

**As Amended by House Committee**

*Session of 2013*

**HOUSE BILL No. 2197**

By Committee on Federal and State Affairs

2-1

1 AN ACT concerning schools; relating to the high school activities  
2 association; pertaining to membership of the board and executive  
3 board; amending K.S.A. 72-130 and repealing the existing section.  
4

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

6 New Section 1. (a) Each league in the Kansas state high school  
7 activities association shall have a league board of directors.

8 ~~(b) Each league board of directors shall elect directors who are~~  
9 ~~representatives of the senior high schools which are affiliated with a~~  
10 ~~league referred to in K.S.A. 72-130(b), and amendments thereto. Each~~  
11 ~~school within such league shall be represented by two directors on the~~  
12 ~~league board of directors. The directors for each school shall be selected as~~  
13 ~~follows:~~

14 (1) One director shall be employed by such school. One director shall  
15 not be employed by such school and shall reside within the attendance  
16 areas of such school.

17 (2) Directors who are representing a public high school within such  
18 league shall be appointed by the local board of education of such school.  
19 Directors who are representing a private school within such league shall be  
20 appointed by the governing body of such private school.

21 (c) This section and K.S.A. 72-130 through 72-134, and amendments  
22 thereto, shall be part of and supplemental to the provisions of article 1 of  
23 chapter 72 of the Kansas Statutes Annotated, and amendments thereto.

24 Sec. 2. K.S.A. 72-130 is hereby amended to read as follows: 72-130.

25 (a) Any association with a majority of the high schools of the state as  
26 members and the purpose of which association is the statewide regulation,  
27 supervision, promotion and development of any of the activities defined in  
28 K.S.A. 72-133, and amendments thereto, and in which any public high  
29 school of this state may participate directly or indirectly shall:

30 (1) On or before September 1 of each year make a full report of its  
31 operation for the preceding calendar year to the state board of education.  
32 The report shall contain a complete and detailed financial statement under  
33 the certificate of a certified public accountant.

34 (2) File with the state board a copy of all reports and publications  
35 issued from time to time by such association.

36 (3) Be governed by a board of directors which shall exercise the

1 legislative authority of the association and shall establish policy for the  
2 association.

3 (4) Submit to the state board of education, for its approval or  
4 disapproval prior to adoption, any amendments, additions, alterations or  
5 modifications of its articles of incorporation or bylaws. If any articles of  
6 incorporation, bylaws or any amendment, addition or alteration thereto is  
7 disapproved by the state board of education, the same shall not be adopted.

8 (5) Establish a system for the classification of member high schools  
9 according to student attendance.

10 (6) Be subject to the provisions of the Kansas open meetings law.

11 (7) Be subject to the provisions of the open records law.

12 (b) (1) The board of directors shall consist of not less than 60  
13 members: *as follows*:

14 (A) At least eight directors shall be members of boards of education,  
15 elected by local boards of education. At least two of such directors shall be  
16 elected from each congressional district of the state-;

17 (B) at least two directors shall be representatives of the state board of  
18 education, appointed by the state board-;

19 (C) (i) directors who are representatives of the senior high schools  
20 which are affiliated with a league shall be elected by the league: *board of*  
21 *directors as described in section 1, and amendments thereto, affiliated*  
22 *with each league*;

23 (ii) the senior high schools which are not affiliated with a league shall  
24 be represented by at least one director-;

25 (D) at least four directors shall be representatives of the middle/junior  
26 high schools, elected by the middle/junior high schools-;

27 (E) at least one director shall be representative of and selected by  
28 athletic administrators-;

29 (F) at least one director shall be representative of and selected by  
30 coaches-;

31 (G) at least one director shall be representative of and selected by  
32 speech communications educators-;

33 (H) at least one director shall be representative of and selected by  
34 music educators-; *and*

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

37 (2) Upon selection of the foregoing directors, the state board of  
38 education shall be provided with a list of such directors. In order to attain,  
39 when necessary, and insofar as possible, representation of ethnic minority  
40 groups and both genders on the board of directors, the state board shall  
41 appoint not more than four additional directors from the public at large.

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

43 (c) (1) An executive board which shall be responsible for the

1 administration, enforcement and interpretation of policy established by the  
2 board of directors shall be elected by the board of directors from its  
3 membership *and appointed as provided in this subsection. The*  
4 *membership of the executive board shall consist of 14 members as follows:*

5 (A) *Ten members who shall be elected by the board of directors from*  
6 *its membership. Of the members who are elected under this subsection, at*  
7 *least one member shall be a representative of the state board of education,*  
8 *as described in subsection (b), and one member shall be a member of a*  
9 *local board of education, as described in subsection (b); and*

10 (B) ~~*one member who shall be appointed by the president of the*~~  
11 ~~*senate. For a member to be appointed under this subsection, the member*~~  
12 ~~*shall be a resident of the first congressional district of the state and not*~~  
13 ~~*employed by any school affiliated with a league in the Kansas state high*~~  
14 ~~*school activities association;*~~

15 (C) ~~*one member who shall be appointed by the minority leader of the*~~  
16 ~~*senate. For a member to be appointed under this subsection, the member*~~  
17 ~~*shall be a resident of the second congressional district of the state and not*~~  
18 ~~*employed by any school affiliated with a league in the Kansas state high*~~  
19 ~~*school activities association;*~~

20 (D) ~~*one member shall be appointed by the speaker of the house of*~~  
21 ~~*representatives. For a member to be appointed under this subsection, the*~~  
22 ~~*member shall be a resident of the third congressional district of the state*~~  
23 ~~*and not employed by any school affiliated with a league in the Kansas*~~  
24 ~~*state high school activities association; and*~~

25 (E) ~~*one member shall be appointed by the minority leader of the*~~  
26 ~~*house of representatives. For a member to be appointed under this*~~  
27 ~~*subsection, the member shall be a resident of the fourth congressional*~~  
28 ~~*district of the state and not*~~ **four members who shall be appointed by the**  
29 **governor, provided the governor appoints a resident of each**  
30 **congressional district of this state. Members appointed under this**  
31 **subsection shall not be employed by any school affiliated with a league in**  
32 **the Kansas state high school activities association.**

33 Insofar as possible, membership on the executive board shall be  
34 representative of ethnic minority groups, both genders, and all  
35 geographical areas of the state.

36 (2) *Any member of the executive board who is appointed under*  
37 *paragraph 1 of this subsection shall serve a term of three years*  
38 *commencing July 1 of the year of such member's appointment and ending*  
39 *at the expiration of such three-year period unless terminated by*  
40 *resignation or inability to serve as determined by the appointing authority.*  
41 *In the event of a vacancy, the appointment shall be made in the same*  
42 *manner as the original appointment and for the remainder of the*  
43 *unexpired portion of the term. Each appointed member of the executive*

1 *board shall hold office until a successor has been appointed.*

2 (d) An appeal board which shall be responsible for conducting  
3 hearings provided for in K.S.A. 72-134, and amendments thereto, shall be  
4 elected as provided in this subsection. The appeal board shall consist of  
5 eight members. The membership of the appeal board shall include four  
6 members who are board of education members, elected by the boards of  
7 education of the member schools of the association; and four members  
8 who are school administrators, elected by the member schools of the  
9 association. No member of the board of directors shall be eligible for  
10 election to membership on the appeal board. All members of the appeal  
11 board are limited to six consecutive years of service.

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

20 Sec. 3. K.S.A. 72-130 is hereby repealed.

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