

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 ~~See 2.~~ **Section 1.** K.S.A. 72-130 is hereby amended to read as
23 follows: 72-130. (a) Any association with a majority of the high schools of
24 the state as members and the purpose of which association is the statewide
25 regulation, supervision, promotion and development of any of the
26 activities defined in K.S.A. 72-133, and amendments thereto, and in which
27 any public high school of this state may participate directly or indirectly
28 shall:

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

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

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

1 association.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

41 (2) *The directors appointed by the state board of education from the*
42 *public at-large prior to July 1, 2014, whose terms are set to expire after*
43 *July 1, 2014, may continue to serve on the board of directors until such*

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

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

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

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

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

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

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

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

7 Sec. ~~3~~. 2. K.S.A. 72-130 is hereby repealed.

8 Sec. ~~4~~. 3. This act shall take effect and be in force from and after its
9 publication in the statute book.