

January 18, 2023

Kansas House Committee on Education  
Kansas State Capitol  
300 SW 10<sup>th</sup> St.  
Topeka, KS 66612

Dear Honorable Representatives:

I am Robert Knapp, President of Kapaun Mt. Carmel Catholic High School in Wichita, Kansas. I respectfully submit to you this written testimony in opposition to the KSHSAA Attendance Modifier legislation that is being proposed in the Kansas Legislature.

The Attendance Modifier is not only patently unfair to students whose families have chosen to send them to a private school in Kansas, but also it is not based on evidentiary reality and ignores the development of open enrollment in the public schools of Kansas brought about by the passing of HB 2567.

The Attendance Modifier seeks to punish students for attending a school whose athletic teams, or at least some of them, have achieved past successes by moving these students and their teams to a higher classification in KSHSAA's system. In this way, the modifier may not even affect the student-athletes who achieved the success. Because the Attendance Modifier is based on past performance and requires action for the future, the students who attend a private school in Kansas today are not the ones who achieved the past success. What is to say that today's student-athletes are not classified exactly where they should be even if their predecessors achieved great success. In this sense, the Attendance Modifier is patently unfair to current students.

Those who are in favor of the Attendance Modifier will tell you that at least some of the motivation for proposing this system is that private schools have an advantage over public schools in the type and locality of the student that the private school can and does accept. They claim the private schools in effect recruit student athletes to join their school no matter where the student athlete lives or what his or her educational background is. They claim this freedom of enrollment provides an unfair advantage over a public system that has boundaries within which all students must live to attend the public school of their district.

Even dismissing the lack of evidence that any proponent of the Attendance Modifier has put forward to prove that private schools recruit student-athletes, the premise upon which this argument is made is faulty from the beginning. Public schools no longer have to live by the boundary system. HB 2567 has made that system a thing of the past. Until we see the long term effects of open boundaries on our public school system, it is my humble opinion that a drastic measure such as the Attendance Modifier to attempt to level the playing field for certain public schools against certain private schools is absurd.

There is no need for an Attendance Modifier. Even if this esteemed body were prone to support it, I urge you to avoid such action. Let HB 2567 work in the public system. Private schools, under such an open border system, have no unfair advantage over their public school counterparts. There is no reason to undo a generational system of school classification at a time like this when school choice has become the mantra of this great State of Kansas.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Knapp". The signature is fluid and cursive, with the first name "Rob" and last name "Knapp" clearly distinguishable.

Robert J. Knapp J.D.  
President

