118, and amendments thereto, shall be
40 elected as provided in this subsection. The appeal board shall consist of
41 eight members. The membership of the appeal board shall include:

42 (A) Four members who are board of education members, elected by
43 the boards of education of the member schools of the association; and

1 (B) four members who are school administrators, elected by the
2 member schools of the association.

3 (2) No member of the board of directors shall be eligible for election
4 to membership on the appeal board. All members of the appeal board are
5 limited to six consecutive years of service.

6 (e) The executive board is authorized to employ an executive director
7 and such other personnel as may be necessary to the exercise of the powers
8 and the performance of the functions and duties of the board of directors,
9 the executive board; and the appeal board. The executive director and all
10 other personnel, except custodial, clerical or maintenance personnel,
11 employed by the executive board pursuant to this subsection, shall file
12 written statements of substantial interests, as provided by K.S.A. 46-248
13 through 46-252, and amendments thereto.

14 Sec. 3. K.S.A. 72-7114 is hereby repealed.

15 Sec. 4. This act shall take effect and be in force from and after its
16 publication in the statute book.