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Opponent Testimony

HB 2511 – Concerns KSHSAA; authorizing certain students to participate in activities offered by school districts; making members of and persons employed by KSHSAA mandatory reporters of child abuse and neglect

Presented to the
House Committee on K – 12 Education Budget

Monday, January 31, 2022

By
Deena Horst and Ben Jones, Legislative Liaisons
Kansas State Board of Education

Chairwoman Williams, Vice-Chairman Hoffman, and Ranking Minority Member Winn and members of the House K – 12 Budget Education Committee:

Thank you for allowing our input on HB 2511.

The Kansas State High School Activities Association's (KSHSAA) current policy already designates KSHSAA employees be mandatory reporters. Currently, 73 of the 79 members of the KSHSAA Board of Directors are employees of school districts across the state of Kansas and are by the nature of their employment mandatory reporters. The remaining six are two designees from the State Board of Education and four from the Governor. Individuals currently appointed to those positions are mandatory reporters from their employment or license. The State Board does not see the need for but does not object to Section 2 of the bill. Student safety is important to all and the State Board recognizes KSHSAA for their policies relating to mandatory reporting.

The State Board does strongly oppose Section 1 of the bill. We support the governance authority given to KSHSAA to manage eligibility regarding KSHSAA-sponsored activities. Education is the first priority of every public school district in Kansas. KSHSAA and local boards of education have set academic standards for students to participate in KSHSAA-sponsored

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activities. Local districts have also realized parental freedom in homeschooling their child or enrolling them in a virtual school. Local boards realize they may offer a class that is not available to a student attending another educational pathway outside their district but frequently allow that student who is a resident to come to the school and participate in that one class. Enrolling in that one class does not ensure the district that the student would meet the academic requirements to participate in KSHSAA-sponsored activities as the student is not enrolled in at least five credits at that school. Requiring school personnel to track down academic records outside of the school system places an additional workload on an already overworked staff and, in the case of home-schooled students are likely not available to the public school.

As the member representing the State Board of Education on the KSHSAA Executive Board and one of two members on the Board of Directors, I know that participation in interscholastic activities are connected to the academics in the school. Even collegiate activity programs require that participants in their competitive activities are enrolled as full-time students. After all, when competing, students are REPRESENTING THE SCHOOL they attend, not the community. In addition, when students wish to compete in an activity, the school allows student participation only when the students have earned the opportunity to participate in competition by meeting the school's academic expectations for competition.

I am aware there are home school coalitions whose teams often compete against public school teams. Obviously, there are opportunities for home school students to participate in competitive activities which then give home school students the opportunity to represent their home schools in which they spend their education time. The reason for attending a school should be for education purposes, not competitive activity participation. The availability of such competition is intended to be the perk for putting in the expected effort in the classroom. Activity participation is earned by students as they meet the academic achievement level required for participation. It isn't simply conferred on a student because they are enrolled. It seems very unfair for students enrolled full time to be held to the expectation of activity participation as an extension of classroom accountability, but a home school student has only to enroll in one course to participate and there is no connection to the same classroom accountability that full-time students must meet to participate in the same activity.

Thank you again for the opportunity to testify regarding HB 2511.