

SESSION OF 2014

**SUPPLEMENTAL NOTE ON SENATE SUBSTITUTE FOR
HOUSE BILL NO. 2197**

As Recommended by Senate Committee on
Education

Brief*

Senate Sub. for HB 2197 would amend existing law concerning the Kansas State High School Activities Association (KSHSAA) and establish a new provision regarding leagues and their boards of directors.

The bill would require each league in the KSHSAA to have a board of directors with a specific composition. Each high school in a league would be represented by two directors; of these, one must be employed by the school, and one must not be employed by the school but must live within the school's attendance area. Directors representing public high schools would be appointed by the local boards of education, while directors representing private schools would be appointed by each such school's governing body.

The bill would continue to require at least 60 members to serve as directors on the KSHSAA. The bill would modify current law regarding membership composition by doing the following:

- Require directors from the various leagues to be elected by the league boards of directors (current law states such members are to be elected by the league);
- End four of the six State Board of Education appointments upon expiration of the terms of those

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

scheduled to expire after July 1, 2014, and replace those directors with four successor directors appointed by the Governor. Any gubernatorial appointee must not be employed by any school affiliated with a KSHSAA league nor be a member of the State Board of Education; and

- Restructure the statutory requirement regarding representation of ethnic minority groups and both genders and add a requirement regarding Congressional district representation. Current law requires the State Board of Education to attain, when necessary and insofar as possible, such representation by its appointment of not more than four additional directors from the public at large. The bill would require the Governor to attain such representation with gubernatorial appointees, when necessary and insofar as possible. In addition, the Governor's appointments must be made in a way that ensures that a resident from each Congressional district is appointed.

The bill would revise membership on the KSHSAA executive board by specifying the following:

- A director must serve at least one year as a member of the board of directors before being elected to the executive board.
- At least two members of the executive board must be elected from among the four gubernatorial appointees to the board of directors, to the extent possible given the restriction that these members may be eligible to serve on the executive board only during the second, fourth, and sixth years of their terms.

Background

At the hearing in the House Federal and State Affairs Committee, Representative Bollier and three private citizens provided testimony in support of the bill. Written testimony was provided by three additional private citizens.

Testimony in opposition to the bill was provided by representatives from Olathe Public Schools and the Kansas City, Kansas, Public Schools; the KSHSAA Junior High/Middle School representative from the 3rd Congressional District; and the Executive Director of the KSHSAA. Written testimony in opposition to the bill was submitted by representatives from the Shawnee Mission School District, Shawnee Mission West High School, and Mission Valley Public Schools, and by a private citizen.

The House Committee amended the bill by striking language requiring each league's Board of Directors to elect Directors who are representatives of the senior high schools affiliated with the league. The House Committee also deleted language requiring one member of the KSHSAA Executive Board to be appointed by the President of the Senate from the 1st Congressional District, one by the Minority Leader of the Senate from the 2nd Congressional District, one by the Speaker of the House from the 3rd Congressional District, and one by the Minority Leader of the House from the 4th Congressional District. The Committee added a requirement that four of the members of the KSHSAA Executive Board be appointed by the Governor, one from each Congressional District in the state and none of whom would be employed by any school affiliated with a KSHSAA league.

At the hearing before the Senate Committee on Education, proponents included Representative Bollier, former Representative Sheryl Spalding, and four private citizens. Those testifying in opposition to the bill included the KSHSAA Executive Director and representatives of two school districts. Although time did not permit a presentation, a representative of the Legislative Division of Post Audit (LPA)

was present to inform the Committee about the 2009 LPA report on the KSHSAA.

The Senate Committee amended the bill to replace four directors appointed at large by the State Board of Education with four directors appointed by the Governor. The Committee also revised executive board membership by deleting any reference to a specific total number of members and legislatively appointed members, replacing this language with the general requirement that a director serve at least one year as a member of the board of directors before being elected to the executive board, and requiring at least two executive board members be from among the gubernatorial appointees to the board of directors.

According to the fiscal note on the original bill, the Department of Education indicated the bill would not change state aid expenditures to school districts. Any additional costs associated with enactment of the bill would be borne by the KSHSAA.