

Senate Substitute for HOUSE BILL No. 2197

By Committee on Education

2-18

1 AN ACT concerning schools; relating to the Kansas state high school
2 activities association; relating to the membership of the board of
3 directors and executive board; amending K.S.A. 72-130 and repealing
4 the existing section.
5

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

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

9 (b) Each school within such league shall be represented by two
10 directors on the league board of directors. The directors for each school
11 shall be selected as follows:

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

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

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

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

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

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

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

34 (3) Be governed by a board of directors which shall exercise the
35 legislative authority of the association and shall establish policy for the
36 association.

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

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

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

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

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

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

15 (B) at least two directors shall be representatives of the state board of
16 education, appointed by the state board;:

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

21 (ii) the senior high schools which are not affiliated with a league shall
22 be represented by at least one director;:

23 (D) at least four directors shall be representatives of the middle/junior
24 high schools, elected by the middle/junior high schools;:

25 (E) at least one director shall be representative of and selected by
26 athletic administrators;:

27 (F) at least one director shall be representative of and selected by
28 coaches;:

29 (G) at least one director shall be representative of and selected by
30 speech communications educators;:

31 (H) at least one director shall be representative of and selected by
32 music educators;: *and*

33 (I) at least one director shall be representative of and selected by
34 scholars' bowl coaches. ~~Upon selection of the foregoing directors, the state~~
35 ~~board of education shall be provided with a list of such directors. In order~~
36 ~~to attain, when necessary, and insofar as possible, representation of ethnic~~
37 ~~minority groups and both genders on the board of directors, the state board~~
38 ~~shall appoint not more than four additional directors from the public at~~
39 ~~large.~~

40 (2) *The directors appointed by the state board of education from the*
41 *public at-large prior to July 1, 2014, whose terms are set to expire after*
42 *July 1, 2014, may continue to serve on the board of directors until such*
43 *director's term expires. Upon the expiration of the term of any such*

1 *director, the governor shall appoint a successor member of the board of*
2 *directors. In the event of a vacancy or the expiration of the term of any*
3 *director appointed by the governor, the governor shall appoint a successor*
4 *member of the board of directors. Any person appointed by the governor*
5 *shall not be employed by any school affiliated with a league in the Kansas*
6 *state high school activities association, nor shall such person be a member*
7 *of the state board of education. The governor shall be provided a list of*
8 *those directors appointed pursuant to subsection (b)(1). The governor*
9 *shall make appointments pursuant to this subsection in order to attain,*
10 *when necessary, and insofar as possible, representation of ethnic minority*
11 *groups and both genders on the board of directors and to ensure that a*
12 *resident from each congressional district is appointed to the board of*
13 *directors.*

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

15 (c) (1) An executive board which shall be responsible for the
16 administration, enforcement and interpretation of policy established by the
17 board of directors shall be elected by the board of directors from its
18 membership, *provided that a director shall serve at least one year as a*
19 *member of the board of directors prior to being elected to the executive*
20 *board.*

21 (2) *At least two members of the board of directors elected to the*
22 *executive board shall be directors appointed by the governor under*
23 *subsection (b)(2), provided such directors are eligible for election to the*
24 *executive board under this subsection. Members of the executive board*
25 *elected pursuant to this paragraph shall only be eligible to serve on the*
26 *executive board during the second, fourth and sixth years of such*
27 *director's term.*

28 (3) Insofar as possible, membership on the executive board shall be
29 representative of ethnic minority groups, both genders, and all
30 geographical areas of the state.

31 (d) An appeal board which shall be responsible for conducting
32 hearings provided for in K.S.A. 72-134, and amendments thereto, shall be
33 elected as provided in this subsection. The appeal board shall consist of
34 eight members. The membership of the appeal board shall include four
35 members who are board of education members, elected by the boards of
36 education of the member schools of the association; and four members
37 who are school administrators, elected by the member schools of the
38 association. No member of the board of directors shall be eligible for
39 election to membership on the appeal board. All members of the appeal
40 board are limited to six consecutive years of service.

41 (e) The executive board is authorized to employ an executive director
42 and such other personnel as may be necessary to the exercise of the powers
43 and the performance of the functions and duties of the board of directors,

1 the executive board, and the appeal board. The executive director and all
2 other personnel, except custodial, clerical or maintenance personnel,
3 employed by the executive board pursuant to this subsection, shall file
4 written statements of substantial interests, as provided by K.S.A. 46-248
5 through 46-252, and amendments thereto.

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

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