

Kansas State High School Activities Association

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Member of the National Federation of State High School Associations

January 24, 2024

House Committee on K-12 Education Budget

Conferee: Bill Faflick, Executive Director, Kansas State High School Activities Association
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NEUTRAL Testimony on House Bill 2506 - *Authorizing students enrolled in virtual schools to participate in activities that are regulated by the Kansas state high school activities association at such student's resident school district without a minimum enrollment requirement in such resident school district.*

Chairman Williams and Committee Members:

Thank you for the opportunity to provide testimony on proposed House Bill 2506 designed to remove the requirement of attendance in one class for a student attending a public virtual school.

As you know, as part of the administration of the interscholastic activity program, the Kansas State High School Activities Association (KSHSAA) writes, adopts, and applies individual eligibility rules for student participants through the governance process outlined in the KSHSAA Handbook (<https://www.kshsaa.org/Publications/Handbook.pdf>) and codified in statute.

Those six individual eligibility rules include values/expectations relative to scholarship/academic achievement, behavior/citizenship, enrollment, attendance, age, and the number of semesters allowed for participation. The governance structure includes a 76 member Board of Directors comprised of representatives from the State Board of Education (2), local Boards of Education (8), Governor Appointees (4), organizational representatives (5), middle/junior high (6), and local high school league representatives (51). A subset of that group is the Executive Board, and they govern the championship tournaments and management of the Association.

With the adoption of H Sub for SB 113 during the 2023 legislative session which included language yielding K.S.A. 72-7121 and 72-7122, several conflicts with the Association adopted rules were introduced. The KSHSAA worked through those conflicts to ensure the statute would be implemented July 1, 2023, as written.

The KSHSAA knew a few items would need to be monitored over the actual implementation of the new statute and subsequently adjust rules allowing for continued access while supporting the foundation of academic achievement and development of the whole student and maintaining level playing fields for teams competing for postseason championships. This includes the distinction between public virtual school and private virtual school students. As we read the new statute, it called out precisely for nonpublic school students to have eligibility, whether that is in a brick and mortar private school, or at home through a private virtual or online school. The difference for students at public virtual schools was that those students were expected to attend one class in-person at the local public school per the KSHSAA adopted virtual school eligibility policy (<https://www.kshsaa.org/Public/General/VirtualStudents.cfm>).

The Executive Board asked staff to monitor this difference for the first year of implementation. As that evaluation has taken place, KSHSAA staff agree the requirement of virtual students attending one in-person class should be dropped as their attendance is being satisfied in the online setting. By dropping this requirement (number 4 of the stipulations in the referenced policy), the public and private virtual school students would have the same expectations relative to the attendance requirement.

While I agree with the sentiment of HB 2506, our Executive Board is already prepared to take appropriate action at their March 14-15, 2024, meeting. Therefore, I do not believe the legislation provided by HB 2506 is necessary and the KSHSAA respectfully requests the finer details of management are best achieved by those in leadership positions on our governing boards. Those who are able to assess the intended and unintended consequences from a first-hand perspective will make appropriate decisions for Kansas interscholastic activity programs.

It is my expectation that the action you are seeking will be realized by Association governance decisions and would respectfully ask that you not move the bill forward as it is not needed.

Again, thank you for the opportunity to provide this testimony.