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SENATE BILL 145: *Amending the school classification system of the Kansas state high school activities association*

**WRITTEN TESTIMONY
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ASSISTANT PRINCIPAL
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Good afternoon, thank you for giving me the opportunity to speak with you today regarding Senate Bill 145 and the amendment to Statute 72-130. This statute establishes specific guidelines pertaining to the organizational structure and functions of the Kansas State High School Activities Association, which Paola High School is a member of. This bill specifically changes one part of this statute regarding school classification. Currently this law allows schools to be classified strictly based on student attendance, or in other words the number of students enrolled in each member school.

What is the Purpose of a Classification System?

In my opinion, the primary function of a classification system should be to provide a competitive post season tournament, both in terms of championships won and appearances in post season play.

A review of the last 10 years of post-season play reveals that competitive balance does not exist in our current system. The competitive imbalance has been well documented over time and was validated in 2007 by a Private/Public Study Committee that was sanctioned by the KSHSAA.

What does KSHSAA's Current Classification System Look Like?

The current classification system being used in Kansas has 6 classes and was adopted in 1979. It has been modified twice since its inception. Class 1A and Class 4A have both been "split" into 2 separate divisions for some activities which essentially has created 8 classes in those instances.

Precedent has already been set by the membership to "modify" the classification system when a competitive imbalance has been found. Throughout the history of the KSHSAA our



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classification system has been based strictly on enrollment. Schools cannot leave a classification to find a more appropriate level of competition like they can in a league. It has become increasingly evident over time that “other factors” must be taken into consideration when classifying schools in Kansas if the goal exists to create a level playing field for the membership.

Can the KSHSAA fix this problem?

Until Senate Bill 145 is signed into law KSHSAA can only look at solutions that re-shuffle schools based on their enrollment numbers. The only way that this can happen is to change the number of schools in each individual classification.

In 2013 KSHSAA’s Executive Director, Gary Musselman, asked for legal interpretation of Statute 72-130 from Attorney Randall Forbes. Mr. Forbes noted in his response that “if a modifier were approved, a private school would have a strong likelihood of success in challenging its legality”. Until Statute 72-130 is amended the KSHSAA Executive Board has repeatedly demonstrated that they will not support any efforts to implement a classification modifier for private schools.

Will the Proposal drafted by the Classification Study Committee address the competitive imbalance in Kansas?

The simple answer is No. The size ratio of schools within each class in the proposed system does not change significantly from the current system. Thus it is logical to conclude that results will change very little under the new system if adopted by member schools.

KSHSAA’s committee asked for feedback from member schools in October 2015, this was the only formal survey of member schools during the committee’s work:

“When considering KSHSAA school classifications, which of the following are the most important factors that should be taken into consideration by the KSHSAA Classification Study Committee?”

Please Rank the Following:

1= highest priority

2= second priority

3= third priority

_____ *Total number of schools in each classification.*

_____ *Total number of classifications.*

_____ *Enrollment ratio of range of the schools within each classification (largest school compared to the smallest school)*

Proposed by KSHSAA Classification Study Committee

Schools identified Enrollment ratio as the #1 concern (of the options presented) and this became the Top factor in the committee’s work.

Note: The Classification Committee Proposal does the exact opposite of what member schools indicated was their #1 concern. In Non-Football Activities 5 of the 6 classes will see the size ratio INCREASE within their respective classification

<u>Class</u>	<u>Size Ratio in Current System</u>	<u>Proposed Ratio</u>
6A	1.62	1.77
5A	1.75	1.85
4A	2.92	2.14
3A	1.64	1.68
2A	1.66	1.73
1A	4.95	5.63

Did the Classification Study Committee give serious consideration to “other options” during their work?

The answer is NO. This excerpt taken from an article dated 9/15/16 from the Wichita Eagle:

*“Faflick said the committee decided early to treat private schools the same as public. They listened to proposals to create a separate classification for private schools and to create a multiplier — where private-school enrollments are multiplied by a predetermined number, such as 1.35 in Missouri — **but determined there wasn’t enough evidence to support it.**”*

Mr. Faflick, one of the Classification Committee Co-Chairs, indicates that the committee made a determination that there was not enough evidence to support implementing a private school modifier. **This determination was made without surveying member schools to measure interest!**

Do KSHSAA Member Schools Support a Private School Modifier?

Yes. An independent survey of all member schools was conducted by myself and Randy Heatherly in December of 2016. Survey Highlights are listed below:

Question #1: Would you support the KSHSAA Classification system implementing a “modifier” for selective enrollment schools”? Selective enrollment schools are defined as a school that can decline admission/enrollment to a student that resides with that school’s public school district or designated geographic area.”

- 80% of member schools responded to the survey.
- 82% of respondents indicated support for a private school modifier.
- 8 Kansas Leagues indicated unanimous support for a modifier.
- 22 Kansas Leagues indicated a majority of schools support a modifier.
- 0 Kansas Leagues indicated a majority of schools are opposed to a modifier.
- 103 out of 105 Kansas Counties include school districts that support a modifier.
- All 6 Classifications support a modifier.
 - 6A- 64% 5A- 83% 4A-92% 3A-28% 2A-83% 1A-80%

Question #2: “Which of the following do you feel would be the most fair and effective type of classification modifier?”

- #1 Choice was a Success Modifier (40% of schools)
- #2 Choice was a Multiplier (31% of schools)
- #3 Choice was Separate Divisions for Private Schools (11%)

What role has the legislature played in this recent discussion regarding school classification?

In March 2016 the Senate Education Committee held an informational hearing regarding this same topic. At the conclusion of this meeting Chairman Abrams sent correspondence to KSHAA which stated:

*“As the current KSHSAA committee considers alternatives to the current classification system and develops recommendations for its Executive Board, we would encourage you to consider different options **even if they require a change to the statute.** In the event the committee finds the best alternative would necessitate such a change, the Senate Education Committee would welcome KSHSAA’s recommendations. We will look forward to hearing the committee’s conclusions in January of 2017...”*

The KSHSAA Classification Study Committee has completed its work and will make a presentation to the KSHSAA Board of Directors in April 2017. The Committee **DID NOT** give serious consideration to any solutions which require a change in statute. Nor did the committee survey member schools to determine if there was interest in looking at alternatives which require a change in statute. **We now know, through the independent survey, that there is overwhelming interest among member schools to implement a modifier, which requires a change in statute.**

At the hearing in 2016 questions were asked to clarify if support for this measure existed among member schools statewide or if it was a small contingency of schools. In response to those types of questions the survey described above was conducted to provide insight to legislators upon their request.

What is KSHSAA’s Official Stance regarding SB 145?

In an official statement released on January 11th, 2017 it read in part; “the Executive Board EXPRESSES NO OBJECTIONS to their proposed revision of K.S.A. 72-130 Section 1 (5)”. This statement was drafted by the Executive Board in Open Session and is the only official statement of position released on this topic.

Any official testimony received from KSHSAA should indicate that they in no way object to this bill being signed into law. **Offering no opposition to this initiative clears the path for member schools to have their individual voices heard by their respective legislators and this committee.**

Summary

- Passage of Senate Bill 145 would give KSHSAA's member schools the opportunity to begin working to fulfill the Classification Study Committee's Original charge of developing: "**What is believed to be the best classification for KSHSAA Member Schools.**"
- 233 of the member schools that responded to the independent survey indicated that they believe a modifier is necessary to revise our current system.
- KSHSAA's membership needs the legislatures help to improve our classification system moving forward. Please help us end 40 years of frustration.

Respectfully Submitted,



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